

APPENDIX B: PUBLIC INVOLVEMENT

B1: Scoping

**B2: Draft EIS Public Review and
Public Meetings**

B3: Additional Public Involvement

B1: Scoping

Mid-Barataria Sediment Diversion Project

Final Scoping Report

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Prepared for:



**US Army Corps
of Engineers®**
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1.0 INTRODUCTION

The National Environmental Policy Act (NEPA) of 1969 (42 U.S. Code [USC] 4321 et seq. 1969) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] 1500-1508) require federal agencies to use all practicable means to ensure that high quality environmental information is available to public officials and citizens before decisions are made and before actions are taken. NEPA and CEQ regulations require the preparation of a detailed written environmental impact statement (EIS) for proposed actions that constitute a major federal action. Major federal actions include those actions with effects that may be major and that are potentially subject to federal control and responsibility (40 CFR 1502.4, 1508.11, and 1508.18). Public scoping for the proposed Mid-Barataria Sediment Diversion Project (MBSD Project) was conducted in accordance with the scoping requirements set forth in 40 CFR 1501.7 and outlined in Section 3.0 of this report.

The regulatory authority of the U.S. Army Corps of Engineers (USACE) includes, but is not limited to, Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA). These acts (collectively referred to as Section 10/404) authorize the Secretary of the Army, acting through the Chief of Engineers, to regulate: (1) activities and structures in navigable waters of the U.S., including construction, excavation, or deposition of materials in, over, or under such waters, or any work that would affect the course, location, condition, or capacity of those waters, and (2) the discharge of dredged or fill material into wetlands and other waters of the U.S. at specific disposal sites. In addition, Section 14 of the Rivers and Harbors Act of 1899, codified in 33 USC 408 (Section 408), authorizes the Secretary of the Army to grant permission for the alteration, occupation, or use of a USACE civil works project, if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. Only after notice and opportunity for public hearing can the Department of the Army (DA) issue Section 10/404 permits and Section 408 permissions for proposed projects.

The Coastal Protection and Restoration Authority of Louisiana (CPRA or the Applicant) is proposing to construct, operate, and maintain a Mid-Barataria Sediment Diversion Project (MBSD Project), which is a multi-component river diversion system intended to convey sediment, freshwater, and nutrients from the Mississippi River at approximate Mississippi River Mile (RM) 60.7, in the vicinity of the town of Ironton, in Plaquemines Parish, Louisiana to the mid-Barataria Basin. After passing through a proposed intake structure complex at the confluence of the Mississippi River and a proposed intake channel, the sediment-laden water would be transported through a conveyance channel to an outfall area in the mid-Barataria Basin located in Plaquemines and Jefferson Parishes.

Because the construction and operation of the proposed MBSD Project has the potential to directly and indirectly impact wetlands and other waters of the U.S., navigable waters of the U.S., and to alter multiple USACE civil works projects, CPRA

submitted a Joint Permit Application on June 22, 2016 and a Section 408 Permission Request Letter on January 13, 2017 to USACE, New Orleans District (CEMVN) for a DA Section 10/404 permit and Section 408 permission, respectively.

In addition to informing the USACE decisions, the EIS may be used to inform decisions that the *Deepwater Horizon* (DWH) Natural Resource Damage Assessment (NRDA) Louisiana Trustee Implementation Group (LA TIG) may make regarding restoration planning in the Barataria Basin under the Oil Pollution Act (OPA) and the *Deepwater Horizon Oil Spill Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement* (PDARP/PEIS) (DWH NRDA Trustees 2016a¹) and associated Record of Decision (ROD) (DWH NRDA Trustees 2016b²).

This scoping report presents and summarizes the scoping comments received at the public scoping meetings and throughout the 60-day comment period. These comments have been considered by CEMVN and the DWH NRDA LA TIG³ and will be utilized in developing the draft EIS.

2.0 PROPOSED PROJECT

2.1 Description

The proposed MBSD Project consists of a controlled sediment and freshwater intake diversion structure in Plaquemines Parish on the right descending bank of the Mississippi River at RM 60.7, with a conveyance system that would discharge sediment, freshwater, and nutrients from the Mississippi River into an outfall area within the mid-Barataria Basin in Plaquemines and Jefferson Parishes. The conveyance system would cross a portion of Louisiana Highway 23 (LA 23) and the New Orleans Gulf Coast (NOGC) Railroad, and alter a portion of the Mississippi River and Tributaries Program, Mississippi River Levee (MR&T Levee) and other USACE projects. When operational,

1 Deepwater Horizon Natural Resource Damage Assessment (DWH NRDA) Trustees. 2016a. Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement.

2 Deepwater Horizon Natural Resource Damage Assessment (DWH NRDA) Trustees. 2016b. Record of Decision for the Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement.

3 On April 4, 2016, the LA TIG was established in Appendix 2 of the Consent Decree resolving civil claims by the DWH NRDA Trustees against BP Exploration and Production Inc. arising out of the DWH oil spill. (See *United States v. BPXP et al.*, Civ. No. 10-4536, centralized in MDL 2179, In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010 (E.D. La.)). The LA TIG is comprised of: the State of Louisiana (which includes the following state agencies: CPRA, Louisiana Department of Wildlife and Fisheries (LDWF), Louisiana Oil Spill Coordinator's Office (LOSCO), Louisiana Department of Natural Resources (LDNR), and Louisiana Department of Environmental Quality (LDEQ)), the National Oceanic and Atmospheric Administration (NOAA), the U.S. Environmental Protection Agency (EPA), the U.S. Department of the Interior (DOI), and the U.S. Department of Agriculture (USDA).

the proposed MBSD Project would discharge up to 75,000 cubic feet per second (cfs) of sediment, freshwater, and nutrients into the mid-Barataria Basin during periods when Mississippi River flows are 450,000 cfs or greater at the U.S. Geological Service (USGS) gage at Belle Chasse, Plaquemines Parish, Louisiana. When Mississippi River flows are below 450,000 cfs at the Belle Chasse gage, the proposed MBSD Project would maintain a base flow of up to 5,000 cfs.

Construction of the conveyance channel would require that a portion of LA 23 and the NOGC Railroad be raised and relocated over the conveyance channel. A number of other public and private facilities and utilities would also require relocation due to the construction and/or operation and maintenance of the proposed MBSD Project. The proposed Project would require a pump station and a new canal to direct drainage flows to the new pump station to accommodate impacts to features of existing drainage systems caused by the MBSD Project.

2.2 Applicant's Stated Purpose and Need

CPRA's Joint Permit Application dated June 22, 2016, states that the purpose of the proposed MBSD Project is to reconnect and re-establish the natural or deltaic sediment deposition process between the Mississippi River and the Barataria Basin, as a long-term resilient, sustainable strategy. The Applicant further states that the proposed MBSD Project is needed to reduce land loss rates and sustain wetlands injured by the DWH oil spill through the delivery of sediment, freshwater, and nutrients.

3.0 NEPA SCOPING PROCESS

NEPA regulations require an early and open process for determining the scope of issues to be addressed in an EIS and for identifying the significant issues related to a proposed action. This process is referred to as scoping (40 CFR 1501.7). As part of the NEPA scoping process, the lead agency may hold an early scoping meeting or meetings. In addition, as part of the scoping process, the lead agency shall:

- invite the participation of affected federal, state, and local agencies, any affected tribal nations, the Project applicant, and other stakeholders;
- determine the scope and the significant issues to be analyzed in depth in the EIS;
- identify and eliminate from detailed study the issues that are not significant or that have been covered by prior environmental review;
- allocate assignments for preparation of the EIS among the lead and cooperating agencies, with the lead agency retaining responsibility for the statement;
- indicate any public environmental assessments and other EISs that are being or will be prepared that are related to but are not part of the scope of the

impact statement under consideration;

- identify other environmental review and consultation requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the EIS as provided in 40 CFR 1502.25; and
- indicate the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision-making schedule.

A Notice of Intent (NOI) to prepare an EIS for the proposed MBSD Project was published by CEMVN in the Federal Register on October 4, 2013 (78 FR 61843). A supplemental NOI was published by CEMVN in the Federal Register on April 27, 2017 (82 FR 19361) following the receipt of a modified DA permit application. The formal 60-day public scoping comment period for the EIS began on July 6, 2017 and ended on September 5, 2017.

The public scoping process included three meetings held in Jefferson and Plaquemines Parishes. Notices of the public scoping meetings were sent through email distribution lists, posted on CEMVN's Mid-Barataria Sediment Diversion EIS website (<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS>), and mailed to public libraries, government agencies, and interested groups and individuals. Scoping meeting dates and locations were advertised in the following local newspapers on the following dates:

- Plaquemines Gazette, July 4 and 11;
- The Times Picayune, July 5 and 14; and
- The Advocate, July 5 and 17.

The newspaper scoping meeting ads included a note stating that Vietnamese translation would be available at the meetings, and that translation services in other languages were available upon request.

A total of 282 people signed the attendance records at the three scoping meetings (Table 1). These included, but were not limited to, private citizens, industry stakeholders, non-governmental organizations, and elected and public officials. A copy of the sign-in attendance record sheets for each scoping meeting is provided in Appendix A.

Table 1. Scoping Meeting Locations, Dates, and Number of Attendees		
Location	Date/Time	Number of Attendees
Leo Kerner City Park Multipurpose Complex, 235 City Park Drive, Lafitte, LA	July 20, 2017/5:00 – 8:00 pm	71
Belle Chasse Auditorium, 8398 Highway 23, Belle Chasse, LA	July 25, 2017/5:00 – 8:00 pm	126
Port Sulphur Community Center, 278 Civic Drive, Port Sulphur, LA	July 27, 2017/5:00 – 8:00 pm	85

The scoping meetings consisted of a 30-minute open house, followed by a 30-minute presentation of the proposed Project by representatives from CEMVN, CPRA, and the LA TIG, followed by a two-hour open house forum. The open house session provided attendees with an opportunity to visit a series of display panels that showed maps of the proposed Project area, listed the goals and objectives of the Project, and provided an overview of the NEPA process and how to submit public comments on the Project for the EIS. CEMVN staff were available to answer questions. CPRA, the LA TIG, and NOAA also had posters and display tables that provided information about NRDA and the Marine Mammal Protection Act as they pertain to the proposed Project, and staff on hand to answer questions. Throughout the three-hour scoping meetings, court reporters were available to transcribe any verbal comments that attendees offered about the Project and the NEPA process. The public scoping meeting transcripts are provided in Appendix B.

Because commercial fishing interests were expected to have a large representation at the public scoping meetings for the proposed Project, and there is a large Vietnamese community within the larger commercial fishing industry in Louisiana, the scoping meetings provided accommodations for Vietnamese translation of the meeting presentation, submission of Vietnamese comments, and translation of questions and answers at the display panels. Non-English speakers requiring Vietnamese translation of the presentation were provided earphones through which a translator provided real time translation during the presentation. The translator was also available to record public comments provided in Vietnamese and translated into English for the official public comment record.

4.0 SUMMARY OF SCOPING COMMENTS

4.1 Overview

This section provides a general summary of the comments received during the public scoping process. All public comments in their entirety have been made a part of the administrative record and are provided in Appendix C, organized in alphabetical order by last name for ease of reference. Comments that were submitted by agencies or organizations (identified by those comments submitted with formal signatures or letterheads) are named by the agency or organization rather than an individual's name.

CEMVN received a total of 871 individual comment submissions via emails, letters, comment cards, and verbal comments transcribed at the public scoping meetings. Of these submissions, 555 (64 percent) included identical (form) letters signed by different individuals. Approximately 744 (85 percent) of comment submissions were from commenters that gave Louisiana addresses. The remaining comments were from people residing in other U.S. states, and one comment was received from England. Individual commenters identified an affiliation in 195 of the comment submissions, representing 62 unique affiliations. These affiliations included government agencies, non-governmental environmental organizations, and organizations representing commercial, social, cultural, or recreation associations.

All public scoping comments were reviewed and will be used to inform the scope and development of the EIS. Section 4.4 at the end of this document provides the name of all individuals, agencies, and organizations that submitted comments and indicates the EIS chapters in which each commenter's comments will be considered (Table 3). Table 2 below lists the primary topics that were identified in the comment submissions and the chapter of the draft EIS that will likely address each comment topic. EIS chapters that will address comments include Purpose and Need; Alternatives; Affected Environment; Environmental Consequences, which includes Cumulative Impacts and potential mitigation measures; Compliance with Other Environmental Laws and Regulations; and Public Involvement. Comment submissions that provided input on multiple issues will be addressed in multiple EIS chapters. Examples of the primary comment topics expressed in the comment submissions are summarized in Section 4.3 below.

Comment Topic	PN	ALT	AE	EC	CLR	PUB
Alternatives Analysis		X				
Public Coordination						X
Project Operations		X		X		
Timeframe/Schedule	X				X	
Adaptive Management and Monitoring		X		X		
Land loss and Sea Level Rise	X	X	X	X		
Flooding and Storm			X	X		
Geology and Sediment Transport			X	X		
Wetland Impacts			X	X		
Water and Sediment Quality			X	X		
Protected Species			X	X		
Marine Mammals			X	X		
Commercial Fishing			X	X		
Fish Resources			X	X		
Socioeconomics and Environmental Justice			X	X		
Land-Based Transportation and Public Utilities		X	X	X		
Navigation			X	X		

Table 2. Example Comment Topics Expressed in Public Comments and Draft EIS Chapters that Will Address Them ^{1,2,3}						
Comment Topic	PN	ALT	AE	EC	CLR	PUB
Environmental Impact Analysis and Modeling				X		
Cumulative Impacts				X		
Other		X		X		
¹ Many comments provided input on multiple issues and therefore will be addressed in multiple chapters of the draft EIS. ² PN = Purpose and Need, ALT = Alternatives, AE = Affected Environment, EC = Environmental Consequences, CLR = Compliance with Other Environmental Laws and Regulations; and PUB = Public Involvement ³ Information presented in Table 2 is based on preliminary binning of comments after the scoping period. Comment topics may be addressed in other sections of the DEIS and FEIS.						

4.2 Summary of Comment Topics: Form Letter versus Unique Letters

Approximately 555 (64 percent) of all comment submissions were form letters, all of which stated support for the proposed Project. The form letters had five primary themes, including:

- Land loss: Without action, Barataria Basin could lose an additional 550 square miles of land over the next 50 years.
- Timeframe/schedule: Request that the USACE act swiftly through all phases of the Project.
- Alternatives: All analyses of the proposed MBSD Project and its effects on the Barataria Basin should also consider the effects of NOT building this Project, which would result in continued loss that threatens our communities, wildlife, and culture.
- Public engagement: Regularly share information with the public and other stakeholders throughout the EIS and permitting process and at critical milestones.
- Adaptive management in operations: The operation of the proposed MBSD Project should provide as much flexibility as possible to modify operations over time in response to changing environmental conditions.

The unique (non-form) letters (316 letters) showed more variation in the types of comments expressed. Approximately 23 percent stated support for the proposed Project, 54 percent stated opposition, and 23 percent did not state support or opposition to the proposed Project. The topics expressed in comment submissions are explained in Section 4.3 below.

4.3 Examples of Comments by EIS Topic

Paraphrased examples of comments, both for and against the proposed Project, that illustrate recurring themes observed in the comment submissions are shown below, organized by topic category. All public scoping comments, including those not shown below, have been reviewed and will be used to inform the scope and development of the EIS. Appendix C includes all comments submitted.

4.3.1 Alternatives Comment Topics

Some of the comments suggested various alternative Project plans and alternative features to be considered for analysis in the Alternatives chapter in the draft EIS. Below are examples of comments related to this category.

- Sediment diversions have long-term benefits that constructed marsh creation projects do not; mainly that they can continuously build land over time and sustain existing and created wetlands.
- Sediment diversions and marsh creation projects should be used in tandem to increase their effectiveness over time.
- The EIS should analyze marsh creation projects through the beneficial use of dredged material as an alternative to the proposed Project.
- Marsh creation projects through the beneficial use of dredged material are much less damaging to the fisheries and the environment, and studies show that over a period of 50 years, these projects were more economically feasible than diversion projects.
- Plaquemines and Jefferson Parishes would get immediate protection from coastal flood surges by building rock barriers to slow down storm surge. It took hundreds of thousands of years to build the Louisiana estuary with the natural rise and fall of the Mississippi River's alluvial valley, and the proposed Project will not promise protection to anyone soon.
- The land-building capacity of the proposed diversion Project due to the availability of sediment in the river water is questionable. The uncertainty surrounding the projected land-building capacity of the proposed diversion and the experimental nature of the project make it difficult to arrive at an accurate cost-benefit analysis.
- Recommend that the proposed diversion Project include the creation of "Chenier-like" ridges in the freshwater areas extending into more brackish areas to slow down the flow of water and allow phytoplankton and zooplankton to remediate some of the excess nutrients, insecticides, and herbicides contained in the river water. Ridges would also create barriers for

storm surge and wind.

- The Project should include the construction of canals or bayous to disperse the main flow with some type of terracing or ridges to manipulate the current; when the water is allowed to meander away from the main flow is where the best restoration happens.
- Tidal saline waters should be pumped into the diversion outfall area to mitigate excess nutrients and allow for oxygenation of river water to prevent hypoxia.
- Consider using the excavated material from Project construction to raise the ground in Ironton, fortify the back levee, or fill in borrow pits rather than placing all excavated material in a disposal area.
- Consider an alternative Project design that includes risk reduction measures for Ironton and surrounding communities, such as raising homes to prevent flooding.
- Study the benefits of building the conveyance channel upriver from the proposed location, farther away from residences.
- Consider an alternative that does not include costly upgrades to the NOGC railroad and redirect this money toward other improvements.
- Consider an alternative plan that does not include the RAM Terminals coal export terminal.
- Compare the proposed Project to a future-without-Project alternative.
- Don't just compare the Project to the No Action alternative; compare it to other coastal restoration alternatives that will not cause such adverse impacts on commercial fisheries.
- Conduct an alternatives study to compare potential costs and benefits of implementing a smaller diversion project in conjunction with using dredging/pipeline sediment delivery for marsh creation. The diversion could then be operated at lower volumes causing less environmental problems and fewer user conflicts.
- Maximize the silt load as much as possible. When the diversion is open at high sediment level and flowing full stream, the addition of dredges pumping into the conveyance channel may take advantage of full sediment load.
- Request that the guide levees on the Project be built to the 100-year hurricane and flood protection standard so that levee construction and

highway bridging will not have to be modified at a later date.

- Request explanation of having two gates versus a more cost-effective option of one gate.
- Submit Project alternatives that include economic and operational mitigation for fisheries, as well as alternatives that include marsh creation.
- Review multiple disposal areas, including areas in the western reach of the Barataria Waterway to reduce tidal events for the Upper Barataria coastal communities and possibly lessen flooding impacts due to the proposed Project.

4.3.2 Public Coordination Comment Topics

Some of the comments expressed support for public coordination and offered suggestions for optimizing the public engagement process. These comments will be addressed in the Public Coordination chapter of the draft EIS. Examples of this comment topic are provided below.

- Recommend that the decision-making process for this Project be transparent to the public.
- Including the public in this process can help shed light on threats and concerns that those lacking experience and local knowledge may miss.
- As the state's proposal for the scale of the proposed diversion has increased, estuarine fishers' role in the decision-making process for the Project has decreased.
- Need public engagement to come up with a consensus for operations.
- A public meeting should have been held in Lafourche Parish.
- Recommend that from this point forward you seek public comment at a public meeting in Lafourche Parish.
- Scoping should have been held within the Barataria Basin. Future meetings should be more accessible to stakeholders living within the basin.
- The state has not done enough to inform the fishermen and engage them through the planning process. CPRA (the Applicant) has not spoken publicly about how the Project would impact fisheries.
- Establish a gulf oyster industry stakeholder group for consultation during the development of the draft EIS.

- To date, only clear information has been received regarding the diversion's ability to build land; those in charge must study and circulate equally robust information about its effects on industry-dependent species (shrimp, oysters, crab, finfish, etc.) and Louisiana's commercial fishermen and coastal residents.
- Create forums for addressing commercial fishermen and their communities' concerns.
- Request more specific discussion about the Project with navigation stakeholders.

4.3.3 Project Operations Comment Topics

Below are examples of comments related to how the Project would be operated. These comments will be addressed in the Alternatives and Environmental Consequences chapters of the draft EIS.

- Request clarification as to whether the diversion will flow continuously or only when the river is above a certain velocity at the Belle Chasse gauge.
- The proposed Project suggests that the diversion would flow at a 5,000 cfs minimum flow at all times; this may be both impossible and unwarranted.
- Concerned that there is no legal mechanism or other means of enforcing any particular operational regime or operational parameters for the proposed diversion.
- The key to sustainability for fisheries is salinity at the right time of year. How will the operational regime be balanced for achieving the salinity regime best for fisheries sustainability versus building land at a reasonable rate?
- The oyster is primarily a bimodal spawner from April to May and again from September to November. How will the introduction of freshwater in the late winter/spring influence spring gonadal development? If the spring gonadal development and spawn is lost due to excessive fresh water input to the bay, how may this influence the fall spawning cycle?
- Running diversions primarily in the spring when up-stream water volume is highest will suffocate juvenile shrimp, crabs, and other species that use the bay to reach maturity from March to May. This will drastically impact both the size and volume of shrimp in the bay and gulf.
- Need public engagement, especially with commercial fisher people, to come up with a consensus for operations.

- Recommend that the proposed diversion carry as much sediment (suspended and/or bedload) from the river as possible and incorporates pulsing (fluctuating the amount of water diverted) to optimize sediment delivery to receiving area wetlands. To aid in optimizing sediment delivery, recommend incorporating a network of sediment monitoring stations/gauges upriver of the potential diversion to provide advanced notification of sediment pulses moving down-river so that opening of diversion structures can be planned/coordinated a few days in advance (and affected interests can be forewarned). Placement of sediment/turbidity gauges early during the planning phase would greatly improve the data needed to develop and select an operation plan that would maximize sediment delivery.
- Consider operations that prevent or minimize adverse impacts on wetlands due to prolonged inundation and focus on the overall enhancement of the entire Project area.
- Concerned about the 5,000 cfs base flow rate. A total freshwater closure at times of low-river would mimic pre-levee hydrological conditions, would be beneficial for marine fisheries, and would allow for a gradation from saltwater to freshwater marsh types as was historical in Louisiana. When you are not getting the benefits of silt, close off the freshwater.
- An operational plan must be developed that is approved by all parties including representatives from the navigation industry.
- The operations plan should be developed with coordination from non-profit organizations to mitigate fisheries damages and damages to marine mammals under the Marine Mammal Protection Act and the Endangered Species Act.
- Concerned that CPRA, after talking about this operations plan as a concept since 2012, has not submitted an operations plan since the last round of scoping for this Project in 2011.
- If tax dollars will be spent to restore the coast, the best use of that money is to operate the Project at full capacity to maximize benefits to wetlands. If the Project isn't operated to its capacity, then building it is a waste of money.
- Suggest that a comprehensive basin-wide operation plan be developed to coordinate all the diversions and siphons for the health of the basin.

4.3.4 Timeframe/Schedule-Related Comment Topics

Some comments were related to expediting the permitting process and implementation schedule for the Project. These comments will be addressed in the Purpose and Need, and Compliance with Other Environmental Laws and Regulations

chapters. Below are examples of comments related to this category.

- Recommend that the permitting process be sped up. Total decimation of the marsh in Buras has happened in a short time, and it is happening daily throughout the state. The EIS process should not go on for years.
- Five years to achieve a permit for a project that is just one of many cornerstone projects in our state's Coastal Master Plan is completely unacceptable.
- Our land loss crisis is severe and urgent and will only worsen unless we act, and that means ensuring swift, effective implementation of the state's Coastal Master Plan, including the MBSD Project.
- A delay of two years behind the previously published Project timeline is unacceptable in light of the Project already having 30-plus years of analyses and studies completed. With such an extensive background of research, a completion date of October 2022 is too long and shows the inability of our federal partners to be able to expedite vital public works initiatives.
- Request that the USACE as well as all other federal agencies assist with expediting permits for the project.
- The scoping report should be completed and released to the public as soon as possible.

4.3.5 Adaptive Management and Monitoring Comment Topics

Some of the comments were related to suggestions for applying adaptive management, flexibility, and a monitoring program to the Project operation plan. These comments will be addressed in the Alternatives and Environmental Consequences chapters of the draft EIS. Below are some examples of comments related to this category.

- There needs to be a robust, long-term monitoring program that begins well in advance of initial operations to collect baseline data during permitting and construction.
- A robust adaptive management plan should be included in the EIS that provides the range of adaptive management options and their potential effects, the process for reviewing operational decisions and monitoring data using the best available science each year, and a regular means of communicating and interacting with the public about any planned changes to operations.
- The preferred alternative should provide the flexibility to modify operations

over time in response to changing environmental conditions.

- An adaptive management approach to the operations plan should include feedback from fishers (referred to as Traditional Ecological Knowledge) to gain insight on seasonal and annual fishery practices and seasonal fluctuations on where fish are located.
- Resilience for a fishery and its community must be at the core of adaptive management as much as land building and land maintenance.
- Suggest the creation of basin-level, multi-agency advisory committees that would provide scientific recommendations to guide the operation of the structure, ensuring a watershed approach in the operation of all basin diversions and siphons to meet restoration goals.
- Recommend that a monitoring and adaptive management plan (MAMP) be developed in consultation with scientists, natural resource agencies (including, among others, the National Marine Fisheries Service), and the public. The MAMP should clearly identify variables and issues to be monitored and describe the monitoring plan. Include the MAMP in the draft EIS so that it is available for public/stakeholder review and comment.
- The Project is located in a dynamic environmental context, so flexibility must be incorporated into the operation plan to operate this asset to its highest and best use in any environmental situation.

4.3.6 Land loss and Sea Level Rise Comment Topics

Below are examples of comments related to land loss. These comments will be addressed in the Purpose and Need, Alternatives, Affected Environment, and Environmental Consequences chapters of the draft EIS.

- Consider impacts to the basin under No Action. Barataria Basin has experienced tremendous change with tens of thousands of acres of wetlands having been converted to open water, threatening communities, industry, and wildlife.
- The 2017 State of Louisiana Coastal Master Plan predicts with the No Action alternative, Barataria Basin will lose roughly 550 square miles in the next 50 years under the medium future scenario.
- The draft EIS should describe the causes of wetland losses and conversion to more saline types, including the impact of isolation of the Mississippi River from its delta.
- It is important to have a reasonable estimate of the likelihood of successful

restoration in light of climate change and sea level rise.

- The USACE should study the impact of increased rates of sea level rise on the ultimate success of the diversion as a tool for rebuilding land in coastal Louisiana.
- The losses our region would continue to face without this diversion—from an environmental, cultural, and economic standpoint—would be devastating and irreversible.
- The Mid-Barataria Sediment Diversion is a big piece in the overall solution to the issues of coastal erosion.
- The land loss crisis here in Louisiana is so severe and urgent that action must be taken now. The proposed diversion would be a very important step to help protect the future of this very complex and diverse ecosystem.
- This project is desperately needed on the fast track; citizens' way of life and homes are in danger. Many people moved out of the area because of Hurricane Katrina. Without this Project there will be a loss of more residents.
- Land loss in South Louisiana is very apparent. It's imperative to use the land-forming power of the Mississippi River to build new land to buffer coastal communities.

4.3.7 Flooding and Storm Risk Reduction Comment Topics

Some of the comments were related to the proposed Project's potential impact on flooding and storm risk reduction. These comments will be addressed in the Affected Environment and the Environmental Consequences chapters of the draft EIS. Below are examples of comments related to this category.

- Lafitte and other communities near the Davis Pond diversion are subject to flooding when the Davis Pond diversion is operated at 10,000 cfs. The proposed MBSD diversion would introduce approximately 700 percent more water into those areas, exacerbating flood hazards in those communities that are already highly susceptible to flooding.
- The long-term benefit of natural sediment accumulation and land building will create sustainable wetlands that are vital to the community's storm resiliency.
- Request strong coordination with the USACE project team on the West Bank Non-Federal Levee System currently under design to ensure the projects are working together.
- The diversion will increase flooding in low-lying communities.

- Diversion-related flooding is likely to impact Vietnamese and Cambodian fishermen's homes and displace their families, and inflict physical damages to the fishing vessels docked in these low-lying areas.
- Request that the USACE evaluate the effects of increased water levels within the Upper Barataria Basin, specifically in the coastal communities of Grand Isle, Jean Lafitte, Barataria, and Crown Point.
- Assess whether punching a hole in the levee will destabilize the remaining river levee.
- Study how the Project will impact river levees and back levees, including how conveyance channel walls and the proposed pump station could change flooding dynamics around Ironton and surrounding areas. Ground this analysis in the current height and structural integrity of river levees and back levees.

4.3.8 Geology and Sediment Transport Comment Topics

Some of the comments were related to geology and sediment transport. These comments will be addressed in the Affected Environment and Environmental Consequences chapter of the draft EIS. Below are examples of comments related to this category.

- In the CPRA documentation for the Basis of Design reports, there are indications of the existence of faults and recent fault activity in the immediate vicinity of the Project. Recommend that a thorough subsurface geological evaluation of the Project vicinity be conducted to determine the location of geological faults, the recent history of fault movement, and the effects of active faults on subsidence rates and variations in the thickness of highly compactible soils.
- Recommend that a review of the subsurface geology in the Project area using oil and gas industry 2-D and 3-D seismic data be performed and the potential rate of horizontal and vertical displacement due to fault movement be estimated.
- Will guidance documents and regulations from other states be considered and modified to help develop mitigation techniques to accommodate horizontal and vertical displacement due to fault movement in the Project area?
- Request that the USACE evaluate Sediment Retention Plans to maximize land accretion.
- An indirect impact resulting from the diversion may be the future loss of

sediments from being delivered to the Birds Foot Delta and hence the Delta National Wildlife Refuge (NWR). Request that estimates of sediment transport changes to the Delta NWR as a result of the proposed diversion be determined and provided for the life of the Project.

- Will the stability of the land around the diversion be affected, and will the Project affect the stability of nearby elevated homes?
- The sediment that the Mississippi River carries has continually declined. It is questionable how much sediment can be derived from this Project.
- Study how the Project may affect federally maintained navigation channels, oil field access channels, and natural streams.

4.3.9 Wetland Impacts Comment Topics

Below are examples of comments related to wetland impacts. These comments will be addressed in the Affected Environment and the Environmental Consequences chapters of the draft EIS.

- The diversion would make brackish wetlands more susceptible to storm surge.
- Investigate whether the Project would create “flotant” marsh that is much more susceptible to hurricanes and storm surge than saline/brackish marsh.
- There is scientific uncertainty regarding the potential wetland responses to large-scale river diversions. Some research findings suggest that nutrient loads in diverted waters, combined with low salinity, could reduce soil shear strength and make affected marsh habitats more susceptible to wind and hydrologic forces. Other reports document significant amounts of marsh erosion associated with natural diversions of the Mississippi River. This literature suggests it may take significant numbers of years for wetlands near the outfall location to recover from such impacts.

4.3.10 Water and Sediment Quality Comment Topics

Examples of comments related to water quality and sediment quality are provided below. These comments will be addressed in the Affected Environment and the Environmental Consequences chapters of the draft EIS.

- When the diversion is open, will the river still maintain enough head pressure or flow to maintain freshwater conditions in the Bird’s Foot Delta in Venice? Concerned that funneling so much water from the main flow of the river will allow further saltwater intrusion into the Bird’s Foot Delta.

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- Nitrates, phosphates, chemical pesticides, mercury, and other pollutants in Mississippi River water will be delivered into the basin by the proposed Project.
 - Establish baseline monitoring of water and sediment expected to flow through the diversion for fecal coliform. Set a maximum daily limit and flow rate on fecal coliform amounts that ensures that Department of Health limits are not breached that would result in unnecessary area oyster closures.
 - Establish a baseline level through monitoring of dissolved oxygen content and nutrient loading.
 - Establish baseline monitoring of water and sediment for fecal coliform.
 - Anticipate enough water gauges and instruments.
 - Mississippi River water contains high levels of Atrazine, an herbicide used in farming practices, that could prove hazardous to marine life and wetland stability in the Project area.
 - Prior water quality sampling of Mississippi River water has found Atrazine, Fipronil, and Chlorothalonil entering the marsh at the Bayou Lamoque Ballendock structure.
 - Issues that should be studied include the impact of increased nutrient levels and the potential for increased eutrophication in coastal bays as a result of the Project.
 - Diversions should be designed to minimize unacceptable levels of eutrophication and contaminant introduction. Even micro-plastics may become a concern with such large volumes of water shunted into the wetlands.
 - Monitoring of the Davis Pond and Caernarvon diversions indicated that some chemicals were being introduced into the receiving areas from the Mississippi River at increased levels.
 - Analyze sediment samples to determine toxicity levels for substances such as lead, mercury, PCBs, and other harmful chemicals. Ensure that there are enough water gauges and instruments installed in multiple locations in the basin to gather comprehensive and real-time data on water quality, flow, salinity, dissolved oxygen, fecal coliform, circulation pattern, and sediment flow.
 - To monitor chemicals transported by the diversion, recommend that during the study the USACE undertake periodic water quality sampling to help

determine if chemical concentrations could begin to pose a threat to fish and wildlife resources in the Project area.

- Currently, water from the Mississippi River causes a dead zone (hypoxic zone) the size of Connecticut in the Gulf of Mexico each year. Algae blooms are also highly likely once freshwater is introduced into the Barataria Basin.
- The diversion will potentially create hypoxia above the Bayou Dupont marsh creation. When the Naomi siphon wasn't running in 2015 and 2016, hypoxic conditions were identified northwest of the Pen. The Naomi Siphon has two pipes functioning at this point. The hypoxia associated with them has not been accounted for.
- Because of the Bayou Dupont marsh creation project, hypoxic effects to the north are seen because the newly created marsh is blocking the flow of tidal waters. Salinity north and northwest of the Bayou Dupont project has remained near zero since its construction, demonstrating that tidal mixing isn't occurring and is contributing to hypoxia. Will the proposed Project cause similar impacts?
- The Mid-Barataria diversion may create large areas of hypoxia and expand the current area of hypoxia in the Naomi Siphon area.
- Salinity gradients radically increase the diversity of fish and plants.
- While the "dead zone" is located offshore and generally away from oyster grounds, the oyster industry has seen in recent years an increase in the number of "mini-hypoxic" zones that have negatively affected oysters in nearshore areas where oysters are harvested. The expanding hypoxic dead zone and lowering of salinity levels through freshwater releases for the Caernarvon and Davis Pond Sediment Diversions and the Bonnet Carre Spillway are indicators of the potential threat to oyster populations posed by this diversion.
- Concerned that sediment and water diversion into upper estuaries will cause hypoxic dead zones in areas that are highly important to a variety of juvenile aquatic species.
- The introduction of massive quantities of freshwater into the basin will have widespread adverse impacts on water quality.

4.3.11 Protected Species Comment Topics

Recurring comments were related to threatened and endangered species, examples of which are shown below. These comments will be addressed in the Affected Environment and Environmental Consequences chapters of the draft EIS.

- Entrainment issues through diversion structures off the Mississippi River and associated with dredging operations in the river are two potential effects on the pallid sturgeon that should be addressed in the study. With entrainment of pallid sturgeons through the diversion structure being a possible issue, potential methods (such as structure modifications) should be assessed to reduce possible entrainment and/or return entrained pallid sturgeons to the river. A population viability analysis (PVA) is recommended to evaluate the risk of the diversion on pallid sturgeons.
- Manatee occurrences have been reported just south of the Project area. Human activity is the primary cause for declines in species number due to, among other reasons, entrapment in flood control structures. If siltation or turbidity barriers are used for the Project, they should be properly secured, made of material in which manatees cannot become entangled, and be monitored to avoid manatee entrapment or impeding their movement.
- The primary effects expected on sea turtles will be due to habitat impacts. These impacts are likely to include changes in water quality and chemistry, sedimentation impacts, as well as habitat loss. These habitat impacts are also expected to cause the loss and redistribution of prey species.
- The EIS should evaluate the short-term and long-term potential direct, indirect, and cumulative impacts of the Project on threatened and endangered species.

4.3.12 Marine Mammals Impacts

Below are examples of comments related to marine mammals. These comments will be addressed in the Affected Environment and Environmental Consequences chapter of the draft EIS.

- One potential impact from major diversions is to resident populations of marine mammals, specifically bottlenose dolphins. Freshening an entire estuary is possible with major sediment diversions, which could affect dolphin health as they do not readily relocate.
- Concerned about the families of dolphins that reside in the Barataria Basin. Many of them are ill from the BP oil spill. If they are exposed to large quantities of river water, they may suffer high mortality rates.
- Dolphins in the Barataria Basin are a genetically different population from others in the Gulf of Mexico. Local fishermen in the basin have described personal experiences in seeing sick or dead dolphins as a result of the BP oil spill and fear that more dolphins will get sick or die as a result of the Project.

4.3.13 Commercial Fishing Comment Topics

Many comments were related to fisheries as an industry or livelihood. These comments will be addressed in the Affected Environment and Environmental Consequences chapters of the draft EIS. Examples of comments related to this category are provided below.

- The river water will bring additional sedimentation that will settle indiscriminately over oyster reefs, in some cases smothering the crop.
- The fecal coliform levels in the Barataria estuary will dramatically increase with the introduction of huge volumes of Mississippi River water. Because of this, oyster harvesting closures implemented by the Department of Health will be greatly expanded to include areas many miles away from the diversion outfall. This would make oyster farming virtually impossible within the Barataria Basin because oysters need at least two, and up to four years of stable salinity (10-25 parts per thousand [ppt]) and water quality to grow to market size.
- Establish a baseline salinity average and flow rate between the preferred range of oysters of 15-30 ppt.
- Establish a gulf oyster industry stakeholder group.
- Having community and individual outreach involvement is a giant step in the right direction, but those efforts have not diminished the anxiety and uncertainty that fisher men and women express with regard to potential impacts from the proposed diversion.
- A 5,000 cfs continuous flow may well render estuarine fisheries to unsustainable harvest levels, especially if flowing during warm water periods.
- If an estuarine fishery is displaced from Barataria, how will that natural resource in adjacent Louisiana estuaries be influenced by a potential increase in fishing pressure? Will state management of the fishery need modification?
- Shrimping has drastically declined in the past few years, making it difficult for fisher men and women to make money. With the Project in place things may be even worse.
- Modeling results have suggested that a 75,000 cfs controlled sediment diversion into mid-Barataria Bay would have significant impacts on oysters, finfish, and shellfish (including shrimp).
- That much freshwater poured into the bay during the spring months when shrimp and other seafood are spawning will most likely kill them all. Oysters

- will die instantly and baby shrimps and crabs will not have enough time and oxygen to move away from such a huge surge of freshwater. The diversion will certainly have a negative impact on fishing businesses economically.
- The Fiscal Year 2018 Senate Energy & Water Appropriations Bill includes the following language in its committee report: "The Committee encourages the Corps, when conducting or reviewing environmental assessments or environmental impact statements for navigation or coastal restoration projects in areas where oyster reefs exist, to consider water quality and salinity impacts on those reefs and, when appropriate, to mitigate any negative impacts."
 - Develop mitigation recommendations for public oyster reef and private lease areas where oyster loss is expected to be significant as a result of the Project.
 - Fully map Barataria Bay/Basin oyster reefs and lease areas in order to establish pathways for sediment deposit and ensure those deposits do not cover or silt over oyster grounds.
 - Disclose what the state is planning to do with the thousands of oyster leases in Barataria Bay and adjoining waterways.
 - Some shrimpers may not be able to adapt to the potential negative impacts of sediment diversions without assistance. The range of vulnerability and ability to adapt is widely varied by socioeconomics and business operations of each shrimper and further complicated by the uncertainty of the magnitude with which Project impacts may occur. A thorough analysis of concerns on the front-end will lead to more expeditious construction and more effective operation of the proposed Project in the long-term.
 - The commercial fishing interests from Mississippi have seen firsthand the impacts diversions can have and therefore express strong concerns over any future projects that aim to divert water and/ or sediment from the Mississippi River.
 - The EIS should identify the impacts of the diversion on brown shrimp, white shrimp, oysters, and other seafood that is the foundation of Louisiana's third largest industry.
 - Diverting oyster leases will create job decline throughout southeast Louisiana. Without mitigation funding for job training, many regional oystermen will be without jobs.
 - Suggest a loan or grant program for commercial fishing or small businesses to assist in transitioning or perform upgrades to be able to be resilient and continue fishing.

- The EIS should investigate mitigation measures for commercial fishing interests such as the relocation of oyster leases and “alternative oyster culture” using off-bottom technology.

4.3.14 Fish Resource Comment Topics

Some comments were related to biological fish resources. These comments will be addressed in the Affected Environment and Environmental Consequences chapters of the draft EIS. Below are examples of comments related to this category.

- The timing of diversion flows may impact larval stages of shrimp.
- The loss of fish resources may impact predator-prey systems and may alter food webs.
- There is evidence that shrimp populations have declined with the Caernarvon freshwater diversion. This Project may have the same results and should not be implemented.
- The number and size of the shrimp population have been reduced because of other diversions that have operated in the area.
- Many advocates of the Project point to Caernarvon as a model for how to operate a diversion project for maximum sediment delivery. Unfortunately, advocates of that project overlook the damage done to oysters in the process from the increased sedimentation and reduction in salinity levels due to the greater freshwater releases.
- A thorough assessment of the marine resources that would likely to be impacted by this Project should be conducted during the draft EIS phase with the help of commercial fishermen who currently and historically operate in the areas likely to be impacted. These assessments will help to collect baseline data so that researchers can accurately quantify Project-induced changes in biomass and mortality for areas within the Mid-Barataria Basin.
- Conduct surveys and stock assessments to establish baseline population estimates on oyster abundance prior to project construction. Conduct annual follow up surveys and assessments once the project is operational to evaluate the impact of water flows, oxygen levels, and sedimentation on area oyster populations in both public reefs and private leases.
- Diversions limited to winter and early spring operations could potentially diminish spring spawning and spat and favor a more successful fall oyster spat set, and would more closely mimic historical freshwater introductions in the basin.

- The outflow of river water from the Project will dramatically shift salinities from brackish to fresh for multiple periods during the course of a year; thus killing oysters when salinities drop below 5 ppt.

4.3.15 Socioeconomics and Environmental Justice Comment Topics

Some of the comments were related to potential Project impacts on local economies and communities. Many of these comments were submitted by fisher men and women, some of which were translated from Vietnamese and Cambodian. These comments will be addressed in the Affected Environment and Environmental Consequences chapters of the draft EIS. Examples are shown below.

- A comprehensive economic analysis of the seafood industry and the impacts the proposed Project should include not only the direct impacts of areas in the outfall vicinity but also surrounding areas that would normally benefit from vibrant marine resources as they migrate throughout the Gulf Coast region. Such an analysis should factor in both recreational and commercial transient fishing vessels that operate in the region regularly, even though they may reside or operate in another state for a significant portion of any given year.
- A socioeconomic analysis is needed to assess the Project's expected impact on the Gulf of Mexico oyster industry.
- The impact on businesses by the diversion must be discussed but should not stop a project that benefits the health of both the coast itself as well as its inhabitants.
- Directly or indirectly, this Project is going to take many livelihoods. Venice, Myrtle Grove, Belle Chasse, all of the surrounding areas that deal with seafood are going to take a hit from it.
- Decades of neighboring land loss and the destruction caused by recent storms Katrina and Gustav have impeded business investment and business growth, and reduced employment in Plaquemines Parish's coastal areas. There is strong pessimism among small and large businesses that the "delay of action" and "no-action alternative" to the Mid-Barataria Diversion Project will cause current businesses to continue to delay investment, discourage hiring, and relocate. The EIS should describe the economic impact to the parish tax base, school taxes, business revenue, family income, federal and state investment, and social and mental health impacts due to delaying Project implementation and the "no action alternative" of this Project.
- Many fisher people in the Project area have no other skillset besides shrimping and say they are too old to learn new skills. Knowing very little English is an additional impediment they have to finding another livelihood.

- Many shrimp fishing families moved here from other countries knowing very little English and became fisher people in the basin partly because of this. They have small boats and fish specifically in the basin to be closer to their home and keep fuel costs down. They fear that the Project will force shrimp fisheries to move south into deeper, more saline ocean waters where bigger, more expensive boats are necessary to fish. They fear they will lose their income to support their families and would need to relocate out of the area.
- Children of shrimp fishermen in the Project area expressed concern that their fathers would lose their fishing business and they would not be able to finish high school and go to college.
- Request that the EIS study the Project impacts on shrimpers, family, quality of life, and communities, including the many families that rely on shrimping not only for their income but also for their food.
- The Project will cause dramatic losses in commercial and recreational shrimp and crab harvests from the Barataria Basin. The loss of the fisheries for income and as a means of sustenance will cause major hardship and bring about economically forced displacement of families from the coastal communities that surround the Barataria Basin. Those communities include Cut-off, Golden Meadow, Leeville, Grand Island, Lafitte, Myrtle Grove, Grand Bayou, Happy Jack, Port Sulphur, Empire, Buras, and Venice. With the displacement of their fisherman families, many of these communities will lose much of their core social-cultural fabric.
- Commercial fishers are business people who are an integral part of the “Human Environment” within the pending EIS being prepared for the Project. This includes the charter boat industry and the ancillary businesses such as fuel docks, marinas, hardware stores, motels, and grocery stores that rely on fishers and recreational groups for revenue.
- Like any sustainable business, there is a need for fishers to develop future strategy planning, which requires a degree of predictability based on past experiences. The problem is that coastal restoration activities have not routinely provided fishery businesses with definitive answers to reinforce their ability to rely on past experiences to plan their future actions and investments.
- There needs to be more regular transparency so that commercial fishing people know whether to continue to invest in their operations.
- Recommend looking at progressive contracting language to encourage contractors to work with local community based organizations to promote training, workforce development, and hiring for restoration projects.
- Communities such as the Native Americans in Grand Bayou, Vietnamese

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- fishermen, and low-income resident fishers of Plaquemines, Jefferson, and Lafourche Parishes may be adversely impacted by this project.
- The proposed diversion would have a disproportionate impact on low-income and minority populations along the coast who rely on fisheries as a means of earning a living.
 - Will the state have a mitigation plan ready to help the industry, especially for those commercial fishermen who rely on the fisheries in the basin for their livelihood?
 - Request a socio-economic analysis of the project's expected impact on the Gulf of Mexico oyster industry. The analysis should encompass not only oyster harvesters and private leaseholders, but oyster processors, dealers, distributors, wholesalers, retailers and restaurants as well, not only within the State of Louisiana but including other gulf states given that Louisiana oysters are processed and distributed widely within the region. The analysis should also assess the economic impact on local communities, employment, and governments as well as the impact on the cultural fabric of these communities.
 - Recommend analyzing the short- and long-term direct and indirect economic and social effects on individuals, households, businesses, and communities caused by continuing land loss and saltwater intrusion in the proposed Project area.
 - Time is a critical component in a comprehensive assessment of the true cost-benefit of a project; recommend that the USACE use trajectory economics for assessing the flow of economic services in their evaluations of the proposed Project when compared to other means of coastal restoration.
 - A thorough socioeconomic evaluation should be undertaken, based on fishery model outputs and established socioeconomic valuation methodologies. This information should be based on both short-term and long-term fishery model outputs both with and without project implementation.
 - Consistent with Executive Order 12898, the economic and social/cultural effects on particularly vulnerable populations (tribal groups, minorities, and low-income populations) should be assessed. A description of the labor markets in the affected communities within the proposed Project area will allow better understanding of the employment choices that people in these vulnerable populations have as many of these communities are likely to be rural and thus isolated.
 - Inundating the bay with fresh water will kill most shrimp larvae in the area. Those that do survive will be pushed farther out into the gulf, beyond the
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water boundary designated by Louisiana Wildlife and Fisheries Commission. This will disallow the majority of Vietnamese and Cambodian fisher people, most of whom have small vessels, from participating in the industry, forcing them to find employment and possibly residence elsewhere.

- This study should explicitly identify the impacts of the diversion on brown shrimp, white shrimp, oysters, and other seafood that is the foundation of Louisiana's third largest industry to holistically evaluate the direct effects of diversions not just on marine life, but on the thousands of commercial boat owners, deckhands, fishing-dependent small businesses, and families who rely on them for survival.
- Diverting oyster leases will create job declines throughout southeast Louisiana. As CPRA has not allocated any mitigation funding for fishermen to relocate or train for new careers, many of the region's oystermen will be out of a job.
- Will there be loan and grant programs for commercial fishing and other small businesses to assist in transitioning their operations and perform upgrades to mitigate potential loss?
- Will there be state assistance if the fishing communities have to relocate?
- Will there be a state-led community mitigation plan if key fisheries and/or the entire industry is harmed by freshwater inundation? Will there be a mitigation plan for damaged boats, docks, and gear?
- Concerned about compensation for the fishermen who may be temporarily or permanently displaced by a diversion project. Would a buy-out be in order to prevent fishermen from being bankrupt by the diversion? This is important so they are compensated but also so they cannot block the Project for the rest of us who are adversely impacted by eroding and disappearing wetlands.
- Release the findings on this action's impact on low-income residents.
- How can the proposed action increase employment opportunities for disadvantaged businesses and women-owned businesses?
- Request that the state provide grant assistance for fisher people in the basin to buy larger boats so that they may continue shrimping in deeper waters if the Project adversely impacts shrimp fisheries in the basin.

4.3.16 Land-Based Transportation and Public Utilities Comment Topics

Some of the comments and questions were related to potential Project impacts on land-based transportation and public utilities. These comments will be addressed in

the Alternatives, Affected Environment, and Environmental Consequences chapters of the draft EIS. Below are some examples of comments related to this category.

- The Louisiana Highway 1 roadbed is the only roadway supporting access to Port Fourchon and the Louisiana Offshore Oil Port, servicing 16 percent of America's domestic crude oil production and 5 percent of its natural gas production. Protecting this federally listed "High Priority Corridor", designated as such by the U.S. Congress in 2001, is vital to America's energy production and reserves in the Gulf of Mexico. The proposed Project would help protect this vulnerable but crucial infrastructure with long-term benefits of land building over time.
- Commenter expressed opposition to spending restoration dollars on a rail expansion into Ironton. Pollution, noise, and safety issues led to the removal of the rail from Ironton. Seeking to slip this rail bridge, and environmental review for a rail bridge, into another project with vast political support is unacceptable.
- Clarify why funds from the coastal restoration project are being used for a railroad that is privately owned.
- What will traffic flow be like on LA 23 during construction of the diversion?
- Study anticipated traffic, traffic patterns, and safety implications for the proposed LA 23 bridge and rail bridge. How will Ironton have unimpeded access to LA 23?
- Provide justification for using coastal restoration dollars to build a private rail company bridge that would end in the woods.
- Study what kind of rail traffic is planned for the rail, the economic feasibility and justification of this rail line, how rail traffic would impact the safety of Ironton (particularly evacuation routes in the foreseeable event of a significant weather event), and how rail traffic could impact the river levee.

4.3.17 Navigation Comment Topics

Some comments were related to navigation in the Project area. These comments will be addressed in the Affected Environment and Environmental Consequences chapter of the draft EIS. Examples of comments related to this category are provided below.

- The Mississippi River is a critical waterway for exporting goods from the U.S. to the world market. What are the possible consequences of continued wetland loss in the Barataria Basin on river navigation?

- Concerned about increased siltation of navigable waterways near diversion structures generating a need for increased maintenance dredging.
- If multiple diversions are to be operated simultaneously, or if the river experiences a period of very low stages, sufficient draft for shipping could be threatened.
- Concerned about potential Project impacts on the navigation channel including the potential development of a scour hole at the entrance to the diversion structure, increased shoaling in the area surrounding the diversion structure, and the flow of water into the diversion canal being strong enough to alter the path of vessels transiting in the general vicinity of the diversion location.
- CPRA should have dedicated funding set aside to ensure it can fund and execute dredging contracts attributable to the proposed sediment diversion.

4.3.18 Environmental Impact Analysis and Modeling

Some comments were related to how the Project alternatives would be analyzed and environmental impacts would be modeled. These comments will be addressed in the Environmental Consequences chapter of the draft EIS. Examples of comments related to this category are provided below.

- Include local Traditional Ecological Knowledge (TEK) in ecological and climate change modeling of anticipated and/or foreseeable impacts that could impact the MBSD Project design and surrounding areas. Also, complete a TEK study of the Project area that includes nearby and adjacent communities, particularly black and indigenous communities and fishing communities.
- Don't just analyze long-term benefits, also look at near-term (1-5 years) benefits. Is it possible to conduct alternative studies that focus on maximum land building from dredging/pipeline delivery utilizing the smallest diversion possible? The present focus by the state is not the near-term (1-5 years) of how a diversion will economically impact the human factor, but rather the projected long-term (20+ years) benefits of using a massive input of freshwater to move and place sediment.
- Address the following in fisheries modeling for the Project: the significant overlapping of species habitats (for example, white and brown shrimp fishing grounds) in the basin, the circular eddying current that brings gulf and Mississippi River waters up into the estuary through its tidal passes in the basin, and the well-known seasonal "dead zone" of hypoxic to anoxic habitat in the basin.
- If sea levels rise higher or faster than current CPRA projections, how will the

diversion's land-building ability be impacted? At what level of sea level rise do the diversion's effects become negligible? The USACE should study the impact of increased rates of sea level rise on the ultimate success of the diversion as a tool for rebuilding land in coastal Louisiana.

- A river diversion into Mid-Barataria has been studied extensively over the years and the decisions, models, and information gathered from those efforts should be integrated into this present study.
- A means of downplaying negative effects has been by using large-scale modeling that intentionally extends the scope of the model to cover larger areas besides those where the most direct impacts occur. An oyster grower from Lafitte whose leases in the Barataria Bay are rendered useless from the diversion, will not benefit if oyster farming improves elsewhere, far from their home. Recommend that the results of the environmental and economic impacts are divided and presented into smaller identifiable zones, from the direct outfall area of the diversion moving outward. Compare the future success of other marsh creation projects in the Project area with and without the proposed diversion.

4.3.19 Cumulative Impacts Comment Topics

Several comments related to concerns about how the draft EIS would address cumulative impacts of the Project along with other projects in the Project area. These comments will be addressed in the Environmental Consequences chapter of the draft EIS. Below are examples of comments related to this category.

- Consider existing and future coastal restoration projects both in the vicinity of the diversion outfall and within the footprint of freshwater dispersion, and how the proposed Project would impact those projects.
- Recommend examining the cumulative impacts of multiple proposed diversions operating simultaneously.
- Recommend that the EIS consider cumulative impacts of the existing Davis Pond diversion and siphons in the basin. The EIS should discuss how all diversions and siphons could be operated in conjunction with each other to minimize adverse impacts and maximize beneficial effects specifically to migratory birds and other resource species.

4.3.20 Other Comment Topics

There were other comment topics that did not fall under any of the above comment topics. Examples are provided below.

- RAM Terminals coal export terminal: Study how the proposed coal export

- terminal or any pilings in the river and barges sited near/adjacent to the diversion would affect sediment flow and navigation. Study how the coal export terminal may affect water quality in the Project area. This comment would be addressed in the Environmental Consequences chapter of the EIS.
- Land rights: What would happen to the ownership rights (both mineral and surface rights) if the marsh land in question is inundated? Would it erase monuments and call in question ownership between the landowner and the state? This comment would be addressed in the Environmental Consequences chapter of the EIS.
 - Invasive species: The majority of Louisiana's most troublesome invasive species are freshwater-dependent aquatic organisms. These species may expand their range as new diversions come online and create new freshwater habitat. These invasive species could be an impediment to navigation, impact boat launches, displace native species, and have a general negative change on other living resources. This comment would be addressed in the Environmental Consequences chapter of the EIS.
 - Real estate: Investigate whether the land proposed for construction of the diversion is already leased. This comment would be addressed in the Alternatives chapter of the EIS.
 - Levees: Will putting a hole in the levee to construct the diversion Project destabilize the remaining river levee? This comment would be addressed in the Environmental Consequences chapter of the EIS.

4.4 List of Commenters

Table 3 below lists each individual or agency commenter by name and indicates where the comment will likely be addressed in the draft EIS. Comments that were submitted by agencies or organizations (identified by those with formal signatures or letterheads) are named by the agency or organization rather than an individual's name. EIS chapters that will address comments include the Purpose and Need; Alternatives; Affected Environment; Environmental Consequences, which includes Cumulative Impacts; Compliance with Other Environmental Laws and Regulations; and Public Involvement. An individual scoping comment may be categorized under more than one EIS subject matter heading. Appendix C includes all comment submissions, organized in alphabetical order.

Table 3. List of Commenters and EIS Chapters in Which Comments Will Be Addressed

PN=Purpose and Need Chapter, ALT=Alternatives Chapter, AE=Affected Environment Chapter, EC=Environmental Consequences Chapter, CLR=Compliance with Other Environmental Laws and Regulations, PUB=Public Involvement Chapter

Commenter Name/Agency	EIS Chapters That Will Address Scoping Comments
Abdelnoor, Gregory	PN ALT AE EC CLR
Acosta, Heather	PN ALT AE EC CLR PUB
Acs-Ray, Julie	PN ALT AE EC CLR PUB
Adams, Anthony	AE EC
Adams, Katherine	PN ALT AE EC CLR PUB
Agnew, Grace	PN ALT AE EC CLR PUB
Albers, Chris	PN ALT AE EC CLR
Albert, Danny	PN ALT AE EC CLR PUB
Albertine, Sissy	PN ALT AE EC CLR PUB
Alcazar-O'Dowd, Diana	PN ALT AE EC CLR PUB
Allen, Richard	PN ALT AE EC CLR PUB
Amedeo, M /National Wildlife Federation	PN ALT AE EC CLR PUB
America's Wetland Foundation	PN ALT AE EC CLR
Andrews, Barbara	PN ALT AE EC CLR PUB
Andrews, Becky	PN ALT AE EC CLR PUB
Anonymous, 1	ALT EC
Anonymous, 2	AE EC
Anonymous, 3	ALT AE EC
Anonymous, 4	ALT AE EC
AOS Interior Environments	PN ALT AE EC CLR
Apache Louisiana Minerals LLC	PN ALT AE EC CLR
Armstrong, Bobbie	PN ALT AE EC CLR PUB
Armstrong, Suzanne	PN ALT AE EC CLR PUB
Ashman, Cole /Environmental Defense Fund	PN ALT AE EC CLR PUB
Ashman, Wanda	PN ALT AE EC CLR PUB
Ashton-Jones, Evelyn	PN ALT AE EC CLR PUB
Aubrey, Claire	PN ALT AE EC CLR PUB
Babin, Karen /Environmental Defense Fund	PN ALT AE EC CLR PUB
Babineaux, Carolyn	PN ALT AE EC CLR PUB
Baker, Pamela	PN ALT AE EC CLR PUB
Baker, Raquel	PN ALT AE EC CLR PUB
Baldo, Hannah	PN ALT AE EC CLR PUB
Ball, Beverly	PN ALT AE EC CLR
Barataria-Terrebonne National Estuary Program	ALT AE EC PUB
Barbier, Sandra	PN ALT AE EC CLR PUB
Barnes, Patrick /BFA Environmental	PN ALT AE EC CLR
Barnett, Stacy	PN ALT AE EC CLR PUB

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Commenter Name/Agency	EIS Chapters That Will Address Scoping Comments
Barras, Devin	PN ALT AE EC CLR PUB
Barron, Mary Rose	PN ALT AE EC CLR PUB
Barron, Tiobe	PN ALT AE EC CLR PUB
Barry, Beverly	PN ALT AE EC CLR PUB
Barry, Paul	PN ALT AE EC CLR PUB
Baxter, Jo	PN ALT AE EC CLR PUB
Bazare, Judith	PN ALT AE EC CLR PUB
Bech, Diane /Environmental Defense Fund	PN ALT AE EC CLR PUB
Bechtel, Deb	PN ALT AE EC CLR PUB
Becnel, Karl	PN ALT AE EC CLR PUB
Beeson, Roy	PN ALT AE EC CLR PUB
Belanger, Neal	PN ALT AE EC CLR PUB
Benge, Robert	PN ALT AE EC CLR PUB
Benitez, Victoria	PN ALT AE EC CLR PUB
Berg, Elizabeth	PN ALT AE EC CLR PUB
Bergeron, Amy	PN ALT AE EC CLR PUB
Bernard, Bryan	PN ALT AE EC CLR PUB
Bernard, Pam /Environmental Defense Fund	PN ALT AE EC CLR PUB
Bernstein, Joseph landowner	ALT AE EC
Big River Coalition	ALT AE EC
Billington, Scott /National Wildlife Federation	PN ALT AE EC CLR PUB
Bird, Oscar	PN ALT AE EC CLR PUB
Biss, Jeffery	PN ALT AE EC CLR PUB
Blanchard, Captain Cyrus	ALT AE EC
Blanchard, Dean	PUB
Blanchard, Dean	PN ALT AE EC
Bledsoe, Derek	PN ALT AE EC CLR PUB
Blink, Richie /Plaquemines Parish	PN ALT AE EC CLR
Boatright, Michael /Marine Gardens LLC	ALT
Boeckman, Evelyn	PN ALT AE EC CLR PUB
Bohmsach, Rebecca	PN ALT AE EC CLR PUB
Boimare, Frank /National Wildlife Federation	PN ALT AE EC CLR PUB
Bolliger, Charlotte	PN ALT AE EC CLR PUB
Bond, George /Environmental Defense Fund	PN ALT AE EC CLR PUB
Bond, Tim	PN ALT AE EC CLR PUB
Bonnaffons, Blake	PN ALT AE EC CLR PUB
Borland, M /Environmental Defense Fund	PN ALT AE EC CLR PUB

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Boudreaux, Brenda /National Wildlife Federation	PN ALT AE EC CLR PUB
Boudreaux, Michael /National Wildlife Federation	PN ALT AE EC CLR PUB
Boulet, Henri	PN ALT AE EC CLR
Bounds, Courtney	PN ALT AE EC CLR PUB
Bourg, Lauren	PN ALT AE EC CLR PUB
Bourgeois, Carl	PN ALT AE EC CLR PUB
Bourgeois, Webley	ALT AE EC PUB
Bourlet, Brett	PN ALT AE EC CLR PUB
Bowers, Peggy /National Wildlife Federation	PN ALT AE EC CLR PUB
Bradford, Jennifer	PN ALT AE EC CLR PUB
Bradley, Alice	PN ALT AE EC CLR PUB
Bradley, Lisa	PN ALT AE EC CLR PUB
Bradley, Ryan	AE EC
Braud, Ralph	PN ALT AE EC CLR PUB
Braud, Taylor	PN ALT AE EC CLR
Bray, Amanda	PN ALT AE EC CLR PUB
Brehm, Lisa /National Wildlife Federation	PN ALT AE EC CLR PUB
Brignac, Kathryn	PN ALT AE EC CLR PUB
Brockbank, Derek	PN ALT AE EC CLR PUB
Brown, Dana	PN ALT AE EC CLR PUB
Brown, Gertrude	PN ALT AE EC CLR PUB
Brown, Gwyn /Environmental Defense Fund	PN ALT AE EC CLR PUB
Brown, Joseph /Environmental Defense Fund	PN ALT AE EC CLR PUB
Brown, Thomas	ALT AE EC
Bryant, William	PN ALT AE EC CLR PUB
Buquet III, James	PN ALT AE EC CLR PUB
Buras, Paul	PN ALT AE EC CLR PUB
Burch, Piper /National Wildlife Federation	PN ALT AE EC CLR PUB
Burnham, Donald	PN ALT AE EC CLR PUB
Burton, Jordan /National Wildlife Federation	PN ALT AE EC CLR PUB
Bush, Lisa	PN ALT AE EC CLR PUB
Cafiero, Art	PN ALT CLR
Caillouet, Judy	PN ALT AE EC CLR PUB
Callaway, Sherry	PN ALT AE EC CLR
Calleja, Marta	PN ALT AE EC CLR PUB
Cambre, Michael	PN ALT AE EC CLR PUB
Camel, Nancy	PN ALT AE EC CLR PUB

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Campbell, Jacqueline /National Wildlife Federation	PN ALT AE EC CLR PUB
Camus, Nathalie	PN ALT AE EC CLR PUB
Cangelosi, Jo	PN ALT AE EC CLR PUB
Carr, Rebecca	PN ALT AE EC CLR PUB
Carter, Samantha	PN ALT AE EC CLR
Cass Marine Group LLC	PUB
Cerise, Helene	PN ALT AE EC CLR PUB
Champagne, Hazel	PN ALT AE EC CLR PUB
Chan, Yi	PN ALT AE EC CLR PUB
Chanda, Somphet	AE EC
Chaney, Wanda /Environmental Defense Fund	PN ALT AE EC CLR PUB
Charbonneau, Aimee /Environmental Defense Fund	PN ALT AE EC CLR PUB
Chauvin, William	PN ALT AE EC CLR PUB
Chav, Saran	AE EC
Chavis, Jeanne /Environmental Defense Fund	PN ALT AE EC CLR PUB
Cheap, Sovann	AE EC
Cheron, Po	AE EC
Chhong, Pok	AE EC
Chhum, Norng	AE EC
Chien, John	AE EC
Chien, John	AE EC
City of New Orleans	PN ALT AE EC CLR
Cleveland, Kevin	PN ALT AE EC CLR PUB
Cloos, Maggie	PN ALT AE EC CLR PUB
Close, Robert	PN ALT AE EC CLR PUB
Cloud, Jarrett	PN ALT AE EC CLR PUB
Coalition to Restore Coastal Louisiana	AE EC
Coastal Communities Consulting, Inc.	AE EC
Coats, Timothy	PN ALT AE EC CLR PUB
Cochran, Steve /Restore the Mississippi River Delta	PN ALT EC CLR
Cohn, Robert /National Wildlife Federation	PN ALT AE EC CLR PUB
Cole, Tracy	PN ALT AE EC CLR PUB
Colgin, Heather	PN ALT AE EC CLR PUB
Condon, Craig	PN ALT AE EC CLR PUB
Conn, Craig	PN ALT AE EC CLR PUB
Conoco Phillips	PN ALT AE EC
Cooper Jr., Acey	PN ALT AE EC

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Copeland, Patricia /Environmental Defense Fund	PN ALT AE EC CLR PUB
Coulon, Daniel	AE EC
Coulson, Jennifer /Orleans Audubon Society	PN ALT AE EC CLR PUB
Crail, Patricia	PN ALT AE EC CLR PUB
Creppel, Foster	PN ALT AE EC
Creppel, Jacques	PN ALT AE EC CLR PUB
Crews, Woody	PN ALT AE EC CLR
Cromartie, Margaret	PN ALT AE EC CLR PUB
Cruz, Brian	PN ALT AE EC CLR PUB
Cuadrado, Lola	PN ALT AE EC CLR PUB
Cuadrado, Lola /National Wildlife Federation	PN ALT AE EC CLR PUB
D, Patrick	PN ALT AE EC CLR PUB
Dang, Kim	AE EC
Daniell, Anne	PN ALT AE EC CLR
Dao, James	AE EC
Dao, Ly Thi	AE EC
David, Connie	PN ALT AE EC CLR PUB
David, Connie /National Wildlife Federation	PN ALT AE EC CLR PUB
De Godoy Lopes, Nicholas	PN ALT AE EC CLR PUB
De Lerno, Jacqueline /Environmental Defense Fund	PN ALT AE EC CLR PUB
Decareaux, Jeanne /National Wildlife Federation	PN ALT AE EC CLR PUB
Declouet, Andrea	ALT AE EC
Deer, Vicki	PN ALT AE EC
Del Conte, Tom	PN ALT AE EC
Delahoussaye, Gary	PN ALT AE EC CLR PUB
Denman, Cathrine	PN ALT AE EC CLR PUB
Dennard, Mary	PN ALT AE EC CLR PUB
Dennis, Patrick	PN ALT AE EC CLR PUB
Denny, Robbie	PN ALT AE EC CLR PUB
Derbes, Bob	PN ALT AE EC CLR PUB
Derieg, GW	PN ALT AE EC CLR PUB
Deroche Jr, Russel	PN ALT AE EC CLR PUB
Deroche Jr, Russel	PN ALT AE EC CLR PUB
Devall, Reverand Fred	PN ALT AE EC
Devine, Lauren	PN ALT AE EC CLR PUB
Diep, Nga Diem Thi	AE EC
DiSalvo, Catherine	PN ALT AE EC CLR PUB

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Do, Bup	AE EC
Do, Dan Chinh	AE EC
Do, Kiet	AE EC
Do, Steven	AE EC
Do, Yen Huynh	AE EC
Dodds, Barbara	PN ALT AE EC CLR PUB
Dodds, Barbara /National Wildlife Federation	PN ALT AE EC CLR PUB
Dodge, Daisy	PN ALT AE EC CLR PUB
Dodge, Virginia	PN ALT AE EC CLR PUB
Dougherty, Dennis	PN ALT AE EC CLR PUB
Doyle, Seamus /St. John's Episcopal Church	PN ALT CLR
Doyle, Sydney	PN ALT AE EC CLR PUB
Dreste, Arlene	PN ALT AE EC CLR PUB
Driscoll, John	PN ALT AE EC CLR PUB
Dugin, Paula Cristina /National Wildlife Federation	PN ALT AE EC CLR PUB
Duncan, Monica /National Wildlife Federation	PN ALT AE EC CLR PUB
Dunn, Richard	PN ALT AE EC CLR PUB
Dupont, John	PN ALT AE EC CLR PUB
Durbin, Myong	AE EC
Durham, D.	PN ALT AE EC CLR PUB
Durham, Desiree /National Wildlife Federation	PN ALT AE EC CLR PUB
Duthu, Gwen	PN ALT AE EC CLR PUB
Edgecombe, Kevin	PN ALT AE EC
Edmunds, Susan	PN ALT AE EC CLR PUB
Edmunds, Susan /Environmental Defense Fund	PN ALT AE EC CLR PUB
Edmunds, Susan Hester	PN ALT AE EC CLR PUB
Elleson, David	PN ALT AE EC CLR PUB
Ellis, Haydee	PN ALT AE EC CLR PUB
Ellis, Shawn	AE EC
Ellis-Vickers, Camille	PN ALT AE EC CLR PUB
Elsee, Allison	PN ALT AE EC CLR PUB
Evans, Gerald	PN ALT AE EC CLR PUB
Everson, Bart	PN ALT AE EC CLR
Ewy, Christine	PN ALT AE EC CLR PUB
Falgout, Ted	PN ALT AE EC CLR PUB
Farrell, Sally /National Wildlife Federation	PN ALT AE EC CLR PUB
Fazende, Denice	AE EC

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Commenter Name/Agency	EIS Chapters That Will Address Scoping Comments
Feldman, Alisha	PN ALT AE EC CLR PUB
Ferguson, Ray /National Wildlife Federation	PN ALT AE EC CLR PUB
Fischer, Darlene	PN ALT AE EC CLR PUB
Fitzpatrick, Pat	ALT AE EC
Flores, Linda	PN ALT AE EC CLR PUB
Foley, Mary Ellen /Environmental Defense Fund	PN ALT AE EC CLR PUB
Font, Nico /National Wildlife Federation	PN ALT AE EC CLR PUB
Forbes, Courtney	PN ALT AE EC CLR PUB
Forbes, William	PN ALT AE EC CLR PUB
Foreman, Randall	PN ALT AE EC CLR PUB
Forshag, Mark	PN ALT AE EC CLR PUB
Fortier, Barney	PN ALT AE EC CLR PUB
Fortier, Barney	PN ALT AE EC CLR PUB
Foster, Lonie	PN ALT AE EC CLR PUB
Fouquet, Errol /Environmental Defense Fund	PN ALT AE EC CLR PUB
Fox, James	PN ALT AE EC CLR PUB
Frank, Deborah	PN ALT AE EC CLR PUB
Fraser, Bruce /Environmental Defense Fund	PN ALT AE EC CLR PUB
Freitas, Julene	PN ALT AE EC CLR PUB
Freshney, Pam	PN ALT AE EC CLR PUB
Freshney, Pam /Environmental Defense Fund	PN ALT AE EC CLR PUB
Frickey, Eric	PN ALT AE EC
Friedman, Carolyn Honey /National Wildlife Federation	PN ALT AE EC CLR PUB
Fruge, Bernadette	PN ALT AE EC CLR PUB
Fuglaar, Mary /National Wildlife Federation	PN ALT AE EC CLR PUB
Gancarz-Davies, Eilise	PN ALT AE EC CLR PUB
Gardiner, Robert	PN ALT AE EC CLR PUB
Garner, Joan	PN ALT AE EC CLR PUB
Gartner, Rudolph	PN ALT AE EC CLR PUB
Gauthier, Sarah	PN ALT AE EC CLR PUB
Gautreaux, Jaleh	PN ALT AE EC CLR PUB
Gautreaux, Karen	PN ALT AE EC CLR PUB
Gelbart, Susannah	PN ALT AE EC CLR PUB
Gelsomino, Rene	PN ALT AE EC CLR PUB
Gelsomino, Rene	PN ALT AE EC CLR PUB
George, Ronnie /Environmental Defense Fund	PN ALT AE EC CLR PUB
Gettle, Angelique	PN ALT AE EC CLR PUB

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Gilbert, Valerie	PN ALT AE EC CLR PUB
Gilley, Patricia /Environmental Defense Fund	PN ALT AE EC CLR PUB
Ginn, Sherry	PN ALT AE EC CLR PUB
Gonzales, Edward	PN ALT AE EC CLR PUB
Gonzalez, Margaret	PN ALT AE EC CLR PUB
Goodall, Carrie	PN ALT AE EC CLR PUB
Goodwin, Mattie	PN ALT AE EC CLR PUB
Gordon, Ben /National Wildlife Federation	PN ALT AE EC CLR PUB
Gorman, Robert	PN ALT AE EC CLR PUB
Gossett, Wayne	PN ALT AE EC CLR PUB
Gould, Marie /Louisiana Lost Lands Environmental Tours, L3C	PN ALT AE EC CLR PUB
Graham-Gardner, Rosemary	PN ALT AE EC CLR PUB
Grams, Richard	PN ALT AE EC CLR PUB
Grant, Elaine	PN ALT AE EC CLR PUB
Greater Lafourche Port Commission	PN ALT AE EC CLR
Greater New Orleans, Inc.	PN ALT AE EC CLR
Guidroz, Mel	PN ALT AE EC CLR PUB
Guidry, Clinton	PUB
Gulf Restoration Network	ALT AE EC
Gurley, Grant /Environmental Defense Fund	PN ALT AE EC CLR PUB
Gutelius, Phyllis	PN ALT AE EC CLR PUB
Guy-Ostrowski, Jamie Lynn	PN ALT AE EC CLR PUB
Guy-Ostrowski, Jamie Lynn /Environmental Defense Fund	PN ALT AE EC CLR PUB
Haeuser, Recharad	PN ALT AE EC CLR PUB
Haley, Rob	PN ALT AE EC CLR PUB
Hall, Shawn	PN ALT AE EC CLR PUB
Hall, Wesley	PN ALT AE EC CLR PUB
Halligan, Everett	PN ALT AE EC CLR
Halvorson, Jacqueline	PN ALT AE EC CLR PUB
Hamilton, Michelle	PN ALT AE EC CLR PUB
Hammond, Monica	PN ALT AE EC CLR PUB
Hammond, Monica /National Wildlife Federation	PN ALT AE EC CLR PUB
Hanby, Roma	PN ALT AE EC CLR PUB
Handley, Jeana /Environmental Defense Fund	PN ALT AE EC CLR PUB
Hangartner, Sarah	PN ALT AE EC CLR PUB
Hansen, Michelle	PN ALT AE EC CLR PUB

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Harper, Monica /National Wildlife Federation	PN ALT AE EC CLR PUB
Harrington, Debbie /National Wildlife Federation	PN ALT AE EC CLR PUB
Harris Jr, Russell	PN ALT AE EC CLR PUB
Harrison, Dianne	PN ALT AE EC CLR PUB
Harrison, Ellen	PN ALT AE EC CLR PUB
Harrison, Patricia	PN ALT AE EC CLR PUB
Hart, Alan	PN ALT AE EC CLR PUB
Hartley, Kay	PN ALT AE EC CLR PUB
Harville, Emily	PN CLR
Harville, Emily /Environmental Defense Fund	PN ALT AE EC CLR
Haydel, Gregory	ALT AE EC
Hayes, Caroline /AOS Interior Environments	PN ALT AE EC CLR
Hebert, Jacques	PN ALT AE EC CLR PUB
Hebert, Jacques	PN ALT AE EC CLR
Heine, AJ /St. Augustine's Episcopal Church	PN ALT AE EC CLR
Henderson, Alice	PN ALT AE EC CLR PUB
Henling, Daniel	PN ALT AE EC CLR PUB
Henry, Donata	PN ALT AE EC CLR PUB
Herke, William	PN ALT AE EC CLR PUB
Hernandez, Gina /National Wildlife Federation	PN ALT AE EC CLR PUB
Herren, Patrick /Environmental Defense Fund	PN ALT AE EC CLR PUB
Herrera, Vanessa	PN ALT AE EC CLR PUB
Hidalgo, Charlotte	PN ALT AE EC CLR PUB
Hidalgo, Stephen	PN ALT AE EC CLR PUB
Hieng, Thiraphomrin	AE EC
Hightower, Christine	PN ALT AE EC CLR PUB
Him, Mony Cheath	AE EC
Hixson, Rosetta /National Wildlife Federation	PN ALT AE EC CLR PUB
Hodnett, Malcolm	PN ALT AE EC CLR PUB
Hooper-Bui, Linda	ALT AE EC
Horn, Keith /Environmental Defense Fund	PN ALT AE EC CLR PUB
Howard, Doris /National Wildlife Federation	PN ALT AE EC CLR PUB
Howard, Sara	PN ALT AE EC CLR PUB
Howard, Sarah	PN ALT AE EC CLR PUB
Hubbell, Todd	PN ALT AE EC CLR PUB
Hunter, Denise	PN ALT AE EC CLR PUB
Huntsman, Debbie	PN ALT AE EC CLR PUB

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Huon, Noert	AE EC
Hurst, Laurie	PN ALT AE EC CLR PUB
Huu, Ninh	AE EC
Huynh , Dominic	AE EC
Ihrke, Ashley	PN ALT AE EC CLR PUB
In, Kimyin	AE EC
In, Kimyin	AE EC
In, Leng	AE EC
Ioup, Georgette	PN ALT AE EC CLR PUB
James, Mavis	PN ALT AE EC CLR PUB
Jefferson Parish	PN ALT AE EC
Jennings, Scott	PN ALT AE EC CLR PUB
Jennings, Scott /National Wildlife Federation	PN ALT AE EC CLR PUB
Johnson, Arthur /Center for Sustainable Engagement and Development	PN ALT EC CLR
Johnson, Chessa Rae /National Wildlife Federation	PN ALT AE EC CLR PUB
Johnson, Happy	ALT AE EC
Johnson, Jean	PN ALT AE EC CLR PUB
Johnston, Jennifer	PN ALT AE EC CLR PUB
Johnston, Jennifer /National Wildlife Federation	PN ALT AE EC CLR PUB
Jones, Daniel	PN ALT AE EC CLR PUB
Jones, John	PN ALT AE EC CLR
Jones, Steven	PN ALT AE EC CLR PUB
Judge, Patrick /Environmental Defense Fund	PN ALT AE EC CLR PUB
Judge, Patrick /National Wildlife Federation	PN ALT AE EC CLR PUB
Juneau, Lonnie	PN ALT AE EC CLR PUB
Jurisich, Frank	ALT AE EC
Kable, Charlann	PN ALT AE EC CLR PUB
Kamenitz, Laura	PN ALT AE EC CLR PUB
Kaminski, Kathleen	PN ALT AE EC CLR PUB
Kang, Chamroeun	AE EC
Kanter, Sharon	PN ALT AE EC CLR PUB
Kay, Sovann	AE EC
Keenan, John	PN ALT AE EC CLR PUB
Keller, Jack	PN ALT AE EC
Keo, Bunly	AE EC
Keyser, Kaori	PN ALT AE EC CLR PUB

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Khin, Sochenda	AE EC
Kiek, Siekleng	AE EC
Kilcommons, Mary	PN ALT AE EC CLR PUB
Kim, Khel	AE EC
Kim, Khel	AE EC
Kimble, Albertine	ALT EC
Kinabrew, Catherine	PN ALT AE EC CLR PUB
Kinabrew, John	PN ALT AE EC CLR PUB
Kineman, David	PN ALT AE EC CLR PUB
King, Wendy	PN ALT AE EC CLR PUB
Kinler, Stephanie	PN ALT AE EC CLR PUB
Kleinke, Andrea	PN ALT AE EC CLR PUB
Kong, Seng	AE EC
Kong, Sovanara	AE EC
Kruth, Phally	AE EC
Kuhns, Deborah	PUB
Kuhns, Tracy	ALT AE EC PUB
Kurtz, Sheila	PN ALT AE EC CLR PUB
La Caze, Doris /Environmental Defense Fund	PN ALT AE EC CLR PUB
LaBeaud, Wayne /National Wildlife Federation	PN ALT AE EC CLR PUB
LaBorde, Dennis	AE EC
Laborde, Marc	PN ALT AE EC CLR PUB
Lacinak, Juluie	PN ALT AE EC CLR PUB
Lafleur, Donnette /Environmental Defense Fund	PN ALT AE EC CLR PUB
Lafleur, Todd	PN ALT AE EC CLR PUB
Lai, Hen Kim	AE EC
Lam, Christi	AE EC
Lam, Kiet	AE EC
Lam, Lee	AE EC
Lambert, Ryan /Cajun Fishing Adverntures	PN ALT AE EC CLR
Lambeth, Ron	PN ALT AE EC CLR PUB
Lampton, Sue	PN ALT AE EC
Landry, Barry	PN ALT AE EC CLR PUB
Landry, Roy	PN ALT AE EC
Laska, Anthony	PN CLR
Lassalle, Kenneth /Environmental Defense Fund	PN ALT AE EC CLR PUB
Lat, Chhiet	AE EC

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Latch, Talia	PN ALT AE EC CLR PUB
Lawrence, Conrad	ALT AE EC
Lay, Ly Kim	AE EC
Lazaro, Joseph	PN ALT AE EC CLR PUB
Le, David R.	AE EC
Le, May Van	AE EC
Le, Que	AE EC
Le, Que	AE EC
Le, Que	AE EC
Le, Sang	AE EC
Leabeaud, Wayne	PN ALT AE EC CLR PUB
LeBlanc, Gauth	ALT AE EC
LeBlanc, Lanvin	AE EC
LeBlanc, Lanvin	AE EC
Leblanc, Suzanne	PN ALT AE EC CLR PUB
Leboeuf, Brenda	PN ALT AE EC CLR PUB
LeBoeuf, Michelle	PN ALT AE EC CLR PUB
Leming, Chad /Environmental Defense Fund	PN ALT AE EC CLR PUB
Leming, Chad /National Wildlife Federation	PN ALT AE EC CLR PUB
Lemoine, Kathryn /Environmental Defense Fund	PN ALT AE EC CLR PUB
Lessen, Linda	PN ALT AE EC CLR PUB
Lewellyan, Colin /Environmental Defense Fund	PN ALT AE EC CLR PUB
Lewis, Phoebe	PN ALT AE EC CLR PUB
Ligi, Toni	PN ALT AE EC CLR PUB
Lim, Chhay	AE EC
Lim, Seng	AE EC
Lima, Chhay	AE EC
Lima, Suni /Environmental Defense Fund	PN ALT AE EC CLR PUB
Lirette, Terry	PN ALT AE EC CLR PUB
Liv, Niem	AE EC
Livingston, Janet	PN ALT AE EC CLR PUB
Lopes, Nicholas /Environmental Defense Fund	PN ALT AE EC CLR PUB
Lortie, Claire /Environmental Defense Fund	PN ALT AE EC CLR PUB
Louisiana Dept. of Wildlife and Fisheries	ALT AE EC
Louisiana Oyster Dealers & Growers Association and the Gulf Oyster Industry Council	AE EC
Louisiana Oyster Task Force	ALT AE EC

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Louisiana Shrimp Association	ALT AE EC
Luong, Uyen	AE EC
Luquette, Ron	PN ALT AE EC CLR PUB
Lusk, Dede	PN ALT AE EC CLR PUB
Luster, Deborah	PN ALT AE EC CLR PUB
Lyons, Lynne /National Wildlife Federation	PN ALT AE EC CLR PUB
M, Linda	PN ALT AE EC CLR PUB
MacArthur, Samantha	PN ALT AE EC CLR PUB
Mack, Sarah	AE EC
Man, Cave	PN ALT AE EC CLR PUB
Mang, Caroline	PN ALT AE EC CLR PUB
Manhart, Fred	AE EC
Manieri, Ellen /Environmental Defense Fund	PN ALT AE EC CLR PUB
Mao, Chandarasy	AE EC
Marciante, Sandra /Environmental Defense Fund	PN ALT AE EC CLR PUB
Marone, Susan	PN ALT AE EC CLR PUB
Martin, Celeste	PN ALT AE EC CLR PUB
Martin, Elaine	PN ALT AE EC CLR PUB
Marx, M	PN ALT AE EC CLR PUB
Matherne, Gordon	PN ALT AE EC CLR PUB
Matherne, Olympia	PN ALT AE EC CLR PUB
Maumus, Marianne	PN ALT AE EC CLR PUB
Mayor of Jean Lafitte	AE EC
McAnespy, Henry	AE EC
McAnespy, Henry	AE EC
McCormick, Bryan /Environmental Defense Fund	PN ALT AE EC CLR PUB
McCormick, Jeff /Environmental Defense Fund	PN ALT AE EC CLR PUB
Mccready, Tamara	PN ALT AE EC CLR PUB
McDonald, Emily	PN ALT AE EC CLR PUB
Mcgee, Loretta	PN ALT AE EC CLR PUB
McKinnon, Dotty	PN ALT AE EC CLR PUB
McLellan, Julia /National Wildlife Federation	PN ALT AE EC CLR PUB
McLin, Jaesa	PN ALT AE EC CLR PUB
McNeely, Tom /Environmental Defense Fund	PN ALT AE EC CLR PUB
Meador, Patricia	PN ALT AE EC CLR PUB
Mech, Jessica	AE EC
Medlin, Tony	PN ALT AE EC CLR PUB

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Commenter Name/Agency	EIS Chapters That Will Address Scoping Comments
Meehan, Garrett	PN ALT AE EC CLR PUB
Mehrotra, Ayan	PN ALT AE EC CLR PUB
Melancon, Earl	ALT AE EC PUB
Merrigan, Anita /Environmental Defense Fund	PN ALT AE EC CLR PUB
Merrigan, Anita /National Wildlife Federation	PN ALT AE EC CLR PUB
Mestayer, Christopher	PN ALT AE EC CLR PUB
Meyer, Donna /St. Mary Chamber of Commerce	PN ALT AE EC CLR PUB
Michalos, Effie	PN ALT AE EC CLR PUB
Michalos, Effie	PN ALT AE EC CLR PUB
Michalos, Effie /Environmental Defense Fund	PN ALT AE EC CLR PUB
Middleton, Ann	PN ALT AE EC CLR PUB
Middleton, Ann /National Wildlife Federation	PN ALT AE EC CLR PUB
Midkiff, Robert	PN ALT AE EC CLR PUB
Mielke, Howard /Environmental Defense Fund	PN ALT AE EC CLR PUB
Miller-Becnel, Karen	PN ALT AE EC CLR PUB
Mills, Alison /National Wildlife Federation	PN ALT AE EC CLR PUB
Mills, Susan /National Wildlife Federation	PN ALT AE EC CLR PUB
Minton, Rebecca	PN ALT AE EC CLR PUB
Miremont, Linda	PN ALT AE EC CLR PUB
Mislove, Michael /Environmental Defense Fund	PN ALT AE EC CLR PUB
Mississippi Commercial Fisheries United, Inc.	AE EC
Mobley, Lawanda Smith	PN ALT AE EC CLR PUB
Mok, Lovy	AE EC
Moncla, Shari	PN ALT AE EC CLR PUB
Montgomery, Nathan	PN ALT AE EC CLR PUB
Moore, Amanda	PN ALT AE EC CLR
Moore, Evelyn /National Wildlife Federation	PN ALT AE EC CLR PUB
Moore, Mandy	PN ALT AE EC CLR PUB
Morello, John	PN ALT AE EC CLR PUB
Morgan, Jane	PN ALT AE EC CLR PUB
Morgan, Jeffery	PN ALT AE EC CLR PUB
Morris, John	PN ALT AE EC CLR PUB
Moss, Ben /National Wildlife Federation	PN ALT AE EC CLR PUB
Munson, Amanda /National Wildlife Federation	PN ALT AE EC CLR PUB
Murphy, Spencer /Canal Barge Company, Inc.	PN ALT AE EC CLR
Murphy, Todd /Jefferson Chamber of Commerce	PN ALT AE EC CLR PUB
Muth, David	PN ALT CLR

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Mysing-Gubala, Mary	PN ALT AE EC CLR PUB
Nakashima, Pamela	PN ALT AE EC CLR PUB
Nasca, Andrea /National Wildlife Federation	PN ALT AE EC CLR PUB
National Marine Fisheries Service	ALT AE EC
Nause, Chrystal	PN ALT AE EC CLR PUB
Nehrbass, Elizabeth	PN ALT AE EC CLR PUB
Neumeister, John	PN ALT AE EC CLR PUB
Neumeister, John	PN ALT AE EC CLR PUB
New Orleans Geological Society	AE EC
New Orleans Gulf Coast Railway	AE EC
Newman, Judith /National Wildlife Federation	PN ALT AE EC CLR PUB
Nguyen, Canh V.	AE EC
Nguyen, Dung Van	AE EC
Nguyen, Giau Van	AE EC
Nguyen, Giau Van	AE EC
Nguyen, Hue Thi	AE EC
Nguyen, Hung Van	AE EC
Nguyen, Lap Van	AE EC
Nguyen, Loan thi	AE EC
Nguyen, Mao Van	AE EC
Nguyen, Muoi	AE EC
Nguyen, Nhan	AE EC
Nguyen, Nuong	AE EC
Nguyen, Phuoc	AE EC PUB
Nguyen, Sau Van	AE EC
Nguyen, Tam	AE EC
Nguyen, Tam	AE EC
Nguyen, Thanh	AE EC
Nguyen, Thanh	AE EC
Nguyen, Thuy	AE EC
Nguyen, Thuy	AE EC
Nguyen, Truc	AE EC
Nguyen, Van	AE EC
Nguyen, Van	AE EC
Nielsen, Nathan /National Wildlife Federation	PN ALT AE EC CLR PUB
Nikolovski, Zoran	ALT AE EC
Nixon, Brenda	PN ALT AE EC CLR

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Norn , Sokthan	AE EC
O'Brien, Carter	PN ALT AE EC CLR PUB
Odau, Elizabeth	PN ALT AE EC CLR PUB
Odau, Elizabeth /Environmental Defense Fund	PN ALT AE EC CLR PUB
Odom, Erika	PN ALT AE EC CLR PUB
Ogilvy, Avis /Environmental Defense Fund	PN ALT AE EC CLR PUB
Ogilvy, Avis /National Wildlife Federation	PN ALT AE EC CLR PUB
Olivares, Augustin	PN ALT AE EC CLR PUB
Oliver, Leslie /Environmental Defense Fund	PN ALT AE EC CLR PUB
Oliver, Marsha	PN ALT AE EC CLR PUB
Om, Lynda	AE EC
Om, Ritha	AE EC
Om, Rithy	AE EC
ORA Technologies, LLC	PUB
Ordoyne, Michael	PN ALT AE EC CLR PUB
Osborn, Jessica	PN ALT AE EC CLR PUB
O'Shea, Lynn	PN ALT AE EC CLR PUB
O'Shea, Lynn /Environmental Defense Fund	PN ALT AE EC CLR PUB
Otero, Edward	ALT AE EC
Otero, Edward	ALT AE EC
Oum, Thanary	AE EC
Oum, Thanary	AE EC
Ourso, Caroline /Environmental Defense Fund	PN ALT AE EC CLR PUB
Paddock, Denise	PN ALT AE EC CLR PUB
Palmasino, Tara	PN ALT AE EC CLR PUB
Parker, Sandra	PN ALT AE EC CLR PUB
Parria Jr., Louis	AE EC
Parria Sr., Gavin	AE EC
Parria Sr., Ross	ALT AE EC PUB
Parria Sr., Ross	AE EC
Parria, Christy	AE EC
Parria, Gavin C.	AE EC
Parria, Kelli	AE EC
Parria, Melissa	AE EC
Patterson, Helen Rose	PN ALT AE EC CLR PUB
Patterson, Helen Rose	PN ALT EC CLR
Paulin, Jo Ann	PN ALT AE EC CLR PUB

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Payronnin, Natalie /Environmental Defense Fund, Restoring the Mississippi River Delta Campaign	PN ALT AE EC CLR
Pellerin, Tyra	PN ALT AE EC CLR PUB
Pellerin, Tyra /National Wildlife Federation	PN ALT AE EC CLR PUB
Peltier, Stephen	PN ALT AE EC
Peou, Sokunthea	AE EC
Percy, Katie	PN ALT AE EC CLR PUB
Percy, Patrick	PN ALT AE EC CLR PUB
Perez, Laura	PN ALT AE EC CLR PUB
Perez, Mary	PN ALT AE EC CLR PUB
Perrin, Mary	PN ALT AE EC CLR PUB
Perry, Michele	PN ALT AE EC CLR PUB
Perry-Jones, Jean	PN ALT AE EC CLR PUB
Peteinaraki, Maria	PN ALT AE EC CLR PUB
Peters, Lynn	PN ALT AE EC CLR PUB
Peters, Lynn /Environmental Defense Fund	PN ALT AE EC CLR PUB
Pevny, Charlotte	PN ALT AE EC CLR PUB
Pham , Bui Huu	AE EC
Pham, Khanh	AE EC
Phan, Sang	AE EC
Phan, Sang	AE EC
Phan, Sang Van	AE EC
Phan, Thanh Van	AE EC
Phea, Srinuon	AE EC
Pheap, Rith	AE EC
Phillips 66 Alliance Refinery	PN ALT AE EC CLR
Phillips, Matthew	AE EC
Phon, Pheap	AE EC
Phorn, Malachi	ALT AE EC
Phorn, Phen	AE EC
Phu, Phuong	AE EC
Pierce, Duane	PN ALT AE EC CLR PUB
Pierce, Duane /Environmental Defense Fund	PN ALT AE EC CLR PUB
Pilgreen, Ronnie	PN ALT AE EC CLR PUB
Pizani, Chris	PN ALT AE EC CLR PUB
Plaisance, Mike	PN ALT AE EC CLR
Plavidal, Matthew /National Wildlife Federation	PN ALT AE EC CLR PUB

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Plicque, Ann	PN ALT AE EC CLR PUB
Plork, Phan	AE EC
Poag, Susan	PN ALT AE EC CLR PUB
Poche, Brieaux	PN ALT AE EC CLR PUB
Poche, Brieaux /National Wildlife Federation	PN ALT AE EC CLR PUB
Pomper, Liz	PN ALT AE EC CLR PUB
Porter, Altion	PN ALT AE EC
Potter, Robert	PN ALT AE EC CLR PUB
Preston, Lynne	PN ALT AE EC CLR PUB
Prom, Sandy	AE EC
Prum, Thou	AE EC
Prum, thou	AE EC
Pulaski, Christopher	PN ALT AE EC CLR PUB
Radley, Jamie Lynn	PN ALT AE EC CLR PUB
Ragas, Kenneth	ALT AE EC
Ragas, Kenneth	ALT AE EC
Ramirez, Michael	PN ALT AE EC CLR PUB
Ramoni, Elizabeth	PN ALT AE EC CLR PUB
Randolph, Brooke	PN ALT AE EC CLR PUB
Ray, Sovann	AE EC
Raymond, David /Environmental Defense Fund	PN ALT AE EC CLR PUB
Redmond, Betty	PN ALT AE EC CLR PUB
Redwomin, Thunder	PN ALT AE EC CLR PUB
Reichard, Lynne	PN ALT AE EC CLR PUB
Remo, Leif	PN ALT AE EC CLR PUB
Renfro, Alisha	PN ALT AE EC CLR
Restore or Retreat, Inc.	PN ALT AE EC CLR
Restore the Mississippi River Delta	PN ALT AE EC CLR PUB
Restore the Mississippi River Delta	PN ALT AE EC CLR PUB
Rhein, Sandy	PN ALT AE EC CLR PUB
Rhein, Sandy /Environmental Defense Fund	PN ALT AE EC CLR PUB
Rhein, Sandy /National Wildlife Federation	PN ALT AE EC CLR PUB
Rhode, Rachel	PN CLR
Richard , Andrew	PN ALT AE EC CLR PUB
Richard, Francis	PN ALT AE EC CLR PUB
Richard, Pamela	PN ALT AE EC CLR PUB
Richards, Derrick	PN ALT AE EC CLR PUB

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Commenter Name/Agency	EIS Chapters That Will Address Scoping Comments
Richards, Derrick	PN ALT AE EC CLR PUB
Ricks, George	AE EC
Ricks, George /Save Louisiana Coalition	AE EC
Ricks, George /Save Louisiana Coalition	PN ALT AE EC
Riley, Kelly	PN ALT AE EC CLR PUB
Ritter, Jessie /National Wildlife Federation	PN ALT EC CLR
Riviere, Gina	PN ALT AE EC
Roberts, Michael /Go Fish, Louisiana Shrimp Association, Save Louisiana Coalition, Louisiana Bayou Keeper	ALT AE EC PUB
Robichaux, Estelle	PN ALT CLR
Rodriguez, Kevin	PN ALT AE EC CLR PUB
Rodriguez, Russell	PN ALT AE EC CLR PUB
Rojas, Kerry	AE EC
Roy, Monika	PN ALT AE EC CLR PUB
Rue, Donald	PN ALT AE EC CLR PUB
Ruppel, Christie	PN ALT AE EC CLR PUB
Ruppel, Christie /National Wildlife Federation	PN ALT AE EC CLR PUB
Russell, Justin	PN ALT AE EC
Ruttley, Kevin	PN ALT AE EC
RWS Gulf, LLC	PN ALT AE EC
Ryan, Veronica	PN ALT AE EC CLR PUB
Safron, R	PN ALT AE EC CLR PUB
Sagrera, Mike	PN ALT AE EC CLR PUB
Sagrera, Victoria /Restore or Retreat, Inc.	PUB
Sallettes, Barbara	PN ALT AE EC CLR PUB
Salomon, David	PN ALT AE EC CLR PUB
Salvaggio, Ruth	PN ALT AE EC CLR PUB
Sandler, Frederica /Environmental Defense Fund	PN ALT AE EC CLR PUB
Sarco, Leanne	PN ALT AE EC CLR PUB
Savastano, Kenneth / Plaquemines Parish Coastal Zone Management and Caernarvon Interagency Advisory Committees	ALT AE EC
Savastano, Kenneth and Aloma	ALT AE EC
Save Louisiana Coalition	ALT AE EC
Savige, David	PN ALT AE EC CLR PUB
Sayas, Herbert /Environmental Defense Fund	PN ALT AE EC CLR PUB
Saze, Dave	PN ALT AE EC CLR PUB
Schatzel, Emily	PN ALT AE EC CLR PUB

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Commenter Name/Agency	EIS Chapters That Will Address Scoping Comments
Scheuermann, Darlene	PN ALT AE EC CLR PUB
Scheuermann, Darlene /National Wildlife Federation	PN ALT AE EC CLR PUB
Schexnaydre Jr, Ralph J	PN ALT AE EC CLR PUB
Schroth, Johanna	PN ALT AE EC CLR PUB
Schuler, Barbara /Environmental Defense Fund	PN ALT AE EC CLR PUB
Scott, Cody	PN ALT AE EC CLR
Seiferth, Eric	PN ALT AE EC CLR PUB
Sellers, Ben	PN ALT AE EC CLR PUB
Sellers, Leah	PN ALT AE EC CLR PUB
Senger, David	PN ALT AE EC CLR PUB
Serpas, Raymond	PN ALT AE EC CLR PUB
Seung, Sophorn	AE EC
Shadel, William	PN ALT AE EC CLR PUB
Shinn, Michon	PN ALT AE EC CLR PUB
Siener, Jane /Environmental Defense Fund	PN ALT AE EC CLR PUB
Sierra Club	ALT AE EC
Sierra Club New Orleans	EC
Sigur, Aida /Environmental Defense Fund	PN ALT AE EC CLR PUB
Simeone, Sam	PN ALT AE EC CLR PUB
Simeone, Sam /National Wildlife Federation	PN ALT AE EC CLR PUB
Singleton, Jenae /Environmental Defense Fund	PN ALT AE EC CLR PUB
Slay, Cindy	PN ALT AE EC CLR PUB
Smallpage, Maitland	PN ALT AE EC CLR PUB
Smith, Debbie	PN ALT AE EC CLR PUB
Smith, Emma	PN ALT AE EC CLR PUB
Smith, Michelle	PN ALT AE EC CLR PUB
Smith, Tammeryn	PN ALT AE EC CLR PUB
Smith, V	PN ALT AE EC CLR PUB
Soileau, Caleb	PN ALT AE EC CLR PUB
Son, Ngli	AE EC
Sonnier, Alyce	PN ALT AE EC CLR PUB
Sparks, Cory /Commission on Stewardship of the Environment of the Louisiana Interchurch Conference	PN CLR
Speidell, Walter	PN ALT AE EC CLR PUB
Spencer, Edward /Environmental Defense Fund	PN ALT AE EC CLR PUB
Spinks, Casey	PN ALT AE EC CLR PUB
Srey, Siphon	AE EC

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Starks, Malcom	PN ALT AE EC CLR PUB
Steel, Caree	PN ALT AE EC CLR PUB
Stewart, Drew	PN ALT AE EC CLR PUB
Stirling Properties	PN ALT EC CLR PUB
Strong, Grace	PN ALT AE EC CLR PUB
Stulb, Jeanne	PN ALT AE EC CLR PUB
Su, Donna	PN ALT AE EC CLR PUB
Summers, Sunny	PN ALT AE EC CLR PUB
Sunseri, Alfred /P&J Oyster Co., Inc.	ALT AE EC
Suong, Sieng	AE EC
Suong, Sieng	AE EC
Sweat, Mary Lee /Environmental Defense Fund	PN ALT AE EC CLR PUB
Swift, Ben	PN ALT AE EC CLR PUB
Swigart, Frances	PN ALT AE EC CLR PUB
Tai, Nguyen The	AE EC
Tassin, Shawn /National Wildlife Federation	PN ALT AE EC CLR PUB
Taylor, Ben	PN CLR
Teague, Kenneth G.	PN ALT AE EC
Teap, Phal	AE EC
Templet, Wayne	PN ALT AE EC CLR PUB
Tervalon, Judy	PN ALT AE EC CLR PUB
Tervalon, Judy /National Wildlife Federation	PN ALT AE EC CLR PUB
Thanh, Do V	ALT AE EC
The Culpepper Group	AE EC
Thieng, Sophorn	AE EC
Tho, Tran	AE EC
Thomas, Claire	PN ALT AE EC CLR PUB
Thompson, Kimberly /National Wildlife Federation	PN ALT AE EC CLR PUB
Thournir, Eileen	PN ALT AE EC CLR PUB
Thurau, Brooke	PN ALT AE EC CLR PUB
Thy, Ton	AE EC
Tiser, Eric	ALT
Tizzard, Marie /National Wildlife Federation	PN ALT AE EC CLR PUB
To, Cang V.	AE EC
To, Nguyen V	AE EC
To, Tan V	AE EC
To, Ty	AE EC

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To, Ty	AE EC
Toeuk, Sokham	AE EC
Tornatore, Marianne	PN ALT AE EC CLR PUB
Tornqvist, Torgjorn	PUB
Toth, Gloria	PN ALT AE EC CLR PUB
Toups, Timothy /National Wildlife Federation	PN ALT AE EC CLR PUB
Trahan, Christine	PN ALT AE EC CLR PUB
Trahan, Iris	PN ALT AE EC CLR PUB
Trahan, Monique /Environmental Defense Fund	PN ALT AE EC CLR PUB
Tran, An	AE EC
Tran, Anh	AE EC
Tran, Hien	AE EC
Tran, Ho Van	AE EC
Tran, Hong	AE EC
Tran, Kim	AE EC
Tran, Lili	AE EC
Tran, Thanh Van	AE EC
Tran, Trieu	AE EC
Tran, Van C /Phong Nguyen	AE EC
Trichter, Vivien	PN ALT AE EC CLR PUB
Trimble, William	PN ALT AE EC CLR PUB
Trinh, Philip	AE EC
Tripp, Jim	PN ALT AE EC CLR
Trom, Van	AE EC
Troxclair, Vincent	PN ALT AE EC CLR PUB
Trudell, Patti	PN ALT AE EC CLR PUB
Truong, Lien Thi	AE EC
Truyen, Tran	AE EC
Tschirm, Kevin	PN ALT AE EC CLR PUB
Tschirm, Stephen	PN ALT AE EC CLR PUB
Tucci, Louis	PN ALT AE EC CLR PUB
Tuck, Joni	PN ALT AE EC CLR PUB
Tuey, Crystal	PN ALT AE EC CLR PUB
Tugwell, Thomas /National Wildlife Federation	PN ALT AE EC CLR PUB
Tullos, Connie /National Wildlife Federation	PN ALT AE EC CLR PUB
Turgeon, Valerie	PN ALT AE EC CLR PUB
Turgeon, Valerie /Environmental Defense Fund	PN ALT AE EC CLR PUB

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Turley, Michael	PN ALT AE EC CLR PUB
Tuttle, James	PN ALT AE EC CLR PUB
Tyner, Robin	PN ALT AE EC CLR PUB
U.S. Environmental Protection Agency	AE EC
U.S. Fish and Wildlife Service	ALT AE EC
Van Aman, Linda	PN ALT AE EC CLR PUB
Van Aman, Linda	PN ALT AE EC CLR PUB
Van Brown, Juli	PN ALT AE EC CLR PUB
Van Brunt, Juli /National Wildlife Federation	PN ALT AE EC CLR PUB
Van Teylingen, Mary Lou	PN ALT AE EC CLR PUB
Vasquez, Richard	PN ALT AE EC
Vaughn, Melanie	PN ALT AE EC CLR PUB
Vickers, Michael	PN ALT AE EC CLR PUB
Vidrine, Curt	PN ALT AE EC CLR PUB
Viles, Aaron	PN ALT AE EC
Vincent, Gene	ALT AE EC
Vincent, Joseph /National Wildlife Federation	PN ALT AE EC CLR PUB
Vizier, Glen	PN ALT AE EC CLR PUB
Vo , My Lynn	AE EC
Vo , My Lynn	AE EC
Voisin, Bart	PN ALT AE EC CLR PUB
Vong, Bo	AE EC
Vong, Neang	AE EC
Vong, Noeun	AE EC
Vong, Nonh	AE EC
Vorn, Po	AE EC
Vu, Phuc H.	AE EC
Vu, Thao /Mississippi Coalition for Vietnamese-American Fisherman, Fisher Folks and Families	PN AE EC CLR PUB
W, M	PN ALT AE EC CLR PUB
Waldron, Ryan /National Wildlife Federation	PN ALT AE EC CLR PUB
Walker, Arthur /Environmental Defense Fund	PN ALT AE EC CLR PUB
Wallsten, Karen	PN ALT AE EC CLR PUB
Wee, James	PN ALT AE EC CLR PUB
Weems, James	PN ALT AE EC CLR PUB
Weiner, Daniel	PN ALT AE EC CLR PUB
Weldon, Penn	PN ALT AE EC CLR PUB

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Wells, Richard	PN ALT AE EC CLR PUB
Wenzel, Joseph	PN ALT AE EC CLR PUB
West , Allison	PUB
Wheeler, Katherine	PN ALT AE EC CLR PUB
Wheeler, Katherine /Environmental Defense Fund	PN ALT AE EC CLR PUB
Whipple, Susan	PN ALT AE EC CLR PUB
White, Carla	PN ALT AE EC CLR PUB
Whitfield, Mallory	PN ALT AE EC CLR PUB
Wilbur, Lynn	PN ALT AE EC CLR PUB
Williams, Elizabeth	PN ALT AE EC CLR
Williams, John	PN ALT AE EC CLR
Williams, Jolie	PN ALT AE EC CLR PUB
Williams, Mary	PN ALT AE EC CLR PUB
Williams, Naython	PN ALT AE EC CLR PUB
Williams, Sally	PN ALT AE EC CLR PUB
Wilson, Andrew	AE EC PUB
Wilson, Johnnie	ALT AE EC
Wilson, Ralph	PN ALT AE EC CLR PUB
Woessner, Charles	AE EC CLR
Wolf, Rachel	PN ALT AE EC CLR PUB
Woods, Mikeal /National Wildlife Federation	PN ALT AE EC CLR PUB
Woods, Patricia	PN ALT AE EC CLR PUB
Wyerman, Jim	PN ALT AE EC CLR PUB
Wyman, Frank	AE EC
Wyman, Pearl	AE EC
Yean, Phonny	AE EC
Yetiker, Faruk	PN ALT AE EC CLR PUB
Young, Deedy	PN ALT AE EC CLR PUB

B2: Draft EIS Public Review and Public Meetings

Public Meeting Record

Mid-Barataria Sediment Diversion Project EIS

Public Meeting Record

May 1, 2021

Prepared for:



**US Army Corps
of Engineers®**
New Orleans District

Prepared by:



1.0 INTRODUCTION

USACE and TIG held joint public meetings which coincided with the release of the Draft Environmental Impact Statement (DEIS) for the proposed Mid-Barataria Sediment Diversion (MBSD) Project (proposed Project) and Louisiana TIG Draft Phase II Restoration Plan #3.2 (Draft RP) for public review. The purpose of the public meetings was to provide the public an opportunity to present their views, opinions, and information relevant to the proposed Project, the impact analysis, and alternatives evaluation presented in the DEIS and Draft RP. Three public meetings were planned during the Draft EIS/Draft RP public comment period for the proposed Project. Given restrictions on in-person gatherings due to COVID-19 and the uncertainty regarding COVID prevalence in the future, the public meeting planning efforts included logistical planning for these meetings to be held either as in-person or virtual meeting options. At the time of the public comment period on the DEIS and Draft RP, COVID-19 restrictions remained in place in Louisiana so the meetings were held virtually. As such, logistics included accommodations for individuals without internet access.

2.0 GENERAL MEETING FORMAT

The public meetings were scheduled for three hours. However, the meetings would have been allowed to run past the three-hour schedule had there been any attendee who had not yet had the opportunity to provide comment during the three-hour meeting. Each meeting followed the same agenda: An approximately 45-minute pre-recorded presentation was played summarizing the contents of the DEIS and Draft RP, including the alternatives considered, key findings of the impact analysis, and the TIG recommendation. Following the presentation, meeting attendees were given the opportunity to provide oral comments or written comments/questions via a “chat” function within the virtual meeting platform.

To ensure that all attendees who wanted to make an oral comment had both an opportunity to make their comment as well as adequate time to provide their full comment, each commenter was initially limited to three minutes, with the opportunity to continue their oral comment once anyone wishing to provide oral comment had an initial turn to speak. To manage the flow of the oral comment process, anyone wishing to make an oral comment was asked to notify the meeting facilitator either during registration for the meeting or through the chat function of the virtual platform during the meeting. The facilitator called on each person wishing to make an oral comment. At the end of the three-minute comment opportunity, if the commenter wished to continue their comment for an additional three-minute period, a meeting staff member made note of the commenter’s name, and the facilitator called on each of these attendees after confirmation was made that no commenters were waiting for their initial turn to speak. This cycle continued until all oral commenters completed their comments. To avoid potential inappropriate use of the chat box, submitted comments were only visible to meeting staff and not the larger audience. Comments received via the chat function were read by the USACE presenter to the audience. A court reporter was present to record all oral comments, and all comments provided via the chat function were downloaded and added to the public comment record.

Attendees wishing to provide oral comments after the presentation were provided a toll-free phone number through which the oral comment could be recorded. The phone number continued to be accessible throughout the DEIS formal comment period, not just during the live event. All oral comments received through the phone system were transcribed for the administrative record.

Meeting logistics were facilitated and supported by GEC, but CEMVN, CPRA and TIG staff served as the communicators to the public. Other cooperating agencies were present, virtually, at each meeting.

The pre-recorded presentation was posted prior to the live meetings on the CEMVN MBSD EIS website: www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS) and NOAA's Gulf Spill Restoration website (www.gulfspillrestoration.noaa.gov).

The public notice for the meetings, which was posted/distributed two weeks prior to the first public meeting, included links to the above USACE and DWH LA TIG websites so that the public could view the presentations prior to and after the virtual meetings. Both websites also had links to download/view the DEIS and information on various ways to submit comments (by mail, phone, in-person oral or written comments, and electronically through the NPS PEPC system). The link to the NPS PEPC system was a direct link to the PEPC MBSD EIS/RP Comment Page rather than the PEPC Project Page so that individuals redirected from the NOAA or CEMVN webpage would not have to navigate the NPS PEPC system to find the link to submit comments.

In order to accommodate non-English speakers, Vietnamese, Spanish, and Khmer translators provided introductory statements at the beginning of each meeting and were present during the oral comment portion of the meeting. Recorded translated presentations were also made available on the Project websites. The public advertisements for the meetings included Vietnamese and Spanish translation, and included a note stating that Vietnamese translation would be available at the meeting, and that anyone requiring translation in other languages should contact a point person at CEMVN. For virtual meetings, a live presentation was recorded after which a translator provided either recorded voice translation or closed-caption translation, which was added to the recording and posted on-line with the other meeting materials.

3.0 MEETING MATERIALS

3.1 PUBLIC NOTICE

The public notice announcing the filing of the DEIS and RP was published in the Federal Register and posted online at <http://www.mvn.usace.army.mil/Missions/Regulatory/Public-Notices/> and mailed to individuals on the MBSD mailing list. The public notice for the public meetings included the Notice of Availability of the DEIS and RP and the schedule and locations for DEIS public meetings. A copy of the public notice is provided in Appendix A.

3.2 ADVERTISEMENT

Newspaper advertisements were printed in *The Advocate*, *Times-Picayune*, and *Plaquemines Gazette*. Copies of the advertisement is provided in Appendix B.

3.3 POWERPOINT PRESENTATION

See Appendix C

Appendix A - Public Notice



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118-3651

March 5, 2021

Operations Division
Regulatory Branch

SPECIAL PUBLIC NOTICE

SUBJECT: Notice of Availability of the Draft Mid-Barataria Sediment Diversion Project Environmental Impact Statement and Public Meetings

Asunto: Aviso de Disponibilidad del Proyecto de Declaración de Impacto Ambiental del Desvío de Sedimentos de Barataria Media y Reuniones Públicas

CHỦ ĐỀ: Thông Báo Phát Hành Dự Thảo Đánh Giá Tác Động Môi Trường Của Dự Án Chuyển Dòng Trầm Tích Ở Vùng Giữa Lưu Vực Barataria và Các Cuộc Họp Với Người Dân

PERMIT APPLICATION NUMBER: MVN-2012-2806-EOO (Section 10/404)
2013-0634 (Section 408)

APPLICANT: Coastal Protection and Restoration Authority of Louisiana

SUMMARY: The Coastal Protection and Restoration Authority of Louisiana (CPRA or Applicant) submitted a Permit Application to the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) for a Department of the Army (DA) permit under Section 10 of the Rivers and Harbors Act of 1899 (33 United States Code [USC] 403) and Section 404 of the Clean Water Act (CWA) (33 USC 1344) (collectively referred to as "Section 10/404") and submitted a Section 408 Permission Request Letter (33 USC 408) to construct, maintain, and operate the proposed Mid-Barataria Sediment Diversion (MBSD) on the right descending bank of the Mississippi River, at approximately 60.7 miles above "Head of Passes" in Plaquemines Parish, Louisiana. In accordance with the National Environmental Policy Act (NEPA), CEMVN has prepared a Draft Environmental Impact Statement (EIS) to analyze the potential impacts of the proposed MBSD Project and a range of reasonable alternatives, including No Action, on the natural and human environment. The Draft EIS will be used to inform CEMVN's decisions regarding CPRA's permit application and permission request and may inform the decisions of other agencies that will review the proposed MBSD Project as part of their regulatory or permit processes. The information in the Draft EIS will help decision makers, public officials, and citizens to understand the potential environmental impacts of the proposed MBSD Project and its alternatives before decisions regarding the proposed MBSD Project are made.

In addition to informing the CEMVN decisions, the Deepwater Horizon Natural Resource Damage Assessment Louisiana Trustee Implementation Group (LA TIG) has prepared a Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion (Draft Restoration Plan) that evaluates granting funding to construct the proposed MBSD Project. The proposal to adopt a final restoration plan to fund construction of the MBSD Project is a separate major Federal action requiring NEPA review by the LA TIG. The LA TIG has cooperated in preparing the Draft EIS, and intends, after independent review, to adopt the EIS to satisfy its NEPA obligations for the Restoration Plan. The LA TIG will issue a separate public Federal Register notice and related information on its website and elsewhere announcing the availability of its Draft Restoration Plan.

All interested persons and organizations are encouraged to review the Draft EIS and Draft Restoration Plan and to submit any comments regarding the proposed MBSD Project, the Draft EIS, and/or Draft Restoration Plan as explained below. Comments will be considered as part of CEMVN's and LA TIG's decision-making processes.

The Draft EIS and supporting documents are available on the Project website at: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>, or upon request. The Draft Restoration Plan and supporting documents are available at: <https://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>. Hard copies of the Draft EIS and Draft Restoration Plan may also be viewed at the locations noted at the end of this notice. Individuals wishing to view hard copies of the Draft EIS and Draft Restoration Plan should contact the locations regarding viewing hours and COVID-19 restrictions.

The 60-day public review and comment period for the Draft EIS and Draft Restoration Plan will begin on March 5, 2021 and end on May 4, 2021. All comments submitted electronically or by mail via the U.S. Postal Service on or before May 4, 2021 will be considered.

PUBLIC MEETINGS: CEMVN and LA TIG will jointly conduct three Public Meetings to solicit comments on the Draft EIS and Draft Restoration Plan; however, due to COVID-19 safety precautions, these meetings will be virtual. Parties interested in participating in the NEPA process and who would like to learn more about the proposed MBSD Project and/or provide comments on the Draft EIS and/or Draft Restoration Plan are encouraged to participate in one of the following WebEx virtual meetings:

Tuesday
April 6, 2021

9 a.m. CDT

Wednesday
April 7, 2021

1 p.m. CDT

Thursday
April 8, 2021

6 p.m. CDT

Instructions on how to access the virtual meetings by computer or telephone will be provided on the CEMVN's Project webpage approximately two weeks prior to the first meeting.

MEETING FORMAT: Each Public Meeting is scheduled for three hours. Meetings will consist of a brief introduction, pre-recorded presentations by LA TIG, CPRA, and CEMVN, followed by a public oral comment period. The meetings will be transcribed and included in the record.

The Public Meetings will follow the agenda below:

Introduction: Approximately 10-minutes. Welcome message, meeting format, and agenda will be outlined.

Presentations: Approximately 45-minutes (pre-recorded). CEMVN will open the presentation by notifying the public how to comment on the MBSD Draft EIS. Then, CPRA will provide an update on the MBSD design, followed by a presentation by the LA TIG which will present information concerning their ongoing restoration planning efforts and the Draft Restoration Plan. Lastly, CEMVN will provide details about how to navigate and review the contents of the MBSD Draft EIS before the public oral comment session begins.

Oral Comments: Participants will have the opportunity to provide oral comments via the WebEx virtual platform. Each participant will be allowed three minutes to make their comment to accommodate all attendees. Commenters are not limited to one three-minute comment. Once a three-minute oral comment is completed, commenters may re-enter the

WebEx queue to make additional comments. Attendees may ask questions during the three-minute comment; CEMVN and NOAA will only respond with information on the sections of the Draft EIS and/or Draft Restoration Plan that best addresses their question.

HOW TO PROVIDE DRAFT EIS AND DRAFT RESTORATION PLAN COMMENTS: In addition to the oral comment period during the Public Meetings, interested parties are encouraged to comment on the proposed MBSD Draft EIS, and Draft Restoration Plan, and may do so at any time during the public review and comment period time-frame as follows:

- Submit comments **electronically** at: <https://parkplanning.nps.gov/MBSD>
- Submit **written comments** by mail to:
U.S. Army Corps of Engineers, New Orleans District
Attn: CEMVN-ODR-E, MVN-2012-2806-EOO
7400 Leake Avenue
New Orleans, LA 70118
- Submit oral comments via the **toll-free phone number** at: 866-211-9205

You only need to submit your comment via one of these methods. All comments submitted will be reviewed by both the CEMVN and the LA TIG. Instructions for submitting your official comments can also be found on the Project webpage under “Ways to Submit Draft EIS Comments.” All comments made during the comment period time-frame as described above will become part of the record.

TRANSLATION OPPORTUNITIES: All pre-recorded public meeting presentations are in English, but will be available on CEMVN’s Project webpage in English, Vietnamese, Spanish, and Khmer (Cambodian).

Oportunidades de Traducción: Todas las presentaciones previamente grabadas estarán en Inglés, pero están disponibles en Vietnamita, Español e Inglés en la página web del Proyecto CEMVN: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>

HỖ TRỢ THÔNG DỊCH: Tất cả các bản trình bày được ghi âm trước bằng tiếng Anh, tuy nhiên chúng sẽ được đăng tải trên trang nói về Dự Án của Công Binh Lục Quân Hoa Kỳ (CEMVN) bằng tiếng Anh, tiếng Việt và tiếng Tây Ban Nha tại địa chỉ: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>

Anyone requiring translation in other languages should contact Ricky Boyett at ricky.d.boyett@usace.army.mil or 504-862-1524.

FOR FURTHER INFORMATION: Interested parties unable to participate in the virtual Public Meetings can access the pre-recorded presentations, the MBSD Draft EIS, a link to the Draft Restoration Plan, and additional information on the proposed MBSD Project on CEMVN’s Project webpage at: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>.

Martin S. Mayer
Chief, Regulatory Branch

Hard copies of the Draft EIS and Draft Restoration Plan may also be viewed at the following locations. Individuals wishing to view hard copies of the Draft EIS and Draft Restoration Plan should contact the locations regarding viewing hours and COVID-19 restrictions.

Lafitte Library
4917 City Park Drive
Lafitte, LA 70067
(504) 689-5097

Port Sulphur Library
139 Civic Drive
Port Sulphur, LA 70083
(337) 527-7200

West Bank Regional Library
2751 Manhattan Blvd.
Harvey, LA 70058
(504) 364-2660

Buras Library
35572 Highway 11
Buras, LA 70041
(504) 564-0944

East New Orleans Regional Library
5641 Read Boulevard
New Orleans, LA 70127
(504) 596-0200

South Lafourche Library
16241 East Main Street
Cut Off, LA 70345
(985) 632-7140

Belle Chasse Library
8442 Highway 23
Belle Chasse, LA 70037
(504) 394-3570

St. Charles Parish Library
Paradis Branch
307 Audubon St,
Paradis, LA 70080
(985) 758-1868

Hard copies of the Draft EIS Executive Summary with electronic copies of the Draft EIS and appendices on a USB and the Draft Restoration Plan will be available at the following locations. Individuals wishing to view copies of the Draft EIS and Draft Restoration Plan should contact the locations regarding viewing hours and COVID-19 restrictions.

St. Tammany Parish Library
310 W. 21st Ave.
Covington, LA 70433
(985) 893-6280

Jefferson Parish Library
East Bank Regional Library
4747 W. Napoleon Ave.
Metairie, LA 70001
(504) 838-1190

Terrebonne Parish Library
151 Library Dr.
Houma, LA 70360
(985) 876-5861

Alex P. Allain Library
206 Iberia St.
Franklin, LA 70538
(337) 828-5364

New Orleans Public Library
219 Loyola Ave.
New Orleans, LA 70112
(504) 596-2570
East Baton Rouge Parish Library
7711 Goodwood Blvd.
Baton Rouge, LA 70806
(225) 231-3750

Vermilion Parish Library
405 E. Victor St.
Abbeville, LA 70510
(337) 893-2674

Iberia Parish Library
445 E. Main St.
New Iberia, LA 70560
(337) 364-7024

Calcasieu Parish Public Library
Central Branch
301 W. Claude St.
Lake Charles, LA 70605
(337) 721-7116

LSU Ag Center, Southwest Region
1105 West Port St.
Abbeville, LA 70510
(337) 898-4335

St. Bernard Parish Library
2600 Palmisano Blvd.
Chalmette, LA 70043
(504) 279-0448

St. Martin Parish Library
201 Porter St.
St. Martinville, LA 70582
(337) 394-2207

Martha Sowell Utley Memorial
Library
705 W. 5th St.
Thibodaux, LA 70301
(985) 447-4119



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS, LA 70118-3651

March 21, 2021

SPECIAL PUBLIC NOTICE

SUBJECT: Public Meetings for the Draft Mid-Barataria Sediment Diversion Project Environmental Impact Statement

ASUNTO: Reuniones Públicas para el Proyecto de Declaración de Impacto Ambiental del Desvío de Sedimentos de Barataria Media

CHỦ ĐỀ: Các Cuộc Họp Với Người Dân Để Dự Thảo Đánh Giá Tác Động Môi Trường Của Dự Án Chuyển Dòng Trầm Tích Ở Vùng Giữa Lưu Vực Barataria

PERMIT APPLICATION NUMBER: MVN-2012-2806-EOO (Section 10/404)
2013-0634 (Section 408)

APPLICANT: Coastal Protection and Restoration Authority of Louisiana

SUMMARY: The Coastal Protection and Restoration Authority of Louisiana (CPRA or Applicant) submitted a Permit Application to the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) for a Department of the Army (DA) permit under Section 10 of the Rivers and Harbors Act of 1899 (33 United States Code [USC] 403) and Section 404 of the Clean Water Act (CWA) (33 USC 1344) (collectively referred to as "Section 10/404") and submitted a Section 408 Permission Request Letter (33 USC 408) to construct, maintain, and operate the proposed Mid-Barataria Sediment Diversion (MBSD) on the right descending bank of the Mississippi River, at approximately 60.7 miles above "Head of Passes" in Plaquemines Parish, Louisiana. In accordance with the National Environmental Policy Act (NEPA), CEMVN has prepared a Draft Environmental Impact Statement (EIS) to analyze the potential impacts of the proposed MBSD Project and a range of reasonable alternatives, including No Action, on the natural and human environment. The Draft EIS will be used to inform CEMVN's decisions regarding CPRA's permit application and permission request and may inform the decisions of other agencies that will review the proposed MBSD Project as part of their regulatory or permit processes. The information in the Draft EIS will help decision makers, public officials, and citizens to understand the potential environmental impacts of the proposed MBSD Project and its alternatives before decisions regarding the proposed MBSD Project are made.

In addition to informing the CEMVN decisions, the Deepwater Horizon Natural Resource Damage Assessment Louisiana Trustee Implementation Group (LA TIG) has prepared a Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion (Draft Restoration Plan) that evaluates granting funding to construct the proposed MBSD Project. The proposal to adopt a final restoration plan to fund construction of the MBSD Project is a separate major Federal action requiring NEPA review by the LA TIG. The LA TIG has cooperated in preparing the Draft EIS, and intends, after independent review, to adopt the EIS to satisfy its NEPA obligations for the Restoration Plan. The LA TIG will issue a separate public Federal Register notice and related information on its website and elsewhere announcing the availability of its Draft Restoration Plan.

PUBLIC MEETINGS: CEMVN and the LA TIG will jointly conduct three Public Meetings to solicit comments on the Draft EIS and Draft Restoration Plan; however, due to COVID-19 safety precautions, these meetings will be virtual. Parties interested in participating in the NEPA process and who would like to learn more about the proposed MBSD Project and/or provide comments on the Draft EIS and/or Draft Restoration Plan are encouraged to participate in one of the following virtual meetings:

Tuesday
April 6, 2021

9 a.m. CST

Wednesday
April 7, 2021

1 p.m. CST

Thursday
April 8, 2021

6 p.m. CST

HOW TO JOIN A MEETING:

Using a computer: Register for the public meeting at <https://attendee.gotowebinar.com/rt/9000906063881945359>. Once registered, you will be emailed a link to access the meeting. For additional materials please visit the CEMVN Project website: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversions-EIS/>.

By phone: To listen in by phone, dial 415-655-0060 and enter the Access Code 281-590-132 when prompted.

MEETING FORMAT: Each Public Meeting is scheduled for three hours. Meetings will consist of a brief introduction, pre-recorded presentations by LA TIG, CPRA, and CEMVN, followed by a public oral comment period. Interpreters will be available for anyone wishing to make a comment in Spanish, Vietnamese, and Khmer (Cambodian). The meetings will be transcribed and included in the record.

The Public Meetings will follow the agenda below:

Introduction: Approximately 10-minutes. Welcome message, meeting format, and agenda will be outlined.

Presentations: Approximately 45-minutes (pre-recorded). CEMVN will open the presentation by notifying the public how to comment on the MBSD Draft EIS. Then, CPRA will provide an update on the MBSD design, followed by a presentation by the LA TIG which will present information concerning their ongoing restoration planning efforts and the Draft Restoration Plan. Lastly, CEMVN will provide details about how to navigate and review the contents of the MBSD Draft EIS before the public oral comment session begins.

Oral Comments: Participants will have the opportunity to provide oral comments via the virtual platform. Each participant will be allowed three minutes to make their comment to accommodate all attendees. Commenters are not limited to one three-minute comment. Once a three-minute oral comment is completed, commenters may re-enter the queue to make additional comments. Attendees may ask questions during the three-minute comment; CEMVN and NOAA will only respond with information on the sections of the Draft EIS and/or Draft Restoration Plan that best addresses their question.

TRANSLATION OPPORTUNITIES: During the virtual public meetings, presentations will be in English, but Vietnamese, Spanish, and Khmer (Cambodian) pre-recorded meeting presentations will be available on CEMVN's Project webpage by March 30. To hear the pre-recorded presentation in Vietnamese, Spanish, or Khmer without a computer, call the following toll-free phone numbers starting March 30:

- Spanish: 855-786-7103
- Vietnamese: 866-802-8705
- Khmer: 866-802-7702

OPORTUNIDADES DE TRADUCCIÓN: Todas las presentaciones previamente grabadas estarán en Inglés, pero estarán disponibles en Vietnamita, Español e Khmer en la página web del Proyecto CEMVN después del 30 de marzo:

<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>. Para escuchar la presentación pregrabada en español sin computadora, llame al 855-786-7103 después del 30 de marzo.

HỖ TRỢ THÔNG DỊCH: Tất cả các bản trình bày được ghi âm trước bằng tiếng Anh, tuy nhiên chúng sẽ được đăng tải trên trang nói về Dự Án của Công Binh Lục Quân Hoa Kỳ (CEMVN) bằng tiếng Anh, tiếng Việt và tiếng Tây Ban Nha tại địa chỉ sau ngày 30 tháng 3:

<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>. Để nghe bài thuyết trình bằng tiếng Việt, hãy gọi 866-802-8705 sau ngày 30 tháng 3.

Anyone requiring translation in other languages should contact Ricky Boyett at ricky.d.boyett@usace.army.mil or 504-862-1524.

All interested persons and organizations are encouraged to review the Draft EIS and Draft Restoration Plan and to submit any comments regarding the proposed MBSD Project, the Draft EIS, and/or Draft Restoration Plan as explained below. Comments will be considered as part of CEMVN's and LA TIG's decision-making processes.

The Draft EIS and supporting documents are available on the Project website at: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>, or upon request. The Draft Restoration Plan and supporting documents are available at: <https://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>. Hard copies of the Draft EIS and Draft Restoration Plan may also be viewed at the locations noted at the end of this notice. Individuals wishing to view hard copies of the Draft EIS and Draft Restoration Plan should contact the locations regarding viewing hours and COVID-19 restrictions.

The 60-day public review and comment period for the Draft EIS and Draft Restoration Plan began on March 5, 2021 and will end on May 4, 2021. All comments submitted electronically or by mail via the U.S. Postal Service on or before May 4, 2021 will be considered.

HOW TO PROVIDE DRAFT EIS AND DRAFT RESTORATION PLAN COMMENTS: In addition to the oral comment period during the Public Meetings, interested parties are encouraged to comment on the proposed MBSD Draft EIS, and Draft Restoration Plan, and may do so at any time during the public review and comment period time-frame as follows:

- Submit comments **electronically** at: <https://parkplanning.nps.gov/MBSD>
- Submit **written comments** by mail to:
U.S. Army Corps of Engineers, New Orleans District
Attn: CEMVN-ODR-E, MVN-2012-2806-EOO
7400 Leake Avenue
New Orleans, LA 70118
- Submit oral comments via the **toll-free phone number** at: 866-211-9205

You only need to submit your comment via one of these methods. All comments submitted will be reviewed by both the CEMVN and the LA TIG. Instructions for submitting your official comments can also be found on the Project webpage under “Ways to Submit Draft EIS Comments.” All comments made during the comment period time-frame as described above will become part of the record.

FOR FURTHER INFORMATION: Interested parties unable to participate in the virtual Public Meetings can access the pre-recorded presentations, the MBSD Draft EIS, a link to the Draft Restoration Plan, and additional information on the proposed MBSD Project on CEMVN’s Project webpage at: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>.

for:
Martin S. Mayer
Chief, Regulatory Branch

Appendix B – Advertisement



PUBLIC MEETINGS REUNIONES PÚBLICAS HỌP ĐÁNH GIÁ CỦA CÔNG CHÚNG

The Coastal Protection and Restoration Authority of Louisiana (CPRA) submitted a Permit Application to the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) for a Department of the Army permit under Section 10 of the Rivers and Harbors Act of 1899 (33 United States Code [USC] 403) and Section 404 of the Clean Water Act (CWA) (33 USC 1344) (collectively referred to as "Section 10/404") and submitted a Section 408 Permission Request Letter (33 USC 408) to construct, maintain, and operate the proposed Mid-Barataria Sediment Diversion (MBSD) on the right descending bank of the Mississippi River, at approximately 60.7 miles above "Head of Passes" in Plaquemines Parish, Louisiana.

In accordance with the National Environmental Policy Act (NEPA), CEMVN has released a Draft Environmental Impact Statement (EIS) for public review. The Draft EIS will be used to inform CEMVN's decisions regarding CPRA's permit application and permission request. Additionally, the Deepwater Horizon Natural Resource Damage Assessment Louisiana Trustee Implementation Group (LA TIG) has prepared a Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion (Draft Restoration Plan) that evaluates granting funding to construct the proposed MBSD Project. The LA TIG has cooperated in preparing the Draft EIS, and intends, after independent review, to adopt the EIS to satisfy its NEPA obligations for the Restoration Plan.

CEMVN and the LA TIG will jointly conduct three Public Meetings to solicit comments on the Draft EIS and Draft Restoration Plan, however, due to COVID-19 safety precautions, these meetings will be virtual. Interested parties are encouraged to participate in one of the following virtual meetings:

Tuesday, April 6, 2021

9 a.m. CST

Wednesday April 7, 2021

1 p.m. CST

Thursday April 8, 2021

6 p.m. CST

HOW TO JOIN A MEETING:

Using a computer: Register for the public meeting at the following website:
<https://attendee.gotowebinar.com/rt/9000906063881945359>. Once registered, you will be emailed a link to access the meeting. For additional materials please visit the CEMVN Project website:
<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>.

By phone: To listen in by phone, dial 415-655-0060 and enter the Access Code 281-590-132 when prompted.

MEETING FORMAT: Each Public Meeting is scheduled for three hours. Meetings will consist of a brief introduction, pre-recorded presentations by LA TIG, CPRA, and CEMVN, followed by a public oral comment period. Interpreters will be available for anyone wishing to make a comment in Spanish, Vietnamese, and Khmer (Cambodian). The meetings will be transcribed and included in the record.

TRANSLATION OPPORTUNITIES: During the virtual public meetings, presentations will be in English, but Vietnamese, Spanish, and Khmer (Cambodian) pre-recorded meeting presentations will be available on CEMVN's Project webpage by March 30. To hear the pre-recorded presentation in Vietnamese, Spanish, or Khmer without a computer, call the following toll-free phone numbers starting March 30: Spanish: 855-786-7103; Vietnamese: 866-802-8705; Khmer: 866-802-7702. Anyone requiring translation in other languages should contact Ricky Boyett at ricky.d.boyett@usace.army.mil or 504-862-1524.

OPORTUNIDADES DE TRADUCCIÓN: Todas las presentaciones previamente grabadas estarán en Inglés, pero estarán disponibles en Vietnamita, Español e Khmer en la página web del Proyecto CEMVN después del 30 de marzo: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>. Para escuchar la presentación pregrabada en español sin computadora, llame al 855-786-7103 después del 30 de marzo.

HỖ TRỢ THÔNG DỊCH: Tất cả các bản trình bày được ghi âm trước bằng tiếng Anh, tuy nhiên chúng sẽ được đăng tải trên trang nói về Dự Án của Công Bình Lục Quân Hoa Kỳ (CEMVN) bằng tiếng Anh, tiếng Việt và tiếng Tây Ban Nha tại địa chỉ sau ngày 30 tháng 3: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>. Để nghe bài thuyết trình bằng tiếng Việt, hãy gọi 866-802-8705 sau ngày 30 tháng 3.

The 60-day public review and comment period for the Draft EIS and Draft Restoration Plan began on March 5, 2021 and will end on May 4, 2021. All comments submitted electronically, by phone or by mail via the U.S. Postal Service on or before May 4, 2021 will be considered.

HOW TO PROVIDE DRAFT EIS AND DRAFT RESTORATION PLAN COMMENTS: In addition to the oral comment period during the Public Meetings, interested parties are encouraged to comment on the proposed MBSD Draft EIS, and Draft Restoration Plan, and may do so at any time during the public review and comment period time-frame as follows:

- Submit comments electronically at: <https://parkplanning.nps.gov/MBSD>
- Submit written comments by mail to: U.S. Army Corps of Engineers, New Orleans District, Attn: CEMVN-ODR-E, MVN-2012-2806-EOO, 7400 Leake Avenue, New Orleans, LA 70118
- Submit oral comments via the toll-free phone number at: 866-211-9205

FOR FURTHER INFORMATION: Interested parties unable to participate in the virtual Public Meetings can access the pre-recorded presentations, the MBSD Draft EIS, a link to the Draft Restoration Plan, and additional information on the proposed MBSD Project on CEMVN's Project webpage at:

<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>

Appendix C - PowerPoint Presentation

Welcome to the Mid-Barataria Sediment Diversion (MBSD) Virtual Public Meeting Draft Environmental Impact Statement (EIS) and Draft NRDA Restoration Plan (RP)

U.S. ARMY CORPS OF ENGINEERS (USACE)
LOUISIANA TRUSTEE IMPLEMENTATION GROUP (LA TIG)

APRIL 6, 7, AND 8, 2021



Introductions

INDIVIDUALS YOU WILL HEAR SPEAKING TODAY

- Perry Franklin (Facilitator)
- Brad LaBorde (U.S. Army Corps of Engineers)
- Brad Barth (Louisiana Coastal Protection and Restoration Authority)
- Mel Landry (National Oceanic and Atmospheric Administration)
- Ofelia Soto (Traductora de español)
- John Nguyen (Phiên dịch tiếng việt)
- Bouy Te (អ្នកបកប្រែជាភាសាខ្មែរ)

Guidelines

DETAILS ON TODAY'S WEBINAR

- This webinar will be recorded
- All participants will be muted unless it is your turn to give a verbal public comment



- Submit comments **electronically** at:
<https://parkplanning.nps.gov/MBSD>;
- Submit **written comments** by U.S. mail to:

U.S. Army Corps of Engineers, New Orleans District
Attn: CEMVN-ODR-E, MVN-2012-2806-E00
7400 Leake Avenue
New Orleans, LA 70118

Mailed comments must be postmarked on or
before the comment deadline of May 4, 2021
- Submit **oral comments** via the toll-free number:
866-211-9205
- Submit **comments** during any of the virtual public
meetings held on April 6, 7, and 8.

**You only need to submit your comment via
one of these methods.**

How to Comment on the Draft EIS or NRDA RP

Agenda

VIDEO PRESENTATIONS

- Approximately 35 minutes of video presentations

PUBLIC COMMENT

- We will take comments from members of the public
- Some of you signed up to comment when you registered for the webinar. If you did not sign up to comment and would like to, please enter your name in the questions box and we will get you in the lineup

THE WEBINAR WILL RUN FOR 3 HOURS



Agenda (español)

PRESENTACIONES DE VIDEO

- Aproximadamente 35 minutos de presentaciones de video

COMENTARIOS DEL PÚBLICO

- Aceptaremos comentarios de los miembros del público
- Algunos de ustedes se inscribieron para comentar al registrarse para el seminario web. Si no se inscribió para comentar y desea hacerlo, ingrese su nombre en la casilla de preguntas y lo pondremos en la lista

EL SEMINARIO WEB CONTINUARÁ
DURANTE 3 HORAS



Para escuchar la presentación
previamente grabada en español llame al
855-786-7103.

Chương trình hội thảo

TRÌNH CHIẾU VIDEO

- Trình chiếu video khoảng 35 phút

Ý KIẾN CÔNG KHAI

- Chúng tôi sẽ lấy ý kiến từ các thành viên từ công chúng
- Một số thành viên đã đăng ký phát biểu ý kiến khi đăng ký hội thảo trên web. Nếu quý vị chưa đăng ký phát biểu ý kiến và muốn phát biểu ý kiến, vui lòng nhập tên của quý vị vào hộp câu hỏi để chúng tôi đưa quý vị vào danh sách

HỘI THẢO TRÊN WEB SẼ KÉO DÀI TRONG KHOẢNG 3 TIẾNG



Để nghe bài thuyết trình được ghi âm trước bằng tiếng Việt, vui lòng gọi đến 866-802-8705.

របៀបវារៈ

បទបង្ហាញជាវីដេអូ

បទបង្ហាញជាវីដេអូរយៈពេលប្រហែល 35 ទី

មតិសាធារណៈ

- យើងនឹងទទួលយកមតិពី ធារណជន
- មនុស្សមួយចំនួនបានចុះឈ្មោះផ្តល់មតិ នៅពេលដែលអ្នកបានចុះឈ្មោះចូលរួមសិក្ខា លាតាមអ៊ិនធឺណិតនេះ។ ប្រសិនបើអ្នកមិនបានចុះឈ្មោះផ្តល់មតិទេ ហើយចង់ចុះឈ្មោះ សូមបញ្ចូលឈ្មោះរបស់អ្នកនៅក្នុងប្រអប់សំណួរ នោះយើងនឹងបញ្ចូលឈ្មោះអ្នកទៅក្នុងជួររង់ចាំ

សិក្ខាសាលាតាមអ៊ិនធឺណិតនឹងប្រព្រឹត្តទៅរយៈពេល 3 ម៉ោង



ដើម្បីសាប្តបទបង្ហាញដែលបានថតទុកមុនជាភាសាខ្មែរ សូមហៅទូរស័ព្ទទៅលេខ
866-802-7702។

The background of the slide is a map of the Mid-Barataria region, showing various land parcels and water bodies. The map is rendered in shades of blue and green, with the text 'Video Presentations' overlaid in white. The map shows a complex network of land parcels, some of which are highlighted in a darker shade, indicating areas of interest or sediment diversion paths.

Video Presentations

Public Comment

FOR THE REMAINDER OF THE WEBINAR WE WILL LISTEN TO COMMENTS FROM THE PUBLIC

- Type your name into the “Questions” box to get into the speaking queue.
- If you have joined by phone and are watching the webinar on your computer, enter your audio PIN if you plan on speaking via phone during the webinar—you will be unmuted at the appropriate time
- You will hear your name when you are up next to speak and will be unmuted by the host
- If you are joining by phone without registering through the webinar, you will not be able to comment during this meeting.

The screenshot shows the GoToWebinar interface. At the top, there is a menu with 'File', 'View', and 'Help'. Below that is the 'Audio' section, which includes radio buttons for 'Computer audio' (unselected) and 'Phone call' (selected). Below the radio buttons are fields for 'Dial: ###-###-####', 'Access Code: ###-###-####', and 'Audio PIN: ##'. There is also a dropdown menu for 'United States' and a link for 'Problem dialing in?'. Below the audio section is the 'Questions' section, which contains a text input field with the placeholder '[Enter a question for staff]' and a 'Send' button. At the bottom, there is a section for 'Multi sessions different registrants' with the 'Webinar ID: 357-351-315' and the GoToWebinar logo.

Three red callout boxes with arrows pointing to specific elements in the interface:

- The top callout box points to the 'Phone call' radio button and contains the text: "If you call into the meeting with a phone, **do not select computer audio.**"
- The middle callout box points to the 'Audio PIN: ##' field and contains the text: "If you use a phone, your **unique** audio pin will be here. You must enter this to speak on the call. (Computer audio users do not need a PIN.)"
- The bottom callout box points to the 'Questions' input field and contains the text: "To communicate with staff, send questions here."



**Comment in
progress**



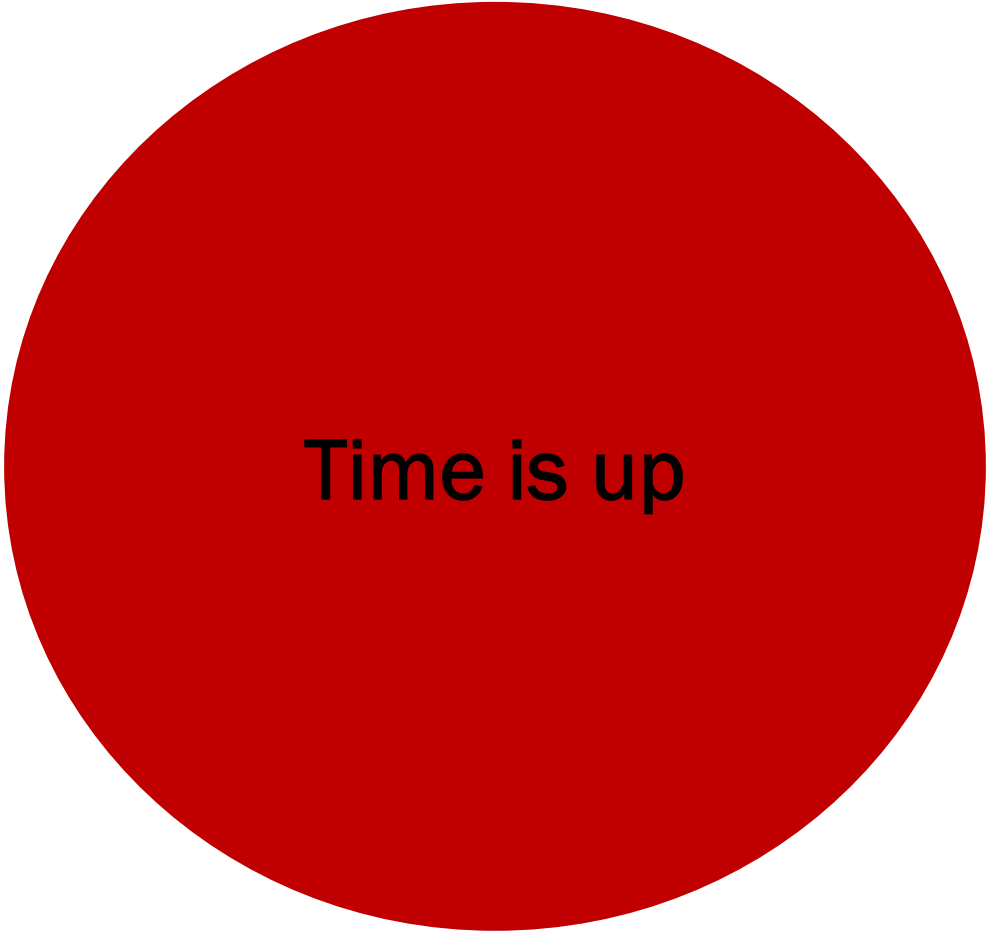
**1 minute
remaining**



**30 seconds
remaining**



**10 seconds
remaining**



We Are Waiting for Additional Public Comments

- Type your name into the “Questions” box to get into the speaking queue.
- Escriba su nombre en la casilla “Preguntas” para estar en la lista de hablantes.
- Nhập tên của quý vị vào hộp “Questions” (Câu hỏi) để được xếp vào danh sách chờ phát biểu.
- វាយបញ្ចូលឈ្មោះរបស់អ្នកនៅក្នុងប្រអប់ “សំណួរ” ដើម្បីចូលទៅក្នុងជួររង់ចាំនិយាយ។
- Materials are available at:
<https://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>
- The last day to give public comments is May 4, 2021.

**We Are Currently
on a Brief Break**

The webinar will resume at XX:XX Central.

- If you would like to make a comment, please type your name into the “Questions” box to get into the speaking queue when we resume the webinar.

- Submit comments **electronically** at:
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U.S. Army Corps of Engineers, New Orleans District
Attn: CEMVN-ODR-E, MVN-2012-2806-E00
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You only need to submit your comment via
one of these methods.

How to Comment on the Draft EIS or NRDA RP

Thank you for attending today's meeting.

Gracias por asistir a la reunión de hoy.

Cảm ơn quý vị đã tham dự hội nghị hôm nay.

សូមអរគុណចំពោះ ការចូលរួមក្នុង កិច្ចប្រជុំនៅថ្ងៃនេះ ។

Public Meeting Report

Mid-Barataria Sediment Diversion Project EIS

Public Meeting Report

Final

July 27, 2022



**US Army Corps
of Engineers®**
New Orleans District



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B2: DRAFT EIS PUBLIC REVIEW (PUBLIC MEETINGS SUMMARY AND RESPONSES TO PUBLIC COMMENTS)

1.0 INTRODUCTION

The Coastal Protection and Restoration Authority of Louisiana (CPRA or Applicant) submitted a permit application to the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) for a Department of the Army (DA) permit under Section 10 of the Rivers and Harbors Act of 1899 (33 United States Code [USC] 403) and Section 404 of the Clean Water Act (CWA) (33 USC 1344) (collectively referred to as “Section 10/404”) and submitted a Section 408 Permission Request Letter (33 USC 408) to construct, maintain, and operate the proposed Mid-Barataria Sediment Diversion (MBSD) on the right descending bank of the Mississippi River, at approximately 60.7 miles above “Head of Passes” in Plaquemines Parish, Louisiana.

In accordance with the National Environmental Policy Act (NEPA), CEMVN prepared a Draft Environmental Impact Statement (EIS) to analyze the potential impacts of the proposed MBSD Project and a range of reasonable alternatives, including No Action, on the natural and human environment. The USACE is the lead federal agency in preparing the EIS and has coordinated with other agencies with jurisdiction by law or special expertise acting as Cooperating Agencies. The Draft EIS is used to inform CEMVN’s decisions regarding CPRA’s permit application and permission request and may inform the decisions of other agencies that will review the proposed MBSD Project as part of their regulatory or permit processes. The information in the Draft EIS helps decision makers, public officials, and citizens to understand the potential environmental impacts of the proposed MBSD Project and its alternatives before decisions regarding the proposed MBSD Project are made.

In addition to informing the CEMVN decisions, the Deepwater Horizon Natural Resource Damage Assessment Louisiana Trustee Implementation Group (LA TIG) prepared a Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion (LA TIG’s Restoration Plan) that evaluates whether to fund construction of the proposed MBSD Project. The proposal to adopt a final Restoration Plan to fund construction of the MBSD Project is a separate major federal action requiring NEPA review by the LA TIG. The LA TIG cooperated in preparing the Draft EIS, and intends, after independent review, to adopt the EIS to satisfy its NEPA obligations for the LA TIG’s Restoration Plan.

This report summarizes the public review and comment process for the Draft EIS/LA TIG’s Restoration Plan, including opportunities made available for public comment, details about the public meetings, and a summary of the public comments received throughout the 90-day public review period. Attachment 1 Summary Concern Statements and Responses lists the summary concerns and issues identified in the public comments, along with responses from the USACE and LA TIG. Attachment 2

Public Comments and Responses lists all public comments received along with the USACE and LA TIG's responses.

2.0 AGENCY ROLES IN PREPARING RESPONSES TO PUBLIC COMMENTS

The EIS is intended to inform two decisions. First, the Draft and Final EIS were prepared to inform decisions by USACE under Section 404 of the Clean Water Act and Sections 10 and 14 of the Rivers and Harbors Act of 1899. Second, as explained in the LA TIG's Restoration Plan, the Draft and Final EIS also are being used to inform the LA TIG's decision on whether to finalize its Restoration Plan and proceed with funding the construction of the MBSD Project.¹ As explained in the LA TIG's Restoration Plan, the LA TIG is the group of Trustees responsible for restoring natural resources and services within the Louisiana Restoration Area that were injured by the DWH oil spill.²

USACE is the Lead Agency responsible for preparing the EIS pursuant to 40 CFR §§ 1501.5 and 1508.16. Cooperating Agencies for the EIS are NOAA, USEPA, DOI, USFWS and USDA. USACE and the Cooperating Agencies entered a Cooperating Agency MOU for the EIS dated September 11, 2017, which sets forth the respective roles of the lead and Cooperating Agencies.³ The United States

¹ The adoption of the EIS by the federal agencies of the LA TIG would be completed upon signature of any Record of Decision (ROD) prepared by the federal agencies of the LA TIG.

² As specified in the 2016 Consent Decree and PDARP/PEIS, the DWH NRDA funds were distributed geographically to address the diverse suite of injuries that occurred at both regional and local scales. Specific amounts of money were allocated to seven geographically defined Restoration Areas: each of the five Gulf States (Louisiana, Mississippi, Alabama, Florida, and Texas), Regionwide, and the Open Ocean. The DWH Consent Decree established that each Restoration Area would be governed by a Trustee Implementation Group (TIG). As described in the Consent Decree and specified in the Trustee Council Standard Operating Procedures (SOPs) (DWH NRDA Trustees, 2016b), these TIGs are composed of individual DWH Trustee agency representatives. The LA TIG makes all restoration decisions for the funding allocated to the Louisiana Restoration Area and ensures that its actions are fully consistent with OPA and NEPA requirements, the PDARP/PEIS, the Strategic Restoration Plan, the Consent Decree resolving the civil claims against BP Exploration for the DWH oil spill, and the Trustee Council Standard Operating Procedures.

The LA TIG includes five Louisiana State Trustee agencies and four federal Trustee agencies: the Louisiana Coastal Protection and Restoration Authority (CPRA); the Louisiana Department of Natural Resources; the Louisiana Department of Environmental Quality; the Louisiana Oil Spill Coordinator's Office; the Louisiana Department of Wildlife and Fisheries; the United States Department of Commerce, represented by the National Oceanic and Atmospheric Administration (NOAA); the United States Department of the Interior (DOI), represented by the United States Fish and Wildlife Service (USFWS) and the National Park Service (NPS); the United States Department of Agriculture (USDA); and the United States Environmental Protection Agency (USEPA).

³ Pursuant to the MOU, USACE makes the final determination on the inclusion or exclusion of material in the Draft EIS and Final EIS as to the content or relevance of any material, data, analyses, and conclusions in accordance with applicable laws and regulations and USACE determines whether any

(represented by multiple federal agencies⁴) also entered an MOU with the State of Louisiana to integrate CPRA into the regulatory environmental review and authorization process to the maximum extent allowed by law.⁵

Each of the federal Trustee agencies or its representative is also a Cooperating Agency for the EIS. USACE has coordinated with members of the LA TIG (including the Cooperating Agencies and CPRA) in developing the EIS.

USACE is not a member of the Deepwater Horizon Trustee Council and played no role in development of the LA TIG's Restoration Plan. USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore injuries caused by the DWH oil spill.

Public notices for the public review and comment periods for both the Draft EIS and the LA TIG's Restoration Plan were published on the same date (March 5, 2021). The comment periods ran concurrently. Commenters could submit comments on either the Draft EIS or the LA TIG's Restoration Plan, as indicated below. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the LA TIG's Restoration Plan and the Draft EIS in its decision making process.

Not all commenters, however, distinguished whether their comments were directed to the LA TIG's Restoration Plan, the Draft EIS, or both. Where appropriate, Appendix B responds to comments from the perspective of NEPA and the Draft EIS (on

necessary modifications to the Draft EIS and Final EIS are required as a result of public, Cooperating Agency or CPRA submitted comments.

⁴ Federal Agencies include the Federal Permitting Improvement Steering Council (FPISC), the Department of the Army (Army), the Department of the Interior (DOI), the Department of Commerce (DOC), including the NOAA Damage Assessment, Remediation and Restoration Program (NOAA DARRP) and the NOAA National Marine Fisheries Service (NOAA NMFS), the Environmental Protection Agency (USEPA), the Department of Homeland Security (DHS), including the U.S. Coast Guard (USCG), and the Department of Agriculture (USDA), including the Natural Resources Conservation Service (NRCS).

⁵ This second MOU, dated January 25, 2018, was entered by the United States with the State of Louisiana, and entitled "Framework for Establishing Discipline and Accountability in the Environmental Review and Authorization Process of the Mid-Barataria Sediment Diversion Project." The purpose of the State MOU was to integrate the State significantly into the environmental review and authorization process, to ensure it participates fully and substantially in the regulatory process to the maximum extent allowed by law, and to acknowledge that CPRA can participate in that process, while allowing the United States to remain objective and open-minded as required by law. The parties also agreed to work collaboratively on all aspects of the EIS and to seek agreement on consideration of public comments in accordance with relevant NEPA regulations. The Cooperating Agency MOU is to be implemented harmoniously with the State MOU.

behalf of USACE and the LA TIG), as well as from the perspective of the LA TIG's Restoration Plan (on behalf of the LA TIG).

With respect to comments on the Draft EIS (including the proposed Project, content and analysis of the Draft EIS, NEPA process, and all related matters), in accordance with the Cooperating Agency MOU, USACE acted as the Lead Agency in developing responses. The LA TIG (in accordance with the Cooperating Agency MOU and State MOU) assisted in reviewing Draft EIS-related comments and in developing responses.

With respect to the LA TIG's Restoration Plan (or other Trustee restoration planning) and OPA, comments were reviewed and responses developed by the LA TIG. To the extent restoration planning or OPA-related comments overlapped with NEPA issues or content of the EIS, USACE provided input with respect to those matters. USACE did not provide substantive input regarding OPA or other Trustee restoration planning, other than reviewing for style and language consistency with the responses to comments on the EIS. Content in responses that discuss the LA TIG's Restoration Plan, OPA, or other Trustee Planning states only the views of the LA TIG.

USACE has reviewed all comments (including studies cited in the comments) submitted during the public review period and will consider all comments regarding the proposed Project, the Draft EIS and Final EIS (including content, analysis, and impacts), the NEPA and permitting processes, and any related matters in its Section 10/404 permitting and Section 408 permission decisions. Similarly, the LA TIG has reviewed and considered all comments as they relate to NEPA and the LA TIG's potential decision(s) on the LA TIG's Restoration Plan (and impacts associated therewith).

3.0 OPPORTUNITY FOR PUBLIC COMMENT

A Notice of Availability (NOA) for the Draft EIS was published in the Federal Register on March 5, 2021. The LA TIG issued a separate Federal Register public notice and related information on its website and elsewhere announcing the availability of its Restoration Plan. The NOAs encouraged all interested persons and organizations to review the Draft EIS and LA TIG's Restoration Plan and to submit any comments regarding the proposed MBSD Project, the Draft EIS, and/or LA TIG's Restoration Plan as explained below. The Public NOA of the Draft EIS and LA TIG's Restoration Plan and notification of the public meetings was emailed out to all individuals and stakeholders on the Project mailing list and advertised in the New Orleans Advocate on March 5th, 2021 and the Plaquemines Gazette on March 9th, 2021. Additional details regarding the public meetings were advertised in the New Orleans Advocate on March 21st and 28th, 2021 and the Plaquemines Gazette on March 23rd and 30th, 2021. Portions of the public notice were translated to Spanish and Vietnamese.

The initial 60-day public review and comment period established by the NOAs for the Draft EIS and LA TIG's Restoration Plan began on March 5, 2021 and was proposed to end on May 4, 2021. However, the 60-day public comment period was extended by an additional 30 days (for a total of 90 days) to June 3, 2021. All

comments submitted electronically, orally, or in writing on or before June 3, 2021 were considered for the Final EIS.

The Draft EIS and supporting documents were available for public review on the Project website at: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>, or upon request. The LA TIG's Restoration Plan and supporting documents were available at: <https://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>. Printed copies of the Draft EIS and the LA TIG's Restoration Plan were provided for public review at eight public libraries in Belle Chasse, Buras, Cut Off, Harvey, Lafitte, New Orleans, Paradis, and Port Sulphur. In addition, printed copies of the Executive Summary for both the Draft EIS and the LA TIG's Draft Restoration Plan summarizing the details of the documents into a concise, easy to read, document were available in English, Spanish, and Vietnamese at these locations and several other locations within southern Louisiana. Additional details regarding distribution of the Draft EIS documents for public review can be found in Appendix B2 Public Meeting Record of the Final EIS. Additional details regarding distribution of the LA TIG's Restoration Plan for public review can be found in Section 8.0 of the LA TIG's Restoration Plan. Individuals wishing to view hard copies of the Draft EIS and LA TIG's Restoration Plan were advised to contact the locations regarding viewing hours and COVID-19 restrictions.

USACE and the LA TIG coordinated with the SELA Voice organizations to understand the needs of the local communities, including Indigenous communities, regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Restoration Plan and during the public comment period. SELA's recommendations for where to make the Draft EIS and the LA TIG's Restoration Plan available, as well as translation of material related to the Draft EIS and LA TIG's Restoration Plan, were implemented. Spanish, Vietnamese, and Khmer (Cambodian) translators interpreted the meeting and comments in real time during the virtual public meetings. The USACE engaged with local non-profit and community groups to distribute information and materials about the proposed Project and Draft EIS. CPRA also engaged with communities that would be affected.

The public was invited to comment on the proposed MBSD Draft EIS and the LA TIG's Restoration Plan in any of the following ways:

- Electronic comments at: <https://parkplanning.nps.gov/MBSD>
- Electronic comments via email at: CEMVN-Midbarataria@usace.army.mil
- Written comments by mail to: U.S. Army Corps of Engineers, New Orleans District
- Oral comments via the toll-free phone number at: 866-211-9205
- Oral or written comments during any of the virtual public meetings held on April 6, 7, and 8, 2021

These various methods were available to accept comments from the public at any time during the public review and comment period time-frame. Any comments received in other languages were translated into English by interpreters. Comments only needed to be submitted via one of these methods to become part of the record. All comments submitted were reviewed by both the CEMVN and the LA TIG and considered as part of their respective decision making processes.

4.0 PUBLIC MEETINGS

The CEMVN and LA TIG jointly conducted three public meetings to solicit comments on the Draft EIS and LA TIG's Restoration Plan on April 6, April 7, and April 8, 2021 and 9 a.m., 1 p.m., and 6 p.m. Central Time, respectively. Due to COVID-19 related restrictions in place at the time, the meetings were held virtually using an internet/web-based conferencing application and/or via phone line. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Restoration Plan.

At the beginning of the public comment period, CEMVN posted several pre-recorded videos (prepared by LA TIG, CPRA, and USACE) to CEMVN's Project webpage. The pre-recorded videos consisted of an explanation on how to comment on the Draft EIS and/or the LA TIG's Restoration Plan (USACE), an update on the proposed MBSD Project design (CPRA), information concerning the ongoing restoration planning efforts and the LA TIG's Restoration Plan (LA TIG), and details about how to navigate and review the contents of the Draft EIS (USACE). These videos were consolidated into one presentation which was played at the beginning of each of the three virtual public meetings. This consolidated pre-recorded presentation was also translated into Spanish, Vietnamese, and Khmer and available to access on CEMVN's Project webpage. In addition, dedicated toll-free numbers were provided throughout the public comment period through which the public could listen to the translated pre-recorded presentation in either Spanish, Vietnamese, or Khmer rather than viewing the presentation on a computer. Anyone requiring translation in other languages was advised to contact CEMVN's Public Affairs office.

Instructions on how to access the virtual meetings by computer or toll-free telephone lines were provided on the CEMVN's Project webpage approximately two weeks prior to the first meeting. Each public meeting was scheduled for three hours. The virtual meetings consisted of a brief introduction, the pre-recorded video presentation, followed by a public comment period. Written and verbal translation in Spanish, Vietnamese, and Khmer was available for portions of the virtual meeting webinars. During the webinar, comments could be made verbally or typed into a chat box for the moderator or panelist to read aloud during the meeting. Interpreters were available for anyone wishing to make a comment in Spanish, Vietnamese, and Khmer during the comment portion of the virtual meetings. The meetings were transcribed by a court reporter and included in the Project's Administrative Record. The written transcripts and recordings of each of the meetings can be accessed on CEMVN's Project webpage.

Representatives from the CEMVN were available to listen to public comments regarding the Draft EIS. Representatives from the LA TIG agencies including CPRA, NOAA, the DOI, the USEPA, and the USDA, were available during the webinar to listen to public comments regarding the Draft EIS and LA TIG's Restoration Plan. Webinar panel members provided clarifications and information during the public comment portion of the webinar.

Interested parties that were unable to participate in the virtual public meetings could access recordings of the virtual meeting webinars, the pre-recorded video presentation (in English, Vietnamese, Spanish, and Khmer), the MBSD Draft EIS, a link to the LA TIG's Restoration Plan, written transcripts of the public meetings, and additional information on the proposed MBSD Project on CEMVN's Project webpage at: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>.

5.0 PUBLIC COMMENTS ON THE DRAFT EIS/LA TIG'S RESTORATION PLAN

5.1 Introduction

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. The USACE and LA TIG coordinated a public review process for both the Draft EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the LA TIG's Restoration Plan and the Draft EIS in its decision making process. All public questions and comments submitted during the comment period are addressed in this Response to Comment Appendix and are attached to this appendix. Revisions have been made to the Final EIS based on public comments received on the Draft EIS, input from the Cooperating Agencies, and continued Project evaluation. As described in Chapter 1, Section 1.7 Public Involvement Summary of the Final EIS, changes between the Draft and Final EIS are identified through markings along the margins on the applicable pages. Table 1.7-1 lists the section numbers where changes were made (see Chapter 1, Section 1.7). All public comments received will be considered by USACE and LA TIG in their respective decision making on the proposed MBSD Project. For a summary of public outreach efforts related to the Draft EIS refer to Chapter 7 Public Involvement of the Final EIS and for restoration planning, see Section 1.8 of the LA TIG's Final Restoration Plan.

Many comment responses refer to information in the Draft EIS or LA TIG's Restoration Plan. Some of the responses refer to specific information in subsections, tables, and figures, while others refer to more general topics addressed throughout chapters, resource sections, and appendices. References to the Draft EIS or LA TIG's Restoration Plan therefore vary in specificity depending on the nature of the comment and response.

5.2 Overview of Comments Received

Over the 90-day public comment period, the USACE and the LA TIG received approximately 40,699 comment submissions provided in the following ways: via email to CEMVN; through DOI's Planning, Environment and Public Comment (PEPC) database (<https://parkplanning.nps.gov/MBSD>); submitted in writing or orally during any of the virtual public meetings held on April 6, 7, and 8, 2021; and via voicemail at a toll-free phone number (1-866-211-9205). Forty-three comments were received in either Spanish, Vietnamese, or Khmer and were translated into English.

Of the 40,699 comment submissions, 39,903 (98 percent) included nearly identical (form) letters signed by different individuals. Approximately 796 (2 percent) of comment submissions were unique letters from individuals or organizations/agencies. Only 1,396 (3.4 percent) of the comment submissions were from commenters that gave Louisiana addresses. The remaining comments were from people residing in other U.S. states and U.S. territories, four were from other countries, and three did not provide location information. Individual commenters identified an affiliation in 44 of the comment submissions. These affiliations included businesses, churches and religious groups, civic groups, government agencies, non-governmental organizations, and university or professional societies.

5.3 Comment Response Process

USACE and the LA TIG worked together to review, sort, and respond to comments received on the Draft EIS and the LA TIG's Restoration Plan. Comments were first sorted into groups by topic and issue, consistent with the range of topics addressed in the Draft EIS and the LA TIG's Restoration Plan. To facilitate preparation of responses, USACE and the LA TIG then drafted 'concern statements' to represent multiple similar comments on a topic and to summarize unique comments and lengthy comments; these concern statements were later reviewed against the original comments to ensure all comments were captured. USACE and the LA TIG then prepared responses to the concern statements. The USACE and LA TIG ensured consideration of the original text from each comment when preparing the response. The comment response process was designed to ensure consideration of and appropriate responses to all comments received.

Attachment 1 Summary Concern Statements and Responses of this appendix provides a list of the issues and concerns identified in the comments and the USACE and LA TIG's responses. All public comments and responses are included in full in Attachment 2 Public Comments and Responses of this appendix, organized in alphabetical order by last name.

Agency Correspondence Process	Commercial Fisheries
Affected Environment/Existing Conditions	Environmental Justice
EIS App A: Permit Application (Section 10/404) and 408 Permissions Request	Recreation/Tourism

EIS App T: USFWS Coordination Act Report (CAR)	Public Lands
Request for Comment Period Extension	Land Use/Cover
Intro, Purpose & Need, Proposed Action	Aesthetic and Visual Resources
Project Background	Public Health & Safety/Flood & Storm Hazard Risk Reduction
Compliance with Other Laws, Regs & EOs	Navigation
Restoration and Project Goals and Objectives	Land-based Transportation
Coordination with Other Gulf Restoration Programs	Cultural Resources
Civil Works Projects in Project Area	Hazardous, Toxic, & Radioactive Waste Assessment
Public Participation Process	Cumulative Impacts
Agency Roles Responsibilities, and Coordination	Delft3D Modeling
NRDA Injury Addressed	ADCIRC Modeling
SRP Outcomes/large-scale sediment diversion (SRP Past Analysis)	Navigation Modeling
Process of Alternatives Identification, Screening and Analysis	HSI & Eco Modeling
Functional Alternatives	WVA modeling
Location Alternatives	Additional Considerations in Planning
Operational Alternatives	General Support for Project/RP
Outfall Features	General Critique of Project/RP
Alternatives Considered but Eliminated	Misc Topics- General Comments
New Project Ideas Suggested but not Previously Evaluated	Executive Summary
Applicant's Preferred Alternative/Alternative 1-75K cfs	MAM Plan-General Comment
Other Alternatives Evaluated	MAM Governance
No Action Alternative	MAM Schedule
Eval Standard- Cost to Carry Out Alternative	MAM Data Management & Reporting
Eval Standard- Meets Trustee Restoration Goals and Objectives	Compensatory Wetland Mitigation
Eval Standard- Likelihood of Success	Impacts to Navigation Mitigation
Eval Standard- Benefits More Than One Resource	Property Impacts Mitigation
Eval Standard- Public Health & Safety	Flooding Impacts Mitigation
Eval Standard- Avoids Collateral Injury	Aquatic/Fisheries Impacts (other than commercial) Stewardship and Mitigation Measures
Geology/Soils	ESA-Listed Species Stewardship and Mitigation Measures
Groundwater Resources	Non-ESA-Listed Species Stewardship and Mitigation Measures
Surface Water/Coastal Processes	Essential Fish Habitat Stewardship and Mitigation Measures
Surface Water/Sediment Quality	Cultural Resources Stewardship and Mitigation Measures
Wetland Resources/Waters of the US	Proffered Permit Special Conditions
Air Quality	FWCAR Recommendations
Noise	Other/General Stewardship and Mitigation Measures
Terrestrial Wildlife/Habitat	Marine Mammals Stewardship and Mitigation Measures

Aquatic Resources	Oysters (Commercial Fisheries) Stewardship and Mitigation Measures
Marine Mammals	Brown Shrimp, Crabs and Finfish (commercial fisheries) Stewardship and Mitigation Measures
Threatened & Endangered Species	Recreational and Subsistence Use Stewardship and Mitigation Measures
Socioeconomics	Property acquisition Stewardship and Mitigation Measures
	Environmental Justice Stewardship and Mitigation Measures

5.4 Organization of Comments and Responses in this Appendix

Public comments and responses are provided in two formats in Attachment 1 and 2 of this appendix:

- Attachment 1 Summary Concern Statements and Responses:** Attachment 1 Summary Concern Statements and Responses of this appendix organizes the concern statements and issues identified in the comment letters by topic area corresponding to EIS subject areas and contains responses to each of those concern statements. The summary concerns along with USACE and LA TIG responses are organized by the topics identified in the comment letters and shown in Table 1 above. Readers may search by topic area to view the concerns raised by the public comments and the USACE and TIG responses.
- Attachment 2 Public Comments and Responses:** Each commenter's verbatim comment is provided along with the USACE and LA TIG response in Attachment 2 Public Comments and Responses. The attachment is organized alphabetically by commenters' last names. Comments that were submitted by agencies or organizations (identified by those comments submitted with formal signatures or letterheads) are identified by the agency or organization name rather than an individual's name. A table of contents at the beginning of Attachment 1 gives page numbers for each commenter's last name or agency/organization name for ease of reference. In the case of form letters that are substantially alike, one copy of the form letter is included, and each individual or agency/organization who sent it is included in the table of contents. Form letters that were substantively modified by the commenter are included as separate, unique comment letters.

AC10000 – Agency Correspondence

Concern ID: 62958	The Department of Environmental Quality (LDEQ), Business and Community Outreach Division has received your request for comments on the proposed MBSD Project.
	After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this proposed Project, you should immediately notify LDEQ’s Single-Point-of-contact (SPOC) at (225) 219-3640.
Response ID: 15888	Thank you for your comments. USACE solicited review according to 40 CFR Part 1503.1. If a permit is issued, CPRA would be required to obtain all applicable federal, state, and local permits before starting construction of the proposed MBSD Project.

Concern ID: 62959	The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (EIS) for the Coastal Protection and Restoration Authority of Louisiana’s (CPRA) Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana.
	The following comments and recommendations are submitted pursuant to the authority of, and in accordance with, the provisions of the National Environmental Policy Act of 1969 (83 Stat. 852, as amended P.L. 91-190, 42 U.S.C. 4321 et seq.), and the Fish and Wildlife Coordination Act of 1956 (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).
	Upon review of the Draft EIS, the Service finds it addresses all impacts and benefits, including those related to fish and wildlife resources, coastal wetlands, and threatened and endangered species.
	The Applicant’s Preferred Alternative would directly impact 182.9 acres of jurisdictional wetlands and 266.3 acres of vegetated shallows (submerged aquatic vegetation or SAV) and other waters of the U.S. Additionally, because Mississippi River sediments would be diverted up river of the Birdfoot Delta, the Delta would experience a projected indirect loss of 2,891 acres of wetlands by 2070 when compared with the No Action Alternative, of which 926 acres would be indirectly lost on the Delta National Wildlife Refuge (Delta NWR) and 37 acres on Pass A Loutre Wildlife Management Area (Pass A Loutre WMA). The indirect wetland losses to Delta

NWR and Pass- A-Loutre WMA would be offset by the construction of crevasse projects as described in Recommendation #1 of the Draft Fish and Wildlife Coordination Act Report for the proposed MBSD Project. The proposed Project anticipates a net benefit of 13,151 acres of marsh (3,848 AAHUs) near the outfall over the 50-year period of analysis. Overall, there would be positive net benefits to wetland resources in the proposed Project area, with the creation and preservation of emergent wetland habitat of high value to fish and wildlife resources.

The Service has continually been involved throughout the planning and evaluation process for the proposed MBSD Project. The CEMVN and CPRA have been responsive to all our data needs, questions, comments, and concerns. Because of our extensive coordination, and the positive net benefits to wetland resources, all of our comments and suggestions have been sufficiently addressed at this time and the Service has no further comment.

Response ID: 15887

Thank you for your comments. USACE solicited review according to 40 CFR Part 1503.1. If a permit is issued, CPRA would be required to obtain all applicable federal, state, and local permits before starting construction of the proposed MBSD Project.

Concern ID: 62960

The U.S. Environmental Protection Agency (USEPA) has reviewed the U.S. Army Corps of Engineers (USACE) Draft Environmental Impact Statement (EIS) for the Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana (CEQ Number 20210025). The Draft EIS was reviewed pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500 - 1508), and USEPA's NEPA review authority under Section 309 of the Clean Air Act.

USEPA served as a cooperating agency and reviewed and provided technical comments on the Draft EIS during its development. We appreciate participating on issues of importance to the agency including climate change considerations and evaluation of the climate resiliency and adaptation aspects of the proposed Project. In addition, USEPA acknowledges the proactive approach taken to incorporate technical suggestions and factoring a changing climate into the overall modeling for the proposed Project regarding greenhouse gas emissions and climate change. We also acknowledge that this approach was out of recognition that this effort is different from other infrastructure projects in that the proposed action itself is an adaptation/resiliency feature.

In addition, we appreciate working with USACE, CPRA, and the other agencies on the key issues of environmental justice and impact mitigation throughout development of the Draft EIS. The Draft EIS acknowledged in Chapter 4 that the proposed Project may have disproportionately high and adverse impacts on the Project affected area for minority and low-income residents and users of the resources in the area. According to the models, this may include periodic flooding of some residences and businesses during the operation of the proposed MBSD Project. It may also include storm hazards and changes in the composition of fishery species. USEPA encourages and supports the ongoing efforts to effectively address the identified environmental justice impacts in the development of the Draft Mitigation and Stewardship Plan provided in Appendix R1. USEPA strongly recommends that the Final Mitigation and Stewardship Plan include measures to specifically address disproportionately high and adverse impacts related to commercial shrimp and oyster fishing, tidal flooding, and storm hazards identified in the proposed Project area. The mitigation and stewardship measures should include elements designed to consider any unique vulnerabilities and help ensure an equitable distribution of benefits to minority and low-income populations that would be impacted by the proposed Project. USEPA commends CPRA for holding outreach meetings with minority and low-income people in the area to discuss impacts of the proposed Project and related mitigation and stewardship measures.

Response ID: 15886

Thank you for your comments. If a permit is issued, CPRA would be required to obtain all applicable federal, state, and local permits before starting construction of the proposed MBSD Project.

AE10000 – Affected Environment/Existing Conditions

Concern ID: 61711

Coastal land and wetlands along Louisiana’s coast are very valuable to migratory songbirds because these lands are the first land fall after an exhausting flight across the Gulf of Mexico. As the coastline recedes, migratory birds must fly farther and farther from their southern launch point.

Response ID: 16025

The value of Louisiana’s coastal wetlands to migratory songbirds was considered in the Draft EIS. The importance of Louisiana’s coastal habitats to migratory birds, as well as the threats to these habitats, is discussed in Chapter 3, Section 3.9.3.1 in Terrestrial Wildlife of the EIS.

Concern ID: 61727	One major cause for the loss of wetlands over the last 50 or 60 years is mining and drilling operations that were not required by regulatory agencies to replace the marsh loss they caused. So money from the oil and gas industries should be allocated for continued restoration efforts.
Response ID: 16027	The impacts of the oil and gas industry on wetland loss in the Barataria Basin were described in the Draft EIS. This EIS serves as the environmental review required by NEPA to inform USACE's decisions on the Section 10/404 permit and Section 408 permission and the LA TIG's OPA decision regarding funding the construction of the proposed MBSD Project via damages paid by BP following the DWH oil spill (see Section 1.6.1 The OPA and DWH NRDA Decisions of the EIS). USACE requires compensatory mitigation in the form of replacement habitat for its Section 10/404 permits (including those involving oil and gas exploration and production) that will result in wetland losses.
Concern ID: 61716	The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.
Response ID: 16026	The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.
Concern ID: 61732	The climate change crisis has had devastating impacts to natural resources around the world.
Response ID: 16158	The impacts of climate change on the Project area were considered in the Draft EIS. Chapter 3, Section 3.1.3 Climate provides a general overview of climate change and associated impacts in the Project area, which include projected changes in weather patterns, along with continued saltwater intrusion due to sea-level rise contributing to loss and conversion of freshwater marshes. The effects of climate change via projected sea-level rise (see Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the EIS) were incorporated into the Delft3D Basinwide Model for projecting the impacts of the Project. In addition, as noted in Section 4.7.4 in Air Quality of the EIS, the Project would result in permanent, indirect, minor, beneficial impacts on carbon sequestration and atmospheric greenhouse gas (GHG) concentrations due to wetland creation and restoration within the Barataria Basin.

Concern ID: 61733	Barataria Basin land loss plus the BP oil spill has had and continues to have devastating impacts on communities, birds, and wildlife habitat.
Response ID: 16159	The impacts that land loss and the DWH oil spill have had and continue to have on communities, birds, and wildlife habitat in the Barataria Basin were considered in the Draft EIS. These impacts are discussed throughout Chapter 3 Affected Environment. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Project is to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. This EIS serves as the environmental review required by NEPA to inform the LA TIG's OPA decision regarding funding the construction of the proposed MBSD Project using damages paid by BP following the DWH oil spill (see Section 1.6.1 The OPA and DWH NRDA Decisions of the EIS).
Concern ID: 61735	Louisiana's coast is critical to not only the people who live, work, and recreate here, but to the entire nation. World-class fishing attracts people from all over the world. Our ports are a major player in international trade. The nation's energy needs are largely supported by the oil and natural gas industry located along our coast.
Response ID: 16160	The importance of Louisiana's coast to the people who live, work, and recreate here, as well as to the nation, was considered in the Draft EIS. The details about the importance of the Project area's recreational fishing, commercial navigation, and the oil and gas industry are included in Chapter 3, Sections 3.16 Recreation and Tourism, 3.21 Navigation, and 3.2.3 in Geology and Soils, respectively.
Concern ID: 61737	The construction of levees along the Mississippi River precluded land-building sediments from entering Louisiana estuaries, which has caused a loss of Louisiana's coastal wetlands and other problems, such as making properties more vulnerable to hurricane damage and decreasing property values.
Response ID: 16024	The impacts raised by the commenters were considered in the Draft EIS. Information about historic causes of land loss can be found in Chapter 3, Section 3.1.4 Overview and History of the Project Area and Section 3.6.2 in Wetland Resources and Waters of the U.S. The importance of maintaining wetlands for the protection of coastlines, coastal communities, and wildlife resources is discussed in Sections 3.6 Wetland Resources and Waters of the U.S. and 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS,

the purpose of the Applicant's Preferred Alternative is to implement a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

Concern ID: 61740

Over time, Louisiana's natural environment is continuing to be destroyed by humans.

Response ID: 16161

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment of the EIS. Past, present, ongoing, and reasonably foreseeable actions and trends in the Project area are discussed throughout Chapter 4, Section 4.25 Cumulative Impacts, including how those actions have and may continue to affect Louisiana's natural environment. The proposed Project is a restoration action intended to restore and sustain wetlands in the Barataria Basin and compensate for damages to natural resources that resulted from anthropogenic causes, for example, the DWH oil spill.

Concern ID: 61741

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.

Response ID: 16162

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

AP10000 – EIS App A: Permit Application (Section 10/404) and 408 Permissions Request

Concern ID: 61857

Commenter asked what the chances of stopping this proposed Project are.

Response ID: 15883

As stated in Chapter 1 Introduction and Purpose and Need of the EIS, CPRA submitted a Joint Permit Application on June 23, 2016 (revised March 16, 2018) and a Section 408 Permission Request Letter on January 13, 2017 to the USACE, New Orleans District (CEMVN) for a

Section 10/404 permit and Section 408 permission for the proposed MBSD Project. The joint permit application and permission request can be found in Appendix A Permit Application (Section 10/404) and Permissions Request (Section 408) of the EIS. Approval of a Section 10/404 permit and a Section 408 permission to construct, operate, and maintain the proposed MBSD Project would be a major federal action and consequently, USACE has prepared this EIS to understand the potential impacts, both beneficial and adverse, associated with the proposed Project and reasonable alternatives to it. The information in the EIS will help USACE to make an informed decision on the Section 10/404 permit and Section 408 permission request. In addition, USACE will take all public comments under consideration in its decision making.

By regulation, the USACE is neither for nor against the proposed Project. USACE has not made any decision regarding the proposed Project and will not make a decision until it issues a Record of Decision after publication and public review of the Final EIS.

In its Strategic Restoration Plan #3 and Environmental Assessment, the LA TIG selected for further evaluation a large-scale sediment diversion to address ecosystem injuries in the Barataria Basin as a result of the DWH oil spill. Following NRDA regulations for restoration planning under OPA (15 CFR, Part 990.30), the LA TIG prepared the Draft Restoration Plan (LA TIG RP 3.2) for the proposed MBSD Project. Based on that LA TIG RP 3.2 and informed by the MBSD EIS (to which the federal agencies of the LA TIG are cooperating agencies) and the public comments received on both documents, the LA TIG will make a decision regarding the implementation of the proposed Project. Following publication of the LA TIG's Final Restoration Plan and the MBSD EIS, conclusion of the NEPA 30-day wait period, and issuance of the LA TIG's NEPA Record of Decision, the LA TIG would finalize its decision (15 CFR § 990.23(c)(2)(ii)(G)) and document such by LA TIG Resolution. Until that time, the LA TIG would not have made a final decision on the proposed Project.

Concern ID: 61858

CPRA should resubmit their permit application with a plan to address the specific damages caused by the DWH oil spill and with alternative means of achieving the “purpose of restoration” (Purpose) for use of the DWH funds.

Response ID: 15884

CPRA submitted a Section 10/404 permit application and Section 408 permission request to the USACE to construct, operate, and maintain the proposed MBSD Project. Chapter 2 Alternatives, Section 2.2 Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS provides a detailed explanation for the identification and evaluation of a range of reasonable alternatives based on the purpose and need for the proposed MBSD Project.

Chapter 2 of the LA TIG's Final Restoration Plan describes how the LA TIG screened and selected the alternatives considered in the Restoration Plan. Briefly, as discussed in the PDARP/PEIS, the SRP/EA #3, and the Final Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by levees, subsidence and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling due to the DWH oil spill and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the ecological services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. Evaluating restoration strategies that could restore for injuries in the Barataria Basin, the SRP/EA #3 found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured wetlands, coastal, and nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion that is evaluated in the EIS and the LA TIG's Final Restoration Plan. The LA TIG's Final Restoration Plan explains that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, freshwater, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. Other restoration projects, including marsh and ridge restoration activities, that would help restore for the injuries caused by the DWH oil spill are being considered and implemented by the LA TIG under their restoration planning efforts.

Deepwater Horizon, Natural Resource Damage Assessment (DWH) Trustees. 2016. Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan (PDARP) and Final Programmatic Environmental Impact Statement (PEIS). Available online at: <http://www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan>. Accessed May 2017.

Louisiana Trustee Implementation Group (LA TIG). 2018. Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana. Available online at:

http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_03_LA_TIG_Final_SRP_EA_508-Compliant.pdf. Accessed: March 15, 2018.

Concern ID: 61859

Commenter inquired as to what role the USACE would have in the proposed MBSD Project.

Response ID: 15885

USACE is currently conducting NEPA and other evaluations of the proposed Project for its permitting decisions under the CWA Section 404 and Rivers and Harbors Act (RHA) of 1899 Sections 10 and 14 (33 USC Section 408). USACE is neither a proponent nor an opponent of the proposed Project. If USACE permits the Project, the LA TIG funds the Project and CPRA implements the Project, as a regulating agency, USACE would have continuing authority to ensure that CPRA complies with the conditions of its permit, including inspections as necessary. Because portions of the MBSD Project would alter, occupy, and replace portions of USACE flood risk reduction projects, specifically the Mississippi River Levee and the Plaquemines NOV-NFL Levee, for those portions of the proposed Project, USACE would have construction oversight responsibilities and USACE and CPRA would need to enter agreements governing their respective responsibilities.

CE10000 – Comment Extension

Concern ID: 62487

Several commenters requested additional time to submit comments on the LA TIG’s Draft Restoration Plan and Draft EIS.

Response ID: 15768

The public comment period for the LA TIG’s Draft Restoration Plan and Draft EIS was originally 60 days (March 5, 2021 through May 4, 2021). On April 23, 2021, USACE and the LA TIG issued a special public notice, announcing a 30-day extension of the public comment periods. With this addition, the public comment period for both documents was 90 days (March 5, 2021 through June 3, 2021).

CH10000 – Introduction, Purpose & Need, Proposed Action

Concern ID: 61872

The purpose and need statement upon which the alternatives analysis was built meets the intentions and goals of the proposed Project and appropriately captures the need to restore injury by reestablishing deltaic processes between the Mississippi River and Barataria Basin.

Response ID: 15828 The commenter's support for and approval of the Project's purpose and need is acknowledged.

Concern ID: 61873 **The proposed Project's impacts are in contradiction with the Project's stated purpose and need to restore habitat and ecosystems damaged by the DWH oil spill given the permanent adverse impacts on fisheries, marine mammals, and water quality. The proposed Project is incompatible with both a healthy environment and healthy economy.**

Response ID: 15829 USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. If implemented, the proposed Project would deliver sediment, fresh water, and nutrients into the Barataria Basin. While there would be short- and long-term, adverse and beneficial impacts to physical, biological, and socioeconomic resources in the Project area due to the proposed Project, the sediment, fresh water, and nutrients are expected to restore habitat and ecosystems services injured in the northern Gulf of Mexico as a result of the DWH oil spill.

Concern ID: 61874 **It seems that the change to the purpose and need for the proposed Project was designed to limit alternatives. This change was done 6 months after scoping, when scoping was the opportunity for the public to suggest alternatives and could have affected those comments.**

Response ID: 15830 CPRA provided a purpose and need statement for the Project in its June 22, 2016 Joint Permit Application for the proposed Project. In that application, CPRA stated that the purpose of the Project is "to reconnect and reestablish the natural or deltaic sediment deposition process between the Mississippi River and the Barataria Basin" and that the proposed Project "is needed as a long-term resilient, sustainable strategy to reduce land-loss rates and sustain DWH injured wetlands through the delivery of sediment, freshwater, and nutrients." CPRA's stated Project purpose and need was shared with the public during scoping meetings held during July 2017. During scoping, USACE indicated that CPRA's purpose and need for the Project would be considered in the development of USACE's purpose and need statement. USACE developed a draft purpose and need after taking into consideration the purpose and need from CPRA's Joint Permit Application, input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities of the EIS), and input from public scoping.

USACE's initial formulation of the EIS purpose and need was included in a draft Chapter 1 Introduction and Purpose and Need of the Draft EIS, which was circulated to the LA TIG and cooperating agencies for review and comment from May to October 2017. In October 2017, after the LA TIG finalized its draft Strategic Restoration Plan, the LA TIG requested that USACE re-visit the Draft EIS purpose and need. In January 2018, the LA TIG submitted a proposed revised statement of purpose and need in the form set forth in the Draft EIS. During a joint meeting between USACE, the Applicant (CPRA), the LA TIG, representatives of the Council for Environmental Quality (CEQ), and representatives of the FPISC held on January 25, 2018, the participants discussed proposed changes to the purpose and need. The CEQ and FPISC representatives were supportive of the changes to the proposed Project EIS purpose and need and USACE agreed to the change. Subsequently, CPRA submitted a revised Joint Permit Application to USACE on March 16, 2018 containing a revised purpose and need statement for the proposed Project that tracked the revised purpose and need statement for the EIS. Although the purpose and need changed, the Alternatives Working Group (AWG) (formed to identify alternatives to be evaluated in the EIS and consisting of representatives from USACE, representatives from the LA TIG, including the Applicant (CPRA), and representatives from NOAA, NMFS, USEPA, USFWS, USDOJ, and USDA, and the third-party contractor), continued to consider functional alternatives that are not diversions in the EIS. Chapter 2 Alternatives of the EIS explains how numerous functional alternatives did or did not meet the proposed Project purpose of reconnecting and reestablishing sustainable deltaic processes between the Mississippi River to Barataria Basin through the delivery of sediment, fresh water, and nutrients. The public, commenting agencies, and stakeholders had the the opportunity to comment on the revised purpose and need during the public comment period on the Draft EIS. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

In preparing its Restoration Plan, the LA TIG developed the goals and objectives for the proposed Project through an iterative restoration planning process, beginning with the restoration goals in the Final PDARP/PEIS then developing SRP/EA #3 for the restoration of habitat and ecological services in the Barataria Basin, and ending with Project-specific goals. The proposed MBSD Project has been developed to address the specific goals of the wetlands, coastal, and nearshore habitats restoration type; it would restore a variety of interspersed and ecologically connected coastal habitats, restore for injuries to habitats in geographic areas where the injuries occurred while considering

approaches that provide resilience and sustainability, restore habitats in appropriate combinations for any geographic area, and restore the ecological functions provided by those habitats. Tiering off of the PDARP/PEIS, the LA TIG evaluated various restoration alternatives in SRP/EA #3 and found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed MBSD Project evaluated in the Restoration Plan.

Louisiana Trustee Implementation Group (LA TIG). 2018a. Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana. Available online at: http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_03_LA_TIG_Final_SRP_EA_508-Compliant.pdf. Accessed: March 15, 2018.

Concern ID: 61875

The purpose and need is false and misleading and does not follow NEPA guidelines for a concise, basic, essential, and irreducible purpose. The statement is misleading by making the proposed Project itself part of the purpose. The DWH oil spill, including restoring for injuries caused by the DWH oil spill, has nothing to do with the proposed Project other than justifying its use as a source of funding.

Response ID: 15831

As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, NEPA regulations (40 CFR 1502.13) state that an EIS “shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” The purpose and need statement should be clear and concise in order to facilitate development of a reasonable range of alternatives. USACE generally focused on CPRA’s purpose and need for the proposed Project and considered the public’s and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project’s purpose and need for the EIS.

Separate from the USACE process, as discussed in the PDARP/PEIS, the SRP/EA #3, and the Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by

levees, subsidence and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. Evaluating restoration strategies that could restore for injuries in the Barataria Basin, the SRP/EA #3 found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the EIS and Restoration Plan. The LA TIG’s Restoration Plan concludes that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

Concern ID: 61877

The proposed Project would eventually and inevitably be made moot due to nature itself so it is not needed.

Response ID: 15833

The EIS acknowledges that the sediment deposition and land building that would occur as a result of the MBSD would occur against a backdrop of significant land loss in the basin and across the region due to subsidence and sea-level rise, so that even as diversion operations are increasing sediment deposition and land creation in the outfall area, some of this acreage would be lost over time due to these ongoing processes. Chapter 4, Section 4.2.3.2 in Geology and Soils of the EIS describes the land-building acreages projected over time due to the proposed Project. In the Final EIS, a discussion has been added to this section to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations.

As part of its restoration planning efforts, LA TIG considers reestablishing deltaic processes (including deltaic sediment deposition and transport of nutrients and fresh water from the Mississippi River to the basin) a critical component of sustaining and restoring wetlands, coastal, and nearshore habitats to help address ecosystem-level injuries in the Gulf of Mexico and to decrease land loss.

The LA TIG agrees that, with or without the proposed Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the proposed Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts. The proposed Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and successfully develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 of the LA TIG's Restoration Plan).

Concern ID: 62882

The understated cause of coastal land loss is dredging canals and building spoil banks, which diversions do not address.

Response ID: 15834

The EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see Chapter 3, Section 3.6.2.2.4 in Wetland Resources and Waters of the U.S. of the EIS), and the analysis has been updated in the Final EIS to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The EIS recognizes that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years. In addition, Chapter 1, Section 1.2.1 in Project Background and Chapter 3, Section 3.1.4 in Introduction describes the historical reasons for coastal land loss within the Barataria Basin and notes that as a result of this coastal land loss, various agencies and non-governmental organizations have implemented coastal protection, restoration, and rehabilitation projects within the basin. CPRA has identified the proposed Project for implementation based on the recommendations in its Coastal Master Plan and identified large-scale sediment diversions as a restoration tool for sustainable ecosystem restoration to counter the basin-wide effects of erosive processes such as sea-level rise and subsidence.

CH11000 – Project Background

Concern ID: 62008	The commenter expressed concern that the DWH oil spill and development are causing the Gulf Coast ecosystem that sustains us to collapse.
Response ID: 16165	The concerns raised by the commenter were considered in the Draft EIS. Chapter 3, Section 3.1.4 Overview and History of the Project area provides an overview of the adverse impacts that the DWH oil spill and development have had on wetland habitat in the Project area.

CH12000 – Compliance with Other Laws, Regulations & Executive Orders

Concern ID: 62192	Commenter states that CPRA should coordinate with the local floodplain administrators to obtain any needed local permits.
Response ID: 15741	CPRA would be responsible for coordinating as needed with the appropriate floodplain administrator(s) regarding any necessary permits prior to Project commencement if the Project is approved by USACE and funded by the LA TIG.

Concern ID: 62193	A commenter asked why permits were granted for construction of residential homes if there was knowledge of a forthcoming diversion, and why these applicants were not made aware of the diversion when applying for permits.
Response ID: 15742	The USACE is evaluating whether to grant the State of Louisiana's (through CPRA) requested DA Section 10/404/408 permits for the proposed Project. Without those permits, the Project cannot proceed. The LA TIG cannot speak on behalf of the local permitting agency and their consideration of potential future projects in granting residential construction permits. The LA TIG has no authority over decisions regarding the construction or permitting of residential homes.

Concern ID: 62197	Commenter asked what the justification was for the waiver of the Endangered Species Act (ESA).
Response ID: 15744	No waiver of the Endangered Species Act was granted for this proposed Project. USACE initiated formal ESA Section 7 consultation with NMFS on February 24, 2021 and USFWS on July 2, 2021, including submission of a Biological Assessment to each of the Services which analyzes the potential impacts to ESA-listed species. This Biological Assessment, as well as the agencies' response in the form of a Biological Opinion, can be found in Appendix O (Biological Assessment and Biological Opinion) of the Final EIS.

Concern ID: 62198	Commenter asked if there is a signed waiver of the MMPA.
Response ID: 15745	Yes; the signed waiver can be found in Final EIS Appendix S (Compliance Documentation). Additional information about the MMPA waiver can be found at https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects .
Concern ID: 62503	In the future, CPRA and the LA TIG must fully analyze how proposed and future oil and gas infrastructure would impact the Project and must take the position that permits that excavate or oil marshes would impact Project success and are, therefore, inconsistent with the Project.
Response ID: 15769	EIS Chapter 4, Section 4.25 Cumulative Impacts provides an analysis of the cumulative impacts of reasonably foreseeable future oil and gas infrastructure, including but not limited to the proposed NOLA Oil Terminal, Gulf Coast Methanol Complex, and Venture Global facility.
Concern ID: 62505	A commenter expressed the view that there is bias when the same industries who stand to benefit from the program also research the impact of the program; it is a conflict of interest.
Response ID: 15985	USACE is neither a proponent nor an opponent of the proposed Project. With respect to the EIS, USACE's third-party contractor, GEC, prepared the EIS based on its own research, expertise and review of scientific literature and based on technical reports and information submitted by the permit applicant, CPRA, LA TIG, and/or cooperating agencies. USACE and GEC reviewed such technical reports and information for technical accuracy and sufficiency and for objectivity. NMFS contributed to the portion of the EIS discussing marine mammals in the Project area in Chapter 3 of the EIS, and prepared the portion of the EIS discussing impacts on Marine Mammals in Chapter 4. The Delft3D modeling was performed by the Water Institute of the Gulf (Water Institute) for CPRA and the Water Institute provided information regarding the modeling used in the EIS. USACE and members of the LA TIG reviewed the model parameters and assumptions and determined that they were sufficient for the EIS. GEC executed an Organizational Conflict of Interest Certification attesting that it does not have any financial or other interest in the outcome of the USACE permit application and permission request process. Table 6-1 in Chapter 6 contains a List of Preparers identifying the primary authors of the EIS, their employers and their credentials. As USACE prepared the Draft EIS, draft chapters and sections and the Draft EIS were circulated to the members of the LA TIG and cooperating agencies for multiple rounds of review and comment. Commenters are not identified in the List of Preparers. See EIS Chapter 5, Section 5.2 for further explanation of the EIS preparation process.

Concern ID: 62507

Whether or not the CPRA feels compelled to affirmatively act to reduce impacts on BBES dolphins, the LA TIG's trust duties require that the LA TIG do so. LA TIG cannot allow one resource seriously impacted by DWH to be driven to functional extinction by a project intended to restore another resource.

Response ID: 15969

The LA TIG recognizes the significant impacts the proposed Project would have on Barataria Basin bottlenose dolphins, as discussed in detail in both the EIS and the LA TIG's Restoration Plan. The DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources injured by the spill. See the Executive Summary and Section 3.2.1.5 of the Final Restoration Plan. The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows.

However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 of the Final Restoration Plan for a discussion of how LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 of the Final Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory

waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project because they believe it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Consistent with the purposes of the proposed Project, the State of Louisiana has the duty, per the Budget Act, to minimize impacts on BBES dolphins. The MAM Plan (Appendix R2 to the Final EIS), the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), and Marine Mammal Intervention Plan (Appendix R5 to the Final EIS) include additional detail regarding the implementation of monitoring, stewardship, and adaptive management measures that would help mitigate potential impacts to bottlenose dolphins.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is

not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62508

The CPRA and LA TIG must revise their analysis of impacts on BBES dolphins in light of Marine Mammal Commission Study, and have incorrectly interpreted BBA18 language as exempting them from the need to take affirmative action to reduce impacts to marine mammals.

Response ID: 15970

The Final EIS includes an analysis of the impacts of the proposed Project on marine mammals, including bottlenose dolphins, in Chapter 4, Section 4.11 Marine Mammals. This includes the incorporation of Booth & Thomas (2021); Garrison et al. (2020); Schwacke et al. (2017) and additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The BBES dolphin impact conclusion in the Draft EIS was based in large part on Garrison et al. (2020), which predicted that only a "remnant population" of dolphins would continue to exist in Barataria Basin after diversion operations commenced. Thomas et al. (2021), a new study that built on this previous research, found more specifically that an "immediate and severe population-level decline" of 23 percent (95 percent CI 3 to 55 percent) would occur in the first year of operations. Their findings are consistent with the EIS determination of major, permanent adverse impacts to bottlenose dolphins. After the planned 50 years of operation, dolphins in three out of the four strata are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the remaining Island stratum being severely reduced relative to the No Action Alternative (median predicted population size of Island stratum is 85 percent lower [95 percent CI 28-99] under the Applicant's Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is 143 dolphins (95 percent CI 11-706) compared to 3363 (95 percent CI 2831-4289) under the No Action Alternative. In other words, the stock is predicted to be 96 percent smaller (95 percent CI 80-100) under the Applicant's Preferred Alternative than then No Action Alternative.

CPRA states that it is aware of its responsibility to minimize impacts on marine mammal species and population stocks, to the extent practicable and consistent with the purposes of the proposed Project per Section 20201(b) of the Bipartisan Budget Act of 2018. In recognition of the potential for collateral injuries from the proposed Project and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of stewardship measures. See Section 3.2.1.1.5 of the LA TIG's Final Restoration Plan and Appendix R to the Final EIS. The LA TIG is also committed to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62492	Commenters suggested that no permit should be issued as this Project would violate federal law.
Response ID: 15746	Table 5.1-1 in Chapter 5, Section 5.1 Compliance with Laws, Regulations, and Executive Orders summarizes the Project's status of compliance with applicable federal statutes, executive orders, and policies. Final EIS Appendix S (Compliance Documentation) provides associated documentation of this compliance.
Concern ID: 62502	The Marine Mammal Protection Act waiver granted to allow this Project to circumvent compliance with the Marine Mammal Protection Act should be rescinded and the Project should be forced to go through the entire permitting process.
Response ID: 15968	The Bipartisan Budget Act of 2018, Public Law 115-123, included a requirement that the Secretary of Commerce (as delegated to the Assistant Administrator of the NMFS) "shall issue a waiver of (MMPA prohibitions and requirements)" for three projects, including the proposed MBSD Project. In accordance with this Congressional directive, NMFS issued the waiver on March 15, 2018. As directed by Congress, the waiver operates "for the duration of the construction, operation, or maintenance of the . . . projects." Congress would need to act to allow rescission of the waiver. More information on the waiver can be found at https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects . The MMPA waiver does not alter USACE's or the LA TIG's NEPA responsibility to evaluate anticipated impacts of the proposed Project on marine mammals. The EIS analyzes and discloses the environmental and economic impacts of the proposed Project, including anticipated effects on marine mammals (see Chapter 4, Section 4.11 Marine Mammals). The NEPA process was not abbreviated to expedite review. All steps in the NEPA process have been followed to allow for public participation and transparency, including scoping, public review and comment periods.
Concern ID: 62504	This area should be protected by the Magnuson-Stevens Fisheries Conservation and Management Act of 1976.
Response ID: 15747	Estuarine and marine areas within the Project area are considered Essential Fish Habitat under the Magnuson-Stevens Fishery Conservation and Management Act. As required by that Act, USACE and the LA TIG formally requested essential fish habitat (EFH) consultation with NMFS on February 24, 2021, regarding the proposed Project. As a cooperating agency in the development of the EIS, NMFS provided technical input for the development of an EFH assessment. NMFS reviewed the EFH assessment and concurred with the USACE's findings of impacts on federally managed fisheries from the construction and operation of the proposed Project. NMFS included two conservation recommendations in its concurrence letter. USACE

and the LA TIG provided interim responses to the NMFS concurrence letter, both noting that they would provide a final response prior to the issuance of any Record of Decision for the Project. The EFH assessment, NMFS concurrence, and the USACE and LA TIG responses can be found in the Final EIS Appendix N (Aquatic Resources including Essential Fish Habitat Assessment).

Concern ID: 62506

Commenters noted that this Project is in direct violation of the Plaquemines Parish ordinance 14 - 52 which prohibits the granting of any permits in Plaquemines Parish regarding the construction and development of additional freshwater sediment diversion projects.

Response ID: 15989

The permit applicant, CPRA, is responsible for compliance with local laws and regulations applicable to the Project.

Concern ID: 62194

The passage of a MMPA waiver in Congress would allow the Project to move forward without adhering to federal measures to protect dolphins, and puts money and greed above the welfare of citizens and animals.

Response ID:15967

The USACE had no role in seeking a waiver from Congress, nor did any LA TIG federal agencies. The MMPA waiver does not alter USACE's or the LA TIG's NEPA responsibility to evaluate anticipated impacts of the proposed Project on marine mammals. The EIS analyzes and discloses the environmental and economic impacts of the proposed Project, including anticipated effects on marine mammals (see Chapter. 4, Section 4.11 Marine Mammals).

Congress passed the Bipartisan Budget Act of 2018, Public Law 115-123 (BBA-18), which recognized the consistency of the proposed Project, among other CPRA projects, with the findings and policy declarations in Section 2(6) of the MMPA. The BBA-18 included a requirement that the Secretary of Commerce, as delegated to the Assistant Administrator of the NMFS, issue a waiver of the MMPA moratorium and prohibitions for the proposed Project. As directed by Congress, on March 15, 2018, NMFS issued the waiver pursuant to BBA-18 and Section 101(a)(3)(A) of the MMPA: "National Marine Fisheries Service hereby issues this waiver pursuant to title II, section 20201 of the Bipartisan Budget Act of 2018 and section 101(a)(3)(A) of the MMPA for the three named projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast. The requirements of sections 101(a) and 102(a) of the MMPA do not apply to any take of marine mammals caused by and for the duration of the construction, operation, or maintenance of the three named projects."

BBA-18 also required the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project, to minimize

impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

Concern ID: 62196

Commenter asked whether the Federal Government would enforce harder restrictions on harmful nutrients since the Project would remove part of a Federal levee.

Response ID: 15743

USACE regulates the discharge of dredged or fill material into waters of the United States under Section 404 of the Clean Water Act (CWA) and USACE is evaluating whether to grant a CWA Section 404 permit for the proposed Project. As part of its Section 404 permitting process, USACE evaluates whether the proposed discharge meets the USEPA's CWA Section 404(b)(1) Guidelines. Under the Guidelines, no discharge of dredged or fill material may be permitted if (among other things) the nation's waters would be significantly degraded. In its 404(b)(1) analysis, USACE evaluates a proposed discharge's effects on several components of water quality, including physical, chemical and biological characteristics. The CWA Section 404(b)(1) evaluation is not related to the proposed removal of a portion of the Mississippi River Levee and USACE's evaluation will comply with applicable laws and guidance. In addition, the Project is subject to applicable water quality standards through the CWA Section 401 water quality certification, which is administered by the LDEQ.

USACE and the LA TIG are not aware of current laws or regulations that would require harder water quality restrictions or requirements for the proposed Project due to its removal of a section of river levee to divert flow from the river into an adjoining basin. The EIS evaluates the impacts of diversion of Mississippi River water on water quality in the Barataria Basin, (see Chapter 4, Section 4.5.5 in Surface Water and Sediment Quality).

CPRA's Monitoring and Adaptive Management (MAM) Plan for the proposed Project includes water quality monitoring for nutrients and other water quality parameters. This monitoring data would inform future Project management decisions aimed at improving Project effectiveness and/or limiting ecological and/or human impacts when possible. Details regarding the MAM Plan are found in Section 4.27 Mitigation Summary of the Final EIS, and Appendix R2 (Monitoring and Adaptive Management Plan).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive

management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

CH13000 – Restoration and Project Goals and Objectives

Concern ID: 62796

Commenters questioned whether, based on limited scale of wetlands proposed to be constructed, the Project is worth the economic impacts on the communities, industry, and tourism.

Response ID: 16495

The economic impacts that the commenter highlighted were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, Section 4.14 Commercial Fisheries, Section 4.15 Environmental Justice, Section 4.16 Recreation and Tourism, and 4.20 Public Health and Safety. No related edits were made to these sections in response to the commenter's concern.

As part of its Section 10/404 permitting decision-making process, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

CPRA has updated its Mitigation and Stewardship Plan in response to public comments to expand support for job training and alternate business ventures, boat and facility improvements, marketing, and mitigation and stewardship measures (see Appendix R1 to the Final EIS).

These issues were also considered in the LA TIG's Draft Restoration Plan in Sections 3.2.1.5 (Avoids Collateral Injury) and 3.2.1.7 (Public Health and Safety). While these sections were not revised based on this comment, Section 3.2.1.1.5 (Alternative 1 Description - Associated Stewardship Measures) of the Final Restoration Plan has been revised to reflect the updates to the Mitigation and Stewardship Plan noted above.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62797

Commenters questioned the goals and objectives for this Project. They noted that, given the potential for environmental and economic impacts on other resources from this Project, whether the MBSD meets the NRDA criteria to restore for damages caused by the DWH oil spill. They also questioned whether the proposed Project would be appropriate, given that the main driver of wetland loss is historical coastal oil and gas development, not the oil spill. They noted that 80 percent of the acreage projected to be reclaimed or built through the MBSD is privately owned by oil and gas companies.

Response ID: 16606

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes, or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's

Restoration Plan without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species that occur in Barataria Basin.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of mitigation and stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The LA TIG acknowledges the concern regarding wetland loss drivers related to oil and gas activity, as well as the concern over the private ownership of the lands upon which wetlands would be created by the proposed Project. Regardless of the historic drivers of wetland loss, as explained in the Strategic Restoration Plan for Barataria Basin, because the Barataria Basin received the heaviest oiling from the DWH oil spill, the LA TIG believes that restoration activities in that basin are imperative.

With regard to the land ownership issue, the LA TIG's Restoration Plan details the reasoning supporting the location of the proposed Project, which is based on optimizing land building within the basin, regardless of ownership of the underlying land (see Section 2.3.3 [Restoration Planning Process – Proposed MBSD Project Location Alternatives] in the Restoration Plan). Private lands in the outfall area would be subject to the regular permitting processes required to conduct activities in the coastal zone. Activities on private lands would need to be in conformity with the Louisiana Coastal Zone Management Program, La. R.S. 49:214.21 and would be required to comply with the permitting requirements under the program. All coastal use permitting under the program must be consistent with the CPRA Master Plan projects. Additionally, private landowners would be required to comply with any other permitting requirements applicable to the area, including Department of the Army (DA) CWA Section 404 permits.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

proposed Project, such measures would be required as special conditions of the DA Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62798

A commenter questioned the scale of the goals and objectives of comprehensive integrated ecosystem restoration in response to the DWH oil spill, noting it is overly ambitious. They suggested that DWH restoration focus on the impacts from the oil spill and not on comprehensive ecosystem restoration.

Response ID: 16496

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes, or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views. With respect to the Restoration Plan, the Record of Decision for the Final PDARP/PEIS, published on March 29, 2016, documented the selection of Alternative A: Comprehensive Integrated Ecosystem Alternative as the preferred restoration alternative that would provide ecosystem-scale restoration to partially offset ecosystem-scale losses. Alternative A in the PDARP/PEIS was not selected for the principal purpose of addressing coastal land loss. Rather, as explained in detail in the PDARP/PEIS, Alternative A was selected because the Trustees determined that the best approach to addressing the ecosystem-wide injuries resulting from the spill was to take an ecosystem approach to restoration. One key reason for this was that it was not possible to evaluate with certainty injuries to all of the species that were injured by the spill or to ascertain with precision the extent of injury to each species. The restoration strategy in

Alternative A addressed those uncertainties by emphasizing restoration of habitat types that are critical to the ecosystem that supports the species injured by the spill (including both known and unknown injuries), as well as restoring critical habitat such as coastal marsh that also was injured by the spill, particularly in Barataria Basin. In light of the basis for Alternative A in the PDARP/PEIS, the Project is a particularly appropriate means of implementing that preferred alternative because the restoration of deltaic processes builds marsh and sustains and enhances other existing marshlands, thus strengthening the key habitats that are the basis for the rich nearshore ecosystem that extends into the northern Gulf of Mexico.

Although the LA TIG recognizes the concern by the commenter that they would have preferred a different alternative for the Final PDARP/PEIS, the selection of Alternative A is not being reconsidered in the LA TIG's Restoration Plan. Given the previous selection of Alternative A in 2016, the LA TIG has the responsibility to identify restoration projects that would further the goals of comprehensive, integrated ecosystem restoration as described in the Final PDARP/PEIS. The LA TIG has done this through a series of plans, including the current plan being evaluated for a Mid-Barataria Sediment Diversion. The evaluation of the nexus between the Project and the injury that resulted from the DWH oil spill is presented in Section 2 of the Restoration Plan.

CH17000 – Public Participation Process

Concern ID: 61703

Locals who live and work in the affected area and would be adversely impacted by the proposed Project are disregarded by decision makers for the Project.

Response ID: 15733

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project. For a summary of public outreach efforts related to the Draft

EIS refer to Chapter 7 Public Involvement of the Final EIS and for restoration planning see Section 1.8 of the LA TIG's Final Restoration Plan.

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area over the past several years. In addition, since the release of the Draft EIS, CPRA has engaged the public through numerous meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61707

Commenter is concerned that adverse impacts on coastal communities would be disregarded when operating the proposed MBSD diversion, similar to how coastal communities were disregarded in past operation of the Caernarvon Diversion.

Response ID: 15734

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area over the past several years. In addition, since the release of the Draft EIS, CPRA has engaged the public through numerous meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. For a summary of public outreach efforts related to restoration planning see Section 1.8 of the LA TIG's Restoration Plan.

CPRA would operate the proposed MBSD Project as described in their Operations Plan. See Appendix F2, Preliminary Operations Plan in the Final EIS. In addition, see Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's

Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans. The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures, except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61707a

Commenter is concerned that adverse impacts on coastal habitats are being disregarded and that adverse impacts similar to those associated with the Caernarvon Diversion would occur.

Response ID: 15734a

Chapter 4 of the EIS contains a summary of the impacts that the Project is anticipated to have on coastal habitats. The commenter's concern regarding the effects of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts

on the natural environment. This summary, which includes discussions on the Caernarvon Diversion is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Concern ID: 61753

Commenter is concerned that the government would stop spending money in Plaquemines Parish if the parish doesn't support the proposed Project.

Response ID: 15889

USACE is neither a proponent nor an opponent of the proposed MBSD Project. USACE's ongoing and future work in Plaquemines Parish has no connection to this Section 10/404/408 permit review.

CPRA and LA TIG decisions regarding funding for restoration projects, including in Plaquemines Parish, would be handled separately from the decisions related to the proposed MBSD Project. The LA TIG has previously funded restoration projects in Plaquemines Parish through the Natural Resource Damage restoration planning process, and would consider future projects based on the same OPA NRDA criteria that has been used in the past. CPRA's Coastal Master Plan includes both ecosystem restoration and flood protection projects in Plaquemines Parish.

Concern ID: 61754

Commenter expressed the view that decision makers prioritize the proposed Project benefits for New Orleans and disregard how the Project would impact Plaquemines Parish residents.

Response ID: 15890

As discussed throughout Chapter 4 Environmental Consequences of the EIS, operation of the proposed Project would have various beneficial (and adverse) impacts throughout the Barataria Basin that would not be restricted to those experienced by the greater New Orleans area. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. Further, based on the evaluation in the EIS and its OPA evaluation, the LA TIG considers the impacts of the proposed Project, both beneficial and negative to both the environment and the community, including Plaquemines Parish.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation and stewardship measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project

operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61757

Commenters recommended educating the public about the proposed Project as well as the impacts of the No Action

Alternative. There would be a benefit of continued education with the affected communities.**Response ID: 15893**

As part of the Draft EIS process, USACE prepared various materials to educate the public regarding the analysis and impacts included in the Draft EIS. This included an Executive Summary summarizing the details of the Draft EIS into a concise, easy to read, document. Additionally, at the beginning of the public comment period, CEMVN posted to the CEMVN's Project website several pre-recorded presentation videos consisting of an explanation of how to comment on the Draft EIS and/or LA TIG's Draft Restoration Plan, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS. These pre-recorded presentation videos were then consolidated into one presentation and played at the beginning of each of the three public meetings. This consolidated pre-recorded presentation was also translated into Spanish, Vietnamese, and Khmer and available on CEMVN's Project webpage. In addition, dedicated toll-free numbers were provided during the public comment period on the Draft EIS and LA TIG's Draft Restoration Plan through which Spanish, Vietnamese, and Khmer-speaking individuals could listen to the translated pre-recorded presentation.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through newspapers, mail outs, and local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. The Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, the Executive Summary for the LA TIG's Draft Restoration Plan, and the public meeting presentations were translated into Spanish and Vietnamese. As noted above, the consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage. As stated in Chapter 7 Public Involvement of the EIS, public engagement has been a vital element of developing and evaluating the proposed MBSD Project. Since 2016, CPRA has participated in nearly 200 outreach and engagement activities focused on the proposed MBSD Project, reaching more than 7,000 people. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to

be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. These outreach and engagement efforts provided the public with an opportunity to ask questions and obtain information about the proposed MBSD Project. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings and public outreach conducted by CPRA can be found in Chapter 7 Public Involvement of the Final EIS.

For more information about proposed Project's operational and adaptive management governance, see Final EIS Appendix R2: Monitoring and Adaptive Management (MAM) Plan. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

In addition, EIS Chapter 4, Section 4.24.3 Operations Impacts in Cultural Resources and Section 4.9 of the Final Mitigation and Stewardship Plan (in Appendix R1 to the Final EIS) discuss the NHPA process and mitigation for the proposed Project. The NHPA Programmatic Agreement developed for the proposed Project through the NHPA Section 106 consultation sets forth the alternative historic and cultural resources mitigation to be implemented by CPRA as part of implementing the Project. An Alternative Mitigation Plan is appended to the Programmatic Agreement and describes in detail the mitigation proposed to resolve adverse effects within the Operational Impacts APE. A website and public education materials are included in the Alternative Mitigation Plan as products to be developed through the alternative historic and cultural resources mitigation. The Programmatic Agreement is provided in Appendix K Cultural Resources Information of the Final EIS and attached as Appendix A to the Final Mitigation and Stewardship Plan located in Appendix R1 of the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project

effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61758

Commenter recommended communicating with people from diverse backgrounds to bring new solutions to practical issues.

Response ID: 15894

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan.

As part of the Draft EIS process, USACE coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings. The Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in coastal restoration. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to individuals and

communities to gather information and feedback related to the proposed MBSD Project. In addition, since the release of the Draft EIS CPRA has held numerous in public meetings with the communities impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS.

Concern ID: 61760

Public meetings for this proposed Project, which would drastically alter our estuary forever, should have been in-person since the State of Louisiana is in a modified stage 3 and public gatherings are allowed. Holding virtual public meetings for a project of this importance is unfair to the hundreds that do not have computer skills or accessibility. Commenter requests that USACE and TIG hold in-person meetings regarding the proposed Project.

Response ID: 15895

USACE and the LA TIG held three joint public meetings for the Draft EIS and the LA TIG's Draft Restoration Plan in April 2021. These meetings were held virtually based on COVID-related restrictions in place at the time. Anyone interested in participating in the NEPA or OPA processes, or who wanted to learn more about the proposed MBSD Project and/or provide comments on the Draft EIS and/or the LA TIG's Draft Restoration Plan was able to participate in the meetings via an internet/web-based conferencing application or via toll-free telephone line. Spanish, Vietnamese, and Khmer translators facilitated participation by non-English speakers; key messages from the meeting presentations were translated during the meetings, and the translators were available to interpret participant comments in any of those languages.

At the beginning of the public comment period, CEMVN posted several pre-recorded presentation videos consisting of an explanation of how to comment on the Draft EIS and/or Draft Restoration Plan, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS on CEMVN's Project webpage. These pre-recorded presentation videos were then consolidated and played at the beginning of each of the three public meetings. This consolidated pre-recorded presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage. In addition, dedicated toll-free numbers were provided during the public comment period on the Draft EIS and Draft Restoration Plan through which Spanish, Vietnamese, and Khmer-speaking individuals could listen to

the translated pre-recorded presentation rather than watching the presentation on a computer.

Multiple ways to comment during the public review period were available including verbally during the virtual meetings, verbally by toll-free telephone number, written via the postal service, and electronically via email and on the comment portal website. In addition, CPRA offered opportunities through local non-profit organizations for the public to sit with representatives from local non-profit organizations who assisted the public in preparing comments regarding the Draft EIS and LA TIG's Draft Restoration Plan.

Printed copies of the Executive Summary of the Draft EIS and the LA TIG's Draft Restoration Plan in English, Spanish, and Vietnamese were provided to libraries and community centers/organizations (see list in Chapter 7 Public Involvement of the Final EIS and Chapter 6 of the LA TIG's Restoration Plan) for those able to visit those locations in person.

All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project. Any future public engagement meetings held regarding the proposed MBSD Project would follow applicable agency guidance for the safety of all participants.

Concern ID: 61953

The public participation process is flawed because the public participation for this proposed Project should extend beyond coastal Louisiana. Expanding certain public participation methods such as media events or environmental NGOs beyond coastal Louisiana would be productive for the proposed MBSD Project. This proposed Project is a great example of one option for restoration after an oil spill and there are likely people beyond Louisiana that have expertise in this field that could be helpful in the public participation process. Ensuring that the proposed Project is able to have the best possible commentary from experts in the field is essential to its success.

Response ID: 15897

The public participation process has been and would continue to be open to all public, agency, and stakeholder input regardless of geographic residence. USACE has provided multiple means for the public to engage in the permit and environmental review processes including providing public notices for the permit application and the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, email/mail outs to distribution lists, and libraries. Materials and information related to the proposed Project are available on the USACE New Orleans District website, including the Draft EIS at <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>.

The virtual nature of the public meetings held for the Draft EIS and LA TIG's Draft Restoration Plan in April 2021 allowed participants from any geographic residence to participate in the meetings and provide verbal comments through a internet/web-based conferencing application or by telephone. Approximately 39,303 (out of 40,699) comments on the Draft EIS were received from outside the State of Louisiana.

CPRA and the LA TIG would continue to seek input from the public, agencies, and groups interested in and affected by coastal restoration, including the proposed Project if implemented, and other restoration efforts.

Concern ID: 61954

A commenter noted that they attended a scoping meeting in 2017 but were not able to comment.

Response ID: 15899

USACE regrets that the commenter was not able to comment during the 2017 scoping meetings. Note that there were multiple opportunities available to comment on the scoping meetings over a 60-day comment period including in-person orally via a court reporter, written on comment cards or letters either in-person or via the postal service, and via electronic mail.

Concern ID: 61955

Commenters are concerned that all those that are impacted may not be aware of the proposed Project, its impacts, or potential mitigation. There are many people that may not have the knowledge, time, or resources to be deeply involved in these issues, but who also have a stake in what is happening. Consider the needs of these people in making a decision about moving this proposed Project forward. If this proposed MBSD Project and similar projects move forward consider opportunities to better engage people across Louisiana's coast in the value of projects like these and why they are crucial to the future of our region.

Response ID: 15900

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and the LA TIG conducted public outreach and provided public comment opportunities throughout the development of the Draft EIS and the LA TIG Draft Restoration Plan. Details on USACE's and the LA TIG's outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, email/mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries and community centers. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. Throughout the public comment period and concurrent with the preparation of the Final EIS and LA TIG's Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide

additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented.

Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61956

Commenters suggested [USACE and/or CPRA] carefully listen to those impacted by the diversion and have constructive dialogue between stakeholders and CPRA. They recommended to commit sufficient funding and resources necessary to those impacted to sustain their lives and livelihood throughout the diversion process.

Response ID: 15902

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. USACE and LA TIG each provided public outreach and comment opportunities throughout the development of the EIS and the LA TIG's Restoration Plan. Details on this outreach can be found in Chapter 7 Public Involvement in the Final EIS.

Since the release of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to

implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61957

Commenters are concerned with the lack of inclusion by CPRA. The CPRA held meetings, reached out to local communities throughout the process; however, the CPRA ignored most, if not all, of the input they received from the communities, shrimpers, crabbers, oyster fisherman, and others.

Response ID: 15903

Chapter 7 Public Involvement of the Final EIS includes a summary of meetings that CPRA held with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1, which has been revised since the release of the Draft EIS in response to public input, for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61958

The ability of corporate interests to tilt the agency's decision by flooding it with supportive public comments undermines the fairness, transparency, and ultimate success of this proposed Project. USACE and NPS should be aware of the impacts of corporate-funded advocacy campaigns in support of this diversion.

Response ID: 15904

Comment acknowledged. Public participation is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

Concern ID: 61959

State government, elected officials, CPRA and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the proposed MBSD

Project. This would open the door to creating a truly equitable restoration landscape; one where those impacted by the proposed MBSD Project and future coastal restoration projects are proactively engaged and consulted as restoration projects are planned, designed, and implemented.

Response ID: 15905

Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to their concerns regarding proposed MBSD Project. More recently, CPRA has engaged the public through meetings with the communities impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities including fishers. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings and additional outreach can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that CPRA states it would implement as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is

not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61961

Request that CPRA, USACE, and NOAA/TIG work with Plaquemines Parish Councilmember of District 7, Councilmember LaFrance, Sr. to hold community meetings with District 7 communities, such as Ironton, Myrtle Grove and Wood Park, and engage in a question-and-answer session from community.

Response ID: 15906

Concurrent with issuance of the Draft EIS, CPRA has held several public meetings with the communities projected to be impacted by the proposed MBSD Project, including communities south of the diversion from Myrtle Grove south to Grand Bayou and Happy Jack, to solicit input on mitigation and stewardship strategies. Although the EIS indicates that the proposed MBSD Project would not have more than moderate impacts on Ironton, CPRA also held a public meeting in the community of Ironton.. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. CPRA will continue to coordinate regarding these meetings with the Plaquemines Parish government. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the

discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 67230	Commenters commended USACE, the LA TIG, and CPRA on the Restoration Plan, Draft EIS, and stakeholder engagement.
Response ID: 16950	Acknowledged.
Concern ID: 61962	The commenters commend the USACE and LA TIG for their efforts to ensure robust awareness and input into this process. Such engagement is critical to a successful restoration effort, and the commenters recognize the difficulty of designing an engagement process around a project of this scale and scope. The more than 200 public outreach and engagement events referenced in the Draft EIS and NRDA plan demonstrate a notable effort made by CPRA. It is essential that CPRA continue to maintain strong levels of engagement and transparent communication with affected stakeholders as this process progresses. The Final EIS should include a summary of comments and responses and should uphold and further elaborate upon the commitment stated in the Draft EIS (Appendix R2 Monitoring and Adaptive Management Plan, Section 2) for regular stakeholder engagement through the adaptive management program.
Response ID: 15907	USACE and LA TIG acknowledge the comment. Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where

to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and LA TIG conducted public outreach and provided public comment opportunities throughout the development of the EIS and the LA TIG's Restoration Plan. Details on USACE's and the LA TIG's outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS. The Final EIS includes a Public Meeting Report which includes all comments submitted and the responses to those comments.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, email/mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries and community centers. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

Throughout the public comment period and concurrent with the preparation of the Final EIS and the LA TIG's Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward.

In addition, the Programmatic Agreement developed for the proposed Project through the NHPA 106 consultation sets forth the alternative mitigation to be implemented by CPRA as part of implementing the Project. A website and public education materials are included as products to be developed through the alternative mitigation. See Section 4.9 of the Final Mitigation and Stewardship Plan for the proposed Project (in Appendix R1 to the Final EIS).

Refer to Appendix R1 for the Final Mitigation and Stewardship Plan which describes mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. Also refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 for a description of the adaptive management, governance, and monitoring that CPRA has committed to along with stakeholder engagement during the adaptive management process if the proposed MBSD Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA)

Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61963

The significant, and growing, local opposition to the proposed MBSD Project should be addressed prior to the diversion project continuing.

Response ID: 15908

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan.

All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

Concern ID: 61965

Commenter's recommend that CPRA and the USACE employ a comprehensive suite of communications tools and engagement approaches to share announcements, educate, and engage all interested interstate and regional stakeholders, and solicit broad public input in a coordinated, timely, and transparent manner. These tools could include, but should not be limited to, public meetings and workshops (virtual/in-person as appropriate), webinars, open houses, electronic newsletters, text messages, and social media platforms.

Response ID: 15910

USACE and the LA TIG, including CPRA, acknowledge the suggestions to employ a comprehensive suite of communication tools and engagement approaches to engage all interested stakeholders and would take these suggestions into consideration for future engagement efforts for the proposed MBSD Project. USACE maintains Project materials, including the EIS, on its public website. USACE and LA TIG held virtual public meetings accessible by everyone with access to the internet or a telephone for the Draft EIS and the LA TIG's Draft

Restoration Plan to comply with COVID-related restrictions in place at the time. These public meetings allowed verbal comments during the public comment portion in addition to providing multiple ways for a participant to comment. Spanish, Vietnamese, and Khmer translators interpreted the meeting and comments in real time. USACE has engaged with community groups to distribute information and materials about the proposed Project. CPRA has also engaged with communities that would be affected. See Final EIS Chapter 7 Public Involvement for a description of these efforts.

In addition, refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 for a description of the adaptive management, governance, and monitoring that CPRA has committed to along with stakeholder engagement during the adaptive management process if the proposed MBSD Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

Concern ID: 62883

Frontline, and especially Indigenous, communities must have a greater say in restoration processes at all phases, from the very beginning of looking for potential restoration projects, all the way through implementation and monitoring. Traditional ecological knowledge (TEK) must be taken into account and considered with equal, if not greater, gravity as academic studies. CPRA should have meetings that include these Indigenous people, their voices, their understanding of the natural world and their compassion for the other entities of the coast.

Response ID: 16404

USACE and the LA TIG, including CPRA, acknowledge the comments and seek engagement and participation from all communities, the public, agency, and stakeholder groups wishing to be involved in the EIS and Restoration Plan processes. USACE and LA TIG coordinated with the SELA Voice organizations to understand the needs of the local communities, including Indigenous communities, regarding the best

ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan. Recommendations for where to make the Draft EIS and the LA TIG's Draft Restoration Plan available so it would be accessible to disadvantaged individuals and groups, as well as recommendations regarding translation of materials related to the Draft EIS and Restoration Plan, were implemented.

Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. In addition, CPRA has engaged the public through numerous meetings with the communities projected to be impacted by the proposed MBSD Project, including several Indigenous communities, to solicit input on mitigation and stewardship strategies. This includes reaching out to local non-profits to assist with and facilitate meetings with the impacted communities, including low-income, minority, and Indigenous communities. This input has resulted in substantial revisions to CPRA's Mitigation and Stewardship Plan since the release of the Draft EIS (see Appendix R1 to the Final EIS). A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. CPRA acknowledges the suggestion to consider traditional ecological knowledge and would take these suggestions into consideration for future engagement efforts. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 to the Final EIS for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

Also, as explained in Chapter 4, Section 4.24 Cultural Resources of the Final EIS, cultural resources consultations have been conducted in accordance with Section 106 of the National Historic Preservation Act. The Section 106 Consulting Parties included USACE (the lead federal agency), the State Historic Preservation Office, the Advisory Council on Historic Preservation, CPRA (the Applicant), LA TIG, and federally recognized Tribal Nations who expressed historic ties to the Barataria Basin. The Programmatic Agreement developed for the proposed Project through the NHPA Section 106 consultation sets forth the alternative mitigation to be implemented by CPRA as part of implementing the Project. This alternative mitigation involves a comprehensive research project regarding the historical cultures of the Indigenous Tribes of Southeastern Louisiana focusing on the Barataria Basin and the larger southeastern Mississippi River delta region to prepare a comprehensive ethnohistoric overview documenting Native American presence and history. A website and public education

materials are included as products to be developed through the alternative mitigation. See Section 4.9 of the Final Mitigation and Stewardship Plan for the proposed Project (in Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63575

The public should be fully informed about the level of funding that CPRA is proposing to fully implement its Mitigation Plan so that the public can meaningfully comment on the adequacy of the proposed mitigation.

Response ID: 15915

Details regarding the funding that will be available for mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for certain measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set

forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63580

CPRA should seek alternative outreach tools to reach typically hard to reach audiences including low-income, minority, and non-English speaking communities.

Response ID: 15914

USACE and LA TIG coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan. Recommendations for where

to make the Draft EIS and the LA TIG's Draft Restoration Plan available as well as translation of material related to the Draft EIS and Restoration Plan were implemented. USACE and LA TIG tailored the public meeting process for the Draft EIS and the LA TIG's Draft Restoration Plan based on COVID-related restrictions in place at the time. Public meetings were virtual and allowed an open exchange during the public comment portion. Meetings could be accessed via internet/web-based conferencing application or via telephone. Spanish, Vietnamese, and Khmer translators facilitated participation by non-English speakers; key messages from the meeting presentations were translated during the meetings and the translators were available to interpret participant comments in any of those languages.

In addition to the public meetings, commenters were able to submit their comments via multiple means. Dedicated toll-free numbers were provided through which English-speaking and non-English speaking individuals could listen to pre-recorded presentation information and provide public comment on the Draft EIS and LA TIG's Draft Restoration Plan in their language of choice. The pre-recorded presentation information consisted of an explanation of how to comment, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS. The Draft EIS was (and is) available on the USACE website. The LA TIG's Restoration Plan was also made available on the LA TIG's website.

The Executive Summary for the Draft EIS and the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese and were available at libraries and community centers/organizations. The complete Draft EIS and Draft Restoration Plan with appendices were also available as either a printed copy and/or electronically (thumb drive) at these locations.

Since the release of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA conducted public outreach to communities projected to be impacted by the Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with impacted fishers and communities, including Indigenous communities and low-income and minority communities. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including through Coastal Connections meetings and use of community non-profit, non-governmental organizations for additional outreach. CPRA has also committed to stakeholder engagement and input during the adaptive management process if the proposed MBSD Project is implemented.

CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

Concern ID: 61964

CPRA has failed to hold any meetings about the proposed Project in the State of Mississippi as they have publicly promised they would do.

Response ID: 15909

The joint public meetings for the Draft EIS and the LA TIG's Draft Restoration Plan in April 2021 were held virtually through an internet web-based conferencing application due to COVID-related restrictions in place at the time. Participation and comments were not geographically limited to any particular location. Anyone interested in learning more about the proposed MBSD Project and/or who wanted to participate in the NEPA or OPA processes or who wanted to provide comments on the Draft EIS or the LA TIG's Draft Restoration Plan was able to participate in the meetings via the internet and/or a toll-free telephone line – including anyone located in Mississippi.

During each of these meetings, USACE and the LA TIG played a pre-recorded presentation that included information about how to comment on the Draft EIS and/or the Draft Restoration Plan, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan and details about how to navigate and review the contents of the Draft EIS. This pre-recorded presentation was also available in several languages including Spanish, Vietnamese, and Khmer.

Further, public meetings were not the only forum through which concerns could be shared. Many means to comment during this the public review period were available including verbally during the virtual meetings, verbally by toll-free telephone number, written via the postal service, and electronically via email and on the comment portal website. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

CH18000 – Agency Roles, Responsibilities, and Coordination

Concern ID: 62185	The commenter is concerned with the expedited permitting process and is opposed to cutting corners and changing rules or laws without fully determining the environmental or economic impact.
Response ID: 15738	While the Mid-Barataria Sediment Diversion Project permitting process is being conducted utilizing the Fixing America's Transportation Act (FAST-41) process, the process was not expedited. The intent of FAST-41 is enhanced coordination, transparency, predictability, and accountability in federal environmental reviews and authorizations. It does not modify any underlying statutes, regulations, or mandatory reviews. The environmental review and permitting processes has not cut corners, and through the EIS, USACE has analyzed and disclosed the environmental and economic impacts of the proposed Project. CPRA filed its DA permit application for the proposed Project in 2016 (revised in 2018). USACE expects a decision on CPRA's application in December 2022.
Concern ID: 62186	The commenter would like to know the view point of the National Park Service, Jefferson Parish Council, Lafitte Area Independent Levee District and Town of Lafitte on the proposed Project.
Response ID: 15765	Comments on the Draft EIS submitted by Mayor Kerner of the Town of Lafitte can be found in Appendix B2 (DEIS Public Review and Public Meetings) of the Final EIS. No formal comments on the Draft EIS were submitted by the National Park Service, Jefferson Parish Council or the Lafitte Area Levee District. All comments received have been fully considered and incorporated into this public comment and response appendix and all original comments received are included in the Final EIS.
Concern ID: 62187	The commenter believes that decisions have already been made to approve or fund the proposed Project.
Response ID: 15766	USACE, in its role as the lead federal agency, is responsible for preparing the EIS and ensuring fulfillment of the NEPA process with respect to its decisions on CPRA's Section 10/404 permit application and Section 408 permission request. The Final EIS will inform USACE decision making on the Department of Army Section 10/404 permit and Section 408 permission relative to the proposed Project. By regulation, the USACE is neither for nor against the proposed Project. USACE has not made any decision regarding the proposed Project and will not make a decision until it issues a Record of Decision after publication and public review of the Final EIS.

The LA TIG federal agencies (NOAA, DOI, USEPA, and USDA) participated in the NEPA process as cooperating agencies for the EIS to support LA TIG decision making on the Restoration Plan. The role of the LA TIG is to prepare a Restoration Plan to evaluate the Project and its alternatives under the requirements of the Oil Pollution Act (OPA). The LA TIG proposed a preferred alternative in the Draft Restoration Plan. Decisions regarding the selected alternative are made in the Final Restoration Plan and decisions regarding funding will not be made until the completion of all required administrative waiting periods.

Concern ID: 62188

The Draft EIS is not an objective analysis; the document has several errors which show a clear bias toward opposition to the proposed Project by favoring perspectives on controversial scientific issues surrounding Mississippi reintroduction that assert it would do more harm than good.

Response ID: 15767

The USACE and the LA TIG considered the best information and data available to them in their efforts to objectively evaluate the impacts of the proposed Project and its alternatives. Additionally, resource agencies with regulatory authority and subject matter experts for resources potentially impacted by the proposed Project engaged with USACE throughout the EIS development process to ensure an adequate and thorough analysis of Project impacts. Federal agencies that make up the LA TIG (NOAA, DOI, USEPA, and USDA) participated as cooperating agencies in the development of the EIS. The LA TIG intends to use the EIS to inform their decision under NRDA on whether to fund the implementation of the Project.

Concern ID: 62880

A fully implemented environmental study is critical to the future safety and viability of our most vulnerable communities. The federal permitting process for the diversion projects has not given the commenter the confidence to provide support for their implementation at this time. The commenter has questions surrounding the issuance of the Marine Mammal Protection Act (MMPA) waiver approved by Congress under the 2018 Congressional Budget Act that has led to the fast tracking of the (EIS) timeline by 3 years in the name of coastal restoration.

Response ID: 15740

While the Mid-Barataria Sediment Diversion Project permitting is being conducted utilizing the Fixing America's Transportation Act (FAST-41) process, the process was not expedited. The intent of FAST-41 is enhanced coordination, transparency, predictability, and accountability in federal environmental reviews and authorizations. It does not modify any underlying statutes, regulations, or mandatory reviews. Similarly, the MMPA waiver does not alter USACE's or the LA TIG's NEPA responsibility to evaluate anticipated impacts of the proposed Project on marine mammals. The EIS analyzes and discloses the environmental and economic impacts of the proposed Project, including

anticipated effects on marine mammals (see Chapter 4, Section 4.11 Marine Mammals). The NEPA process was not abbreviated to expedite review. All steps in the NEPA process have been followed to allow for public participation and transparency, including scoping, public review and comment periods. In recognition of the potential for collateral injuries from the proposed Project, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of mitigation and stewardship measures. See Section 3.2.1.1.5 of the LA TIG's Final Restoration Plan and Appendix R to the Final EIS. The LA TIG is also committed to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill. Section 20201(b) of the Bipartisan Budget Act of 2018 also requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project, to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

Concern ID: 62881

The Louisiana Department of Wildlife and Fisheries (LDWF) appreciated the opportunity to be included in the collaborative writing process as part of the Louisiana Trustee Implementation Group (LA TIG) during the Draft Environmental Impact Statement preparation to ensure appropriate species of concern were considered and no important recreational or commercial species were omitted from impact determinations. The commenters concur with the recommendations made by the U.S. Fish and Wildlife Service in the Draft Fish and Wildlife Coordination Act Report (Draft EIS, Appendix T and summarized in Chapter 5) and look forward to remaining a collaborative partner as this EIS is finalized. Importantly, the commenters remain committed to participating fully in the continued development of the associated Mitigation Plan and Monitoring and Adaptive Management Plan.

Response ID: 15739

USACE appreciates LDWF's input into the Draft EIS and the Final EIS. CPRA and the LA TIG appreciate the agency's continued participation in the development of the Mitigation and Stewardship Plan and Monitoring and Adaptive Management Plan.

Concern ID: 64825

One commenter provided a link to NMFS correspondence submitted in response to CPRA's 2013 Solicitation of Views request from the early stages of Project planning.

Response ID: 16488

NMFS submitted a response to CPRA's Solicitation of Views in 2013. NMFS has participated as a cooperating agency in the development of the EIS for the proposed Project, providing information and technical analysis throughout the EIS development. Impact analyses associated

with NMFS' trust resources, which are living marine resources generally including certain marine mammals, sea turtles, marine fish and anadromous fish, shellfish, critical habitat, EFH, and aquatic habitat, can be found in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Section 4.10 Aquatic Resources, Section 4.11 Marine Mammals, Section 4.12 Threatened and Endangered Species, and Section 4.14 Commercial Fisheries of the EIS.

CH20000 – NRDA Injury

Concern ID: 62677	A commenter identified that after all of the work that went into saving birds in the immediate time following the oil spill, it would be a waste of resources to let those efforts go to waste.
Response ID: 16498	The LA TIG agrees with the commenters that the immediate response efforts of saving birds and wildlife need to be followed by long-term restoration projects that benefit these resources. One of the primary goals of the Project is “to create, restore, and sustain wetlands and other deltaic habitats and associated ecosystem services.” These habitats provide food, shelter, and nursery grounds for numerous ecologically and economically important species, including birds that were the focus of immediate response efforts after the DWH oil spill.
Concern ID: 62678	Commenters recognized the challenges facing Louisiana and the connection between stabilizing the coastline and restoring the overall health of the ecosystem, which is the goal of the Restoration Plan.
Response ID: 16499	The LA TIG agrees with the commenters regarding the ecological challenges faced along Louisiana's coastline. The impacts of DWH oiling were ecosystem-wide and spanned multiple trophic levels, necessitating an ecosystem-scale restoration effort. One of the goals of the Project is “to create, restore, and sustain wetlands and other deltaic habitats and associated ecosystem services.” That balance is discussed in Section 3.0 (OPA Evaluation of the Alternatives) of the LA TIG's Restoration Plan, where its OPA evaluation addresses both the Project's benefits to multiple resources as well as its ability to meet Trustee goals and objectives.
Concern ID: 62683	Commenters from Plaquemines Parish noted that they feel shortchanged; while the impacts of the oil spill are in their parish, they have not had the help from the State or BP.
Response ID: 16501	An overview of the impacts of the oil spill on Plaquemines Parish can be found in Section 2.1 (Parish and Community Descriptions) of the Socioeconomics Technical Report (Appendix H1 to the EIS). Effects

were most evident in ethnically diverse (for example, Black, Native American, Asian, and Cajun and Creole) south Plaquemines Parish, where the economy relies mainly on the oil industry and fisheries. The EIS evaluates the anticipated impacts of the proposed MBSD Project on the human environment (including ecological, economic, cultural, and social resource effects); that analysis includes looking at the existing conditions of various natural and socioeconomic resources that were affected by the DWH oil spill (see EIS Chapter 3 Affected Environment and Appendix H1 Socioeconomics Technical Report). The EIS projects that the diversion would have both adverse and beneficial impacts on Plaquemines Parish resources affected by the oil spill (see EIS Chapter 4 Environmental Consequences and Appendix H1 Socioeconomics Technical Report). The state's or BP's post-spill assistance to the residents of Plaquemines Parish is beyond the scope of the EIS.

The LA TIG acknowledges the commenters' concern that Plaquemines Parish has not received help after the impacts of the DWH oil spill. As described in the LA TIG's Restoration Plan, the LA TIG selected the location of the Project in the Mid-Barataria Basin in Plaquemines Parish because this location is close to oiled shorelines but farther away from additional erosive forces found in the Lower Barataria Basin.

Concern ID: 62685

Commenters reflected on their own experience with the DWH oil spill and the aftermath in Barataria Bay and expressed support for the diversion as a way to restore the ecosystem impacted by the spill.

Response ID: 16502

The LA TIG acknowledges the support for the Project from commenters who were active in the response to the DWH oil spill and continue to be concerned with the long-term health of the ecosystem. The LA TIG agrees that the Project would provide a critical element for comprehensive, integrated ecosystem restoration to address the injuries from the DWH spill.

Concern ID: 62687

A commenter suggested that the restoration goal should be clarified, noting the purpose should be to "restore elements injured" rather than "restore injuries" resulting from the DWH oil spill.

Response ID: 16503

The LA TIG acknowledges the commenter's close reading of the LA TIG's Draft Restoration Plan and agrees that the phrase "restore injuries" could be confusing to the reader. In the LA TIG's Final Restoration Plan, the phrase "restore injuries" has been replaced with the more common phrase "restore for injuries," as the goal is to restore what was injured.

Concern ID: 62689

Commenters noted the breadth of the injury from the fresh water released to help push back oil from the DWH spill on Louisiana's

Response ID: 16504	resources, including marsh islands, wetlands, crabs, white and brown shrimp, oysters and oyster reefs, dolphins, finfish and many species of birds.
	<p>The impacts of freshwater releases during the DWH response were considered in the Draft EIS. More specifically, Chapter 3, Section 3.14.3 (Oyster Fishery) and Section 3.10 (Aquatic Resources) of the EIS acknowledge the impact of the oil spill response on aquatic resources, including SAV, shrimp, oyster fisheries, and fish.</p> <p>The LA TIG agrees with the commenters that the impacts of the DWH, including the oil spill and the response actions, were an ecosystem-level injury affecting multiple resources and species. This includes the impacts from the releases of fresh water from Caernarvon and Davis Pond to push oil out of estuaries to reduce oil impacts to these habitats and the species that reside in them. Unlike the proposed Project, however, the release of fresh water in response to approaching oil was not planned in a way that allowed for a functional transition to a restored ecosystem. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin, which would benefit multiple resources. Injured resources not addressed in this Restoration Plan have either been addressed by previous restoration plans or are intended to be the focus of future restoration plans issued by the LA TIG.</p>
Concern ID: 62680	Commenters noted the long-term impacts that have been felt since the oil spill 10 years ago and supported using the natural land-building power of the Mississippi River to maintain and restore the health of the entire ecosystem for the future.
Response ID: 16500	<p>The long-term impacts of the oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss notes the ongoing impact of the DWH oil spill on wetland loss, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species provides an overview of the adverse impact of the oil spill on key aquatic species within the Barataria Basin.</p> <p>The LA TIG believes that reconnecting and reestablishing deltaic processes between the Mississippi River and Barataria Basin is critical for supporting the long-term viability of existing and planned coastal restoration efforts. These deltaic processes include sediment retention and accumulation and new delta formation. As discussed in Section 3.2.1.6 Benefits Multiple Resources of the LA TIG's Restoration Plan, through reconnecting and reestablishing these sustainable deltaic processes, the Project would help restore the habitat and ecosystem services injured in the northern Gulf of Mexico by the DWH oil spill.</p>
Concern ID: 63758	Commenters noted that the Deepwater Horizon (DWH) oil spill is not a primary or contributing factor in Louisiana's coastal land

loss and that instead, levees built for flood control purposes, including those built by the U.S. Army Corps of Engineers, have long been a cause of land loss and subsidence. They expressed that because the DWH oil spill is not a cause of wetland loss, there is no basis for the claim that the MBSD will restore impacts caused by the oil spill, and thus NRDA funds would be inappropriately used for the Project.

Response ID: 16607

The many factors contributing to land loss in Louisiana were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 in Wetland Resources and Waters of the U.S. acknowledges the multiple factors contributing to land loss in the Project area.

USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the Clean Water Act Section 404 and River and Harbors Act, Sections 10 and 14 (33 USC Section 408). USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore damages caused by the DWH. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. Response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views, as explained in Section 2.0 Agency Roles in the Appendix B2 DEIS Public Review and Public Meetings.

As discussed in the PDARP/PEIS, the SRP/EA #3, and the LA TIG's Final Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by levees, subsidence, and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. For example:

- The DWH oil spill resulted in over 1,100 kilometers of wetland oiling Gulf-wide. Approximately 95 percent of this marsh oiling occurred in coastal Louisiana, with the heaviest oiling in the Barataria Basin (PDARP/PEIS, Table 4.6-2; Nixon et al., 2015). The heaviest oiling occurred in marshes dominated by *Spartina alterniflora*, a perennial deciduous grass, and *Juncus*

roemerianus, a flowering plant species (Visser et al., 1998; Lin and Mendelssohn, 2012; Silliman et al., 2012). These marshes provide critical habitats for estuarine-dependent species throughout the Gulf of Mexico.

- The marsh edge was severely oiled and injured, and the impacts of this oiling were documented in the Barataria Basin. Growth rates of juvenile brown and white shrimp along this oiled marsh edge were reduced by up to 50 percent compared to those collected near shorelines that did not experience oiling (for example, Rozas et al., 2014; van der Ham and de Mutsert, 2014). Growth rates of red drum along heavily oiled marsh shorelines were also reduced by approximately 50 percent in 2010 relative to non-oiled shorelines, and these reduced growth rates persisted through at least 2013 (for example, Powers and Scyphers, 2016).
- Impacts of DWH oiling were ecosystem-wide, spanning multiple trophic levels. The negative effects of oiling on plants and lower trophic levels from the nearshore food web (for example, amphipods, shrimp, snails) caused a cascade of impacts on higher trophic levels.
- Substantial injury to marsh birds likely occurred. Birds that were present in the marsh habitat during the DWH spill were likely exposed to oil via multiple pathways. Heavily oiled marsh areas had extensive oiling on vegetation and soils, and contained oil-contaminated prey.
- Marsh grasses help maintain the habitat in the Barataria Basin by protecting the marsh edge from erosion. Extensive oiling and loss of marsh vegetation in the Barataria Basin created an acceleration of land loss following the oil spill. The accelerated erosion due to the spill resulted in the permanent loss of coastal wetlands over large portions of the Barataria Basin (see Table 2-1; Silliman et al., 2012, 2015, 2016; McClenachan et al., 2013; Zengel et al., 2015; Turner et al., 2016).
- Marsh edge serves as the gateway for the movement of organisms and nutrients between intertidal and subtidal estuarine environments. Injuries to a specific resource in the nearshore marine ecosystem could cause direct and indirect effects on offshore resources. For example, Gulf killifish, a key connector of energy between marsh and open Gulf waters, are among the largest of the Gulf forage fish and are preyed upon by wildlife, birds, and many sport fish. Water column resources injured by the spill include species from all levels in the northern

Gulf of Mexico food web, including estuarine-dependent species (DWH NRDA Trustees, 2016a).

Other examples of impacts on specific species and resources, as described in the PDARP/PEIS, demonstrate that the DWH oil spill created an ecosystem-level injury to the Gulf of Mexico that necessitates an ecosystem-level restoration strategy.

Evaluating restoration strategies that could restore for injuries in the Barataria Basin, SRP/EA #3 found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” in the basin and in the broader northern Gulf of Mexico (LA TIG, 2018, page 3-32). As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the LA TIG’s Restoration Plan. The LA TIG finds that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

Concern ID: 62675

Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.

Response ID: 16497

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG’s Preferred Alternative in the Restoration Plan. The LA TIG’s Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

CH21000 – SRP Outcomes

Concern ID: 62636	Despite concerns expressed about the potential harm that a large-scale sediment diversion could have on bottlenose dolphins in the Barataria Basin, the LA TIG finalized the SRP/EA #3 in March 2018, selecting as its Preferred Alternative a suite of restoration approaches that included the proposed Project.
Response ID: 16608	<p>USACE was not involved in the SRP/EA #3. USACE is not involved in the process to restore damages caused by the DWH oil spill.</p> <p>As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, response content pertaining to the LA TIG’s Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG’s views.</p> <p>In the SRP/EA #3, the LA TIG evaluated the extent to which the alternatives would prevent future injury as a result of the Deepwater Horizon (DWH) oil spill and avoid collateral injury including furthering impacts to bottlenose dolphins in the Barataria Basin. It found that marsh creation projects in Barataria Basin can help prevent future erosion injuries to marsh vegetation and soils in areas that suffered increased erosion as a result of the DWH oil spill. Restoration of marsh habitat also helps prevent future injury to estuarine-dependent resources, such as fish, crustaceans, and marsh birds that lost supporting habitat through the oil spill and through subsequent increased erosion. The SRP found that the operation of a large-scale sediment diversion would result in reductions in salinity in the Barataria Basin, and that reduction would adversely impact BSE marine mammals, including the stock of bottlenose dolphins in Barataria Bay, possibly resulting in illness and death.</p> <p>USACE’s Draft EIS evaluated impacts to bottlenose dolphins in Chapter 4, Section 4.11 Marine Mammals. As stated in that section, changes in salinity projected to occur as a result of operating the diversion are anticipated to have major, adverse, permanent impacts on the bottlenose dolphin population within the Barataria Basin. No edits based on this comment were made to Chapter 4 of the Final EIS.</p> <p>These potential impacts to marine mammals were also included and considered by the LA TIG in its Draft Restoration Plan (see Section 3.2.1.5 [Avoids Collateral Injury]). As with the EIS, because these impacts were considered in the Draft Restoration Plan, no related edits were made to the main body of the Final Restoration Plan.</p> <p>In recognition of the potential collateral injury to bottlenose dolphins and in response to public comments on this issue, CPRA would be</p>

responsible for ensuring the implementation of four key stewardship measures as part of the proposed Project to benefit dolphins in Louisiana; the last of these has been developed since the release of the Draft Restoration Plan in response to public concerns about potential marine mammal impacts. They are:

- A state-wide stranding program for 20 years intended to improve the survival and health outcomes of marine mammal populations injured by the DWH spill, especially coastal and estuarine stocks of bottlenose dolphins. Enabling a more rapid response to a live stranded cetacean would increase that animal's chance of survival by reducing the time spent on the beach, reducing stress on the animal, providing rapid treatment, and, if appropriate, transport to an authorized rehabilitation facility for additional treatment and care. In addition, this program would improve diagnoses of the causes of illness and death in cetaceans to better understand natural and anthropogenic threats, which would inform restoration planning and monitoring and adaptive management (see Section 3.2.1.1.5 [Associated Stewardship Measures – Alternative 1] of the Final Restoration Plan).
- Activities that would reduce stressful interactions between dolphins and humans, such as: reducing dolphin mortalities associated with recreational fishing; reducing illegal fishing of dolphins; and assessing and mitigating the impacts of marine vessels, noise, and other threats on marine mammals in the Barataria Basin. See Section 3.2.1.1.5 (Associated Stewardship Measures – Alternative 1) of the Final Restoration Plan for more details.
- Additional stranding surge capacity in response to unusual marine mammal mortality events (see Section 3.2.1.1.5 [Associated Stewardship Measures – Alternative 1] of the Final Restoration Plan).
- A Marine Mammal Intervention Plan, which outlines a spectrum of response actions for dolphins affected by the operation of the diversion, ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. For more information, see Appendix R5 to the Final EIS.

In considering the operation of the diversion, CPRA developed a detailed MAM Plan to evaluate the proposed MBSD Project's benefits

and impacts on the Barataria Basin and consider how the management of the diversion may be adapted to better meet Project goals (see Appendix R2 [Monitoring and Adaptive Management Plan] to the EIS). In addition to performance monitoring to measure progress toward the proposed MBSD Project's restoration objectives, and to better understand the ecological functions and services provided by the proposed Project, the MAM Plan also includes monitoring to characterize the nature and extent of potential collateral injuries. CPRA's adaptive management strategies to minimize impacts to BBES dolphins from Project operations include a framework for coordinating stranding response activities during operations, and a post-operational commitment to evaluate the ability of diversion operations to be modified to meet Project goals while reducing impacts to marine mammals. Marine mammal related monitoring and adaptive management activities have been updated since the release of the Draft EIS to include more details regarding the process through which operational data would be used to evaluate potential modifications to those strategies and protocols.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship

Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63327

The Draft EIS lacks a reasonable range of alternatives under the National Environmental Policy Act (NEPA) because the LA TIG's Environmental Assessment (EA) conducted through SRP/EA #3 was insufficient. While the public was invited to comment on the TIG SRP/EA#3, it goes without saying that an EA is not as detailed as an EIS. The commenter stated that the decision making conducted in the TIG's SRP/EA #3 should have been conducted by the TIG in an EIS instead of an EA because the purpose of an EIS is to apprise decision makers of the disruptive environmental effects that may result from their decisions during that stage of the planning process when there are a maximum range of options (see Conner, 848 F.2d at 1446). Taking actions in the interim that could limit those options undermines the purpose and effectiveness of the NEPA process.

Response ID: 16609

The range of reasonable alternatives evaluated in the EIS was based on alternatives that would satisfy the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. The LA TIG and CPRA crafted CPRA's statement of purpose and need, which built on the LA TIG's analyses in SRP/EA #3, including its initial screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need statement and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the purpose and need.

As described in Chapter 2 of the EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were evaluated, including other available coastal restoration tools and methods. The screening criteria included key concepts from the purpose and need including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; and supporting the long-term viability of existing and planned coastal restoration projects; and consistency with the SRP/EA #3 and the Louisiana Coastal Master Plan. Based on a review of the various alternatives against these

criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were eliminated from further detailed analyses as described in Chapter 2, Section 2.6 (Summary of Alternatives Considered But Eliminated From Detailed Analysis). Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

With respect to analyses conducted in the SRP/EA #3, the LA TIG built on the Final PDARP/PEIS and its recommendation that strategic restoration planning could be beneficial to focus on a particular region. The SRP was utilized to transition from the PDARP/PEIS's programmatic, comprehensive scale to a tiered, geographically specific evaluation that assessed restoration strategies that could restore injuries in the Barataria Basin. This resulted in the preparation of SRP/EA #3. The LA TIG found, based on its evaluation in the EA portion of the SRP/EA that: (1) the PDARP/PEIS included a thorough evaluation of the potential range of environmental effects that could result from the various restoration approaches and techniques analyzed in the PDARP/PEIS; (2) the analysis of the environmental consequences of those approaches and techniques in the PDARP/PEIS remains valid; (3) the effects of the restoration approaches and techniques, including the projects selected for further planning and environmental review, evaluated in the SRP/EA were within the range of impacts evaluated in the PDARP/PEIS; and (4) any new information regarding the environmental consequences of the restoration approaches and techniques, including the projects selected for further planning and environmental review, evaluated within SRP/EA #3 were within the range of and consistent with the environmental impacts identified and analyzed within the PDARP/PEIS. The LA TIG's review of the environmental effects of the restoration techniques considered in SRP/EA #3, as well as comments submitted by the public, did not reveal any substantial change in the action evaluated in the PDARP/PEIS; or any new information indicating significant environmental issues or circumstances presented by application of the restoration techniques and approaches specifically in the Barataria Basin. As a result, the LA TIG concluded that the EA completed with the SRP was sufficient and consistent with applicable NEPA requirements.

CH22000 – Process of Alternatives Identification, Screening, and Analysis

Concern ID: 61879

Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.

Response ID: 15835

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2

through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

Concern ID: 61883

Define a Plan that focuses on building Spartina marsh to help restore for the injuries caused by the DWH oil spill.

Response ID: 15838

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH oil spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

With respect to the Restoration Plan, the commenter is correct in noting the extensive injury to Spartina from the DWH oil spill and the importance of marsh edge and Spartina in wetland productivity. However, the overall injury in Louisiana and the Barataria Basin from the DWH oil spill impacted shorelines as well as many of the species of flora and fauna that rely on those shorelines. To address the scale of ecosystem-level injury and current state of ecosystem decline in the Barataria Basin, in its “Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana” (LA TIG 2018) the LA TIG selected for further development a large-scale sediment diversion to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin and contribute to the ecosystem-level restoration necessary in Barataria Basin, beyond restoring for only Spartina marsh. By implementing the proposed Project, the MBSD is expected to make ecosystem-level improvements, including benefits to Spartina marsh wetlands ecosystems broadly.

Louisiana Trustee Implementation Group (LA TIG). 2018. Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana. Available online at: http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_03_LA_TIG_Final_SRP_EA_508-Compliant.pdf. Accessed: March 15, 2018.

Concern ID: 63601

The basis for alternatives development involved various groups including the Applicant which is a conflict of interest and disregards NEPA requirements for reasonable alternatives that are practical or feasible.

Response ID: 15839

As explained in Chapter 2, Section 2.2 Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS, the alternative development process was conducted by an Alternatives Working Group (AWG) led by USACE in coordination with LA TIG (comprised of federal and state agencies, including the Applicant CPRA), and cooperating federal and state agencies. The USACE is the lead federal agency in preparing the EIS and coordinates with other agencies with jurisdiction by law or special expertise acting as cooperating agencies (see EIS Chapter 1, Section 1.8 Agency Roles and Responsibilities of the EIS). The USACE as the lead federal agency is primarily responsible for implementing the NEPA process for the EIS. The LA TIG will also use the EIS to inform the NRDA decision under OPA regarding funding the construction of the proposed MBSD (see EIS Chapter 1, Section 1.6.1, in Scope of the EIS). A Memorandum of Understanding (MOU) between the USACE and the federal and state cooperating agencies established the Project Federal Coordination Team (NOAA, NMFS, USEPA, USDOJ, and USDA) and allowed the integration of the State, including CPRA, significantly into the environmental review and

authorization process to the extent authorized by law. NOAA's National Marine Fisheries Service and DOI's United States Fish and Wildlife Service retained independent discretion to make regulatory decisions under their respective statutory authorities. Refer to Appendix D1 Alternatives Working Group Summary of the EIS for additional details on the AWG.

The AWG collaborated to identify a reasonable range of alternatives to be carried forward for detailed analysis in the EIS that met the requirements for the NEPA review process associated with each federal action (Section 10/404 and Section 408 for USACE; NRDA funding for LA TIG). The AWG worked to refine and conduct the alternatives screening process to evaluate a wide range of alternatives, taking into consideration feasibility, practicability, location, design, and operation in an objective and transparent manner. The screening process was a multi-agency review process and considered information available from previous studies, decision-making needs of the lead agency (USACE) and cooperating agencies, NEPA requirements (for example, 40 CFR 1502.14), NRDA restoration planning efforts, information and modeling input provided by CPRA, and public and agency scoping comments.

Concern ID: 63615

While marsh creation projects are powerful at building land in strategic locations, at the end of the day they fail to sustainably address one of the causes of land loss (lack of continued sediment input), and the scale is severely limited due to restricted amounts of suitable borrow material. In addition, the types of sediment that a sediment diversion will convey highlights a marked difference with marsh creation. Therefore, it is not the case that marsh creation projects provide the same benefits as diversions.

Response ID: 15840

The commenters' support for the Project is acknowledged. Table 2.3-1 in EIS Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives describes whether various alternatives, including a large-scale sediment diversion into Barataria Basin and a large-scale marsh creation project, met the screening criteria for the proposed Project. Additional information related to the marsh creation alternative has been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

Concern ID: 64382

A cost-benefit analysis should be taken into consideration for the proposed Project.

Response ID: 15841

NEPA does not require that an EIS contain a cost-benefit analysis unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of the proposed project and therefore, does not require a financial cost-benefit accounting for its decision. However, as part of its

permitting decision, USACE conducts a public interest review, which weighs the probable harms of a proposed project against its prospective benefits.

Consistent with OPA regulations, the LA TIG has evaluated in the Restoration Plan a range of alternatives based on multiple criteria including the cost to carry out each alternative, the likelihood of success, the extent to which future injury will be prevented and avoid collateral injury, the extent of benefits to more than one natural resource, and the effect on public safety. This analysis can be found in Section 3 of the LA TIG's Restoration Plan.

Concern ID: 61880

Commenter expressed concern regarding societal choices the Project presents such as whether to prioritize the economic well-being of one industry or the economic sustainability of the region at large.

Response ID: 15836

Under NEPA, the EIS was prepared to analyze environmental impacts, both beneficial and adverse, that may result from construction, operation, and maintenance of the proposed MBSD Project and its reasonable alternatives. Proposed measures to avoid, minimize, and mitigate impacts on resources were also suggested by CPRA and have been summarized in Chapter 4, Section 4.27 Mitigation Summary and in CPRA's Final Mitigation and Stewardship Plan in Appendix R1 of the Final EIS. As part of its decision-making process, USACE will conduct a public interest review in which the project's probable harms will be weighed against its prospective benefits.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is

not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61881

The Mid-Barataria Sediment Diversion has been well researched, the range of alternatives evaluated in the Draft EIS is reasonable and meets the purpose and need, and seems a prudent plan of action versus the choice of doing nothing.

Response ID: 15837

The commenter's support of the proposed Project is acknowledged.

CH23000 – Functional Alternatives

Concern ID: 61991

CPRA has chosen an inland project in an area where there was zero or minimal direct impacts from the DWH oil spill. Consider an appropriate realignment of CPRA priorities to use DWH oil spill settlement funds to directly restore areas directly impacted by the spill, such as Bay Jimmy, the Cat Islands, Elephant Island, Dutch Island, Beauregard Island, and Mendicant Island. To use funds outside the impact zone seems outside of what is urgent and proper.

Response ID: 16017

Chapter 2, Section 2.4.1 in Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow of the Draft EIS described the screening analysis conducted to evaluate the alternatives based on geographic location. In addition, the EIS considered a barrier island alternative as a functional alternative to the proposed Project. While the EIS acknowledges that barrier islands play a critical role in reducing land loss, this alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives for details on why this barrier island alternative was eliminated from further analysis in the EIS.

The LA TIG identified the Barataria Basin in the SRP/EA #3 as the location for the proposed Project because within Louisiana, the Barataria Basin suffered the most severe and persistent oiling from the

DWH oil spill. It is also an “area of critical need” due to its significant and continuing land loss. As part of the LA TIG’s restoration planning efforts, the Restoration Plan describes their coordination with other Gulf Restoration Programs to maximize the overall ecosystem impact of DWH NRDA restoration efforts through use of DWH oil spill funds (see Section 1.8 in SRP/EA #3).

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining marsh ecosystem in the Barataria Basin that more closely resembles historic conditions. This sustained marsh ecosystem is expected to benefit many fish and wildlife species in the basin south of Lafitte, including many of those negatively affected by the spill, such as red drum, largemouth bass, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species.

In addition, the LA TIG’s Restoration Plan indicates that these benefits would not only accrue throughout the Barataria Basin but, through the transport of marsh productivity, also in the offshore ecosystems of the northern Gulf of Mexico. As stated in the Restoration Plan, by reestablishing deltaic processes, the proposed MBSD Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

Concern ID: 61995

Commenters suggested that restoration of the Barataria Basin would be nearly impossible if the proposed MBSD Project is not permitted, and Louisiana is at an extremely crucial decision point. The coastal wetlands are starving for sediment input. Dredging alone cannot save the wetlands, the processes that originally built them must be reestablished.

Response ID: 16018

The commenter’s support of the proposed Project is acknowledged. The EIS acknowledges that a large-scale sediment diversion meets the purpose and need of the proposed Project while large-scale marsh creation does not meet the purpose and need. Details on marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. Additional information related to the marsh creation alternative has been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

Concern ID: 61996

A commenter inquired about what sustainable, efficient options are available to hold onto wetlands and support other coastal restoration and protection investments as sea-level rise increases.

Response ID: 16014

The Draft EIS considered sea-level rise in the assessment of impacts of the proposed Project alternatives. Refer to Chapter 4, Section 4.1.3.2

in Approach to Evaluation of Environmental Consequences for a description of how the Delft3D Basinwide Model factors in sea-level rise projections. Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S. of the Draft EIS found that the proposed MBSD Project would have beneficial impacts on wetlands in the Barataria Basin where wetlands would be sustained and created by the diversion of sediment and fresh water from the Mississippi River.

CPRA's Louisiana Coastal Master Plan evaluates other options for coastal restoration taking into account future sea-level rise. The implications of sea-level rise are also a component in the design and development of all LA TIG restoration projects.

Concern ID: 61997

A commenter suggested that USACE consider looking at other options including diversions through more than one watershed.

Response ID: 16013

The geographic scope of this EIS is the Barataria Basin and the Mississippi River birdfoot delta. The purpose and need for the proposed MBSD Project is specific to the Barataria Basin and a diversion outside of the basin would not meet that purpose and need. CPRA and the LA TIG targeted Barataria Basin for restoration because, in addition to the high rates of erosion occurring in the basin, wetlands in the Barataria Basin experienced some of the heaviest and most persistent oiling and associated response activities from the DWH oil spill. CPRA is currently seeking a DA permit for another large-scale sediment diversion in the Breton Sound Basin, the Mid-Breton Sediment Diversion (see Chapter 4, Section 4.25 Cumulative Impacts).

Concern ID: 61999

A commenter provided a specific reference for use in the EIS regarding diversions and coastal wetland restoration/creation. (Turner RE, Boyer ME 1997. Mississippi River diversions, coastal wetland restoration/creation and an economy of scale. Ecological Engineering 8: 117-128)

Response ID: 16331

The reference has been reviewed, included in the list of references, and some additional information has been included in Chapter 2, Section 2.3.7 Multiple Small-Scale Diversions of the Final EIS.

Concern ID: 62000

The proposed MBSD Project design should be enhanced to provide regular water flows and sediment loading (via moveable slurry pipelines, or similar systems) to areas that can benefit most between Lafitte and Grand Isle.

Response ID: 16016

Chapter 2, Section 2.3.6 in Step 1: Evaluation of Functional Alternatives of the Draft EIS evaluated an alternative that includes a sediment diversion with marsh creation. Refer to this section for additional details on why this alternative was eliminated from detailed analysis. It was determined that marsh creation activities have been and are likely to continue to be implemented in the basin and are reasonably foreseeable. Reasonably foreseeable marsh creation activities are

considered in the cumulative impact sections of the EIS (see Chapter 4, Section 4.25 Cumulative Impacts).

If this comment is referring to piping sediment directly into the conveyance channel to maximize sediment/water ratio, such an alternative was determined not to be practical or feasible from a technical or economic standpoint. Utilizing the lateral bar adjacent to the diversion in the Mississippi River as a sediment source for the piped sediment would decrease the efficiency of the diversion and availability of sediment. Piping sediment from a more distant source would not be cost efficient due to the distance and maintenance of the pipeline and could result in impact to navigation. Further, piping sediment directly into the conveyance channel could alter the movement of sediment within the channel, increasing maintenance costs. (See EIS Chapter 2, Section 2.4.4 in Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow and Appendix D2 Eliminated Alternatives Matrix.

The LA TIG notes that it has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Restoration Plan 3.3: Upper Barataria Large-Scale Marsh Creation Project). These activities would complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

Concern ID: 61998

The true cost of acreage created by diversions is higher than acreage created by dredging because the cost of adverse negative impacts to our seafood industry among other things.

Response ID: 16015

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

The impacts on the seafood industry were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and

that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors.

The cost effectiveness of the proposed Project was evaluated in the LA TIG's Restoration Plan. While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material captures the benefits of the proposed Project. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the proposed Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis, and therefore would not nourish surrounding wetlands on an ongoing basis. Furthermore, assuming an initial dredge placement event with no further maintenance, the benefits of marsh created with dredged material would diminish relatively quickly compared to marsh created by the proposed Project due to subsidence, erosion, and sea-level rise; thus, the temporal nature of proposed Project benefits would also be markedly different. For these reasons, the LA TIG believes that comparing the costs of dredge placement to the costs of the diversion does not capture the full picture of the diversion's ecological benefits. The costs and benefits of the proposed Project were considered and discussed in the LA TIG's Draft Restoration Plan. No related edits have been made to the Final Restoration Plan.

Finally, while the proposed Project involves implementing a large-scale sediment diversion in the Barataria Basin, the Applicant also proposes to place suitable dredged and excavated material in three beneficial use areas, resulting in localized elevation increases that are expected to result in the establishment of wetland vegetation. Therefore, the Project is projected to provide marsh creation benefits using both the diversion of fresh water and sediment, as well as through dredged material placement.

CH24000 – Location Alternatives

Concern ID: 61865

Commenters asked why the location was chosen as the site for the proposed MBSD Project, since it is so close to and impacts the Myrtle Grove Subdivision.

Response ID: 15936

Chapter 2, Section 2.4.1 Evaluation of Location Alternatives under Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow in the Draft EIS, detailed the evaluation of alternatives based on geographic location and the

reasoning for selecting the proposed location for the MBSD Project. Consideration for the location of the proposed MBSD Project took into account the proximity of the diversion intake to a point bar in the Mississippi River that could serve as a continuous, long-term sediment source for the diversion in combination with the outfall location and receiving basin being well suited to gain benefits from a sediment diversion, the potential for accretion of sediment in the Barataria Basin, and the creation, maintenance, and sustainability of existing and future wetlands and marshes. In addition, previous studies have considered several general locations for a sediment diversion from the Mississippi River into the Barataria Basin, including the upper, middle and lower parts of the basin and were used in the evaluation in the EIS. The impacts of the proposed MBSD Project and its alternatives, particularly on Myrtle Grove, can be found in Chapter 4 Environmental Consequences under each of the Project's resources.

Concern ID: 63999

Commenters asked to consider the alternative of building a sediment diversion near Edgard to end the need to open the Bonnet Carré Spillway.

Response ID: 15937

Chapter 2, Section 2.4.1 Evaluation of Location Alternatives under Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow in the Draft EIS, detailed the evaluation of alternatives based on geographic location and the reasoning for selecting the proposed location for the MBSD Project. Consideration for the location of the proposed MBSD Project took into account the availability of sediment from the Mississippi River, the potential for accretion of sediment in the basin, and the creation, maintenance, and sustainability of existing and future wetlands and marshes. While Edgard is located within the defined proposed Project area which is the Barataria Basin and the Mississippi River birdfoot delta, it is located within the Upper Barataria Basin. During the EIS alternatives analysis process it was determined that alternatives in the Upper Barataria Basin would not meet the purpose and need. Siting the diversion in the Upper Barataria Basin would promote the long-term sustainability of existing marshes since the marshes are still relatively intact and more protected from the combined influence of erosion, relative sea-level rise, and saltwater intrusion relative to the lower reaches of the basin. However, it would not effectively promote the sustainability of newly created marsh or restoration of degraded marsh in the middle or lower basin, which is where the need to restore new and preserve existing marsh is greater than in the upper basin due to sea-level rise and coastal erosion (see Chapter 2, Section 2.4.1.3 Application of Additional Considerations to Potential Alternative Locations in Upper, Middle, or Lower Barataria Basin).

The LA TIG identified the Barataria Basin in their restoration planning as the location for the proposed Project because it suffered the most

severe and persistent oiling from the DWH oil spill. In addition, CPRA's Louisiana Coastal Master Plan does consider other diversions for the Pontchartrain Basin including the Maurepas Diversion (River Reintroduction into Maurepas Swamp).

Additionally, the purpose of the proposed MBSD Project is not flood risk reduction. USACE operates the Bonnet Carré Spillway for emergency flood control and the spillway's design capacity is 250,000 cfs, much greater than the proposed MBSD. Building a sediment diversion near Edgard would likely not negate the need for operation of the Bonnet Carré Spillway, although that question has not been analyzed as part of this Project.

CH26000 – Outfall Features

Concern ID: 61867

Commenter requested that the EIS explain whether there is any proof that the marsh terrace outfall features would perform and function as proposed in the Draft EIS.

Response ID: 15938

Chapter 2, Section 2.5 Step 3: Evaluation of Sediment Diversion Outfall Features of the EIS discusses the evaluation of sediment diversion outfall features as part of the screening process for alternatives. Marsh terracing has been widely implemented in the past as part of coastal restoration projects to build and retain marsh areas and the federal agencies represented on the LA TIG and CWPPRA Task Force have utilized or endorsed the use of marsh terraces. Marsh terraces are a design feature engineered to enhance deposition and retention of suspended sediments, reducing turbidity, increasing marsh-edge habitat, increasing overall primary and secondary productivity, and maximizing access for marine and estuarine organisms. To understand how the marsh terrace outfall features would perform as part of the MBSD Project, Delft3D Basinwide Modeling was used, which aided in informing the analysis as presented in Chapter 4 Environmental Consequences of the EIS.

Concern ID: 61868

Alternative designs in the outflow area should be considered to minimize the impacts due to the outflow into the Barataria Basin.

Response ID: 15939

Alternative outfall features that could potentially expedite Project-related benefits were considered in the Draft EIS. As part of the Applicant's Preferred Alternative, CPRA incorporated features into the design of the Project to aid in expediting anticipated Project benefits (see Section 2.8.1.1.2 Basin Outfall Area and Delta Formation Area). These features include beneficial use of material from construction of the diversion channel to create marsh in designated areas within the outfall area, and an outfall transition feature. Due to public scoping

comments received, the EIS also considered potential features in the outfall area such as canals, bayous, impoundments, weirs, and chenier-like ridges to manipulate the flow of water and sediment for water quality and sediment retention benefits, to create barriers for storm surge and wind, and to redirect waters away from oyster production and sensitive areas. However, these features were eliminated from consideration because of the potential for such features to impede delta formation. Refer to Chapter 2, Section 2.5 Step 3: Evaluation of Sediment Diversion Outfall Features for evaluation of these alternative outfall features as part of the alternatives screening process.

In consideration of public scoping comments, and because of the possibility of expediting anticipated Project-related benefits, while not interfering with the proposed Project's purpose, two types of outfall features (in addition to construction of the outfall transition feature and beneficial use of material from the diversion channel) were reviewed for further consideration in the Draft EIS. These included ridges and marsh terraces outside of the area where the delta would be expected to initially form. After evaluating these two outfall features, marsh terracing was chosen as a Project feature in the range of alternatives to be analyzed further in the EIS because marsh terraces are often used to reduce wave energy within an area, to protect eroding or recently restored shorelines, or to promote sediment deposition and resultant benefits. See Section 2.5.1 Additional Considerations.

CH27000 – Alternatives Considered but Eliminated

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and

nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred

Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 61970

The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.

Response ID: 15972

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

Concern ID: 61971

Commenters noted that consideration of multiple smaller and less intrusive diversions would be better suited than one large one that changes everything and destroys a way of life.

Response ID: 15973

The EIS considered multiple small-scale diversions as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.7 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS, including the lack of appropriate range of sediment sizes and increased cost. Additionally alternatives with a single, smaller (50,000 cfs) diversion have been carried forward for detailed evaluation in the EIS; this includes the 50,000 cfs with terraces feature alternative.

Concern ID: 61973

Consider dredging the passes (south pass and south east pass) to relieve pressure on rising rivers and let the natural process of

Response ID: 15974	<p>building the river there, along with rock jetties along the Louisiana coastline, support growth and protect from oncoming storms. Then use dredging to build up specific areas inland.</p> <p>This alternative as presented, specifically dredging the passes and building rock jetties to create marsh, would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives in the EIS. Similar to marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long-term would require repeated lifts and maintenance through placement of additional dredged material. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.</p> <p>Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.</p>
Concern ID: 61974	<p>Consider the alternative that consists of a combination of diversions and dredging.</p>
Response ID: 15975	<p>The EIS considered a sediment diversion combined with marsh creation alternative as a functional alternative to the proposed Project. See the explanation in Chapter 2, Section 2.3.6 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why combination alternatives were eliminated from further analysis in the EIS.</p>
Concern ID: 61976	<p>Instead of the diversion, consider using berms or living shorelines along the coast line to help reduce coastal flooding. The berms would hold back the soils and help build the land behind them.</p>
Response ID: 15976	<p>The Draft EIS considered a shoreline protection alternative (including berms and living shorelines) as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.3 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS.</p>
Concern ID: 61977	<p>While other restoration project types, such as marsh creation, have been suggested in lieu of large-scale diversions, these project types would fail to build and sustain significant amounts of land in the Barataria Basin over the 50-year Project lifespan due to subsidence, sea-level rise, and erosion. Dredging alone cannot save the wetlands, the processes that originally built them must</p>

be reestablished. The power of the river allows more land-building potential to be harnessed than could be had with dredges at a fraction of the cost, and the benefits are long-lasting, even in the face of sea-level rise and hurricanes.

Response ID: 15977

The commenter's support of the proposed Project is acknowledged. The EIS concludes that a large-scale sediment diversion meets the purpose and need of the proposed Project while large-scale marsh creation does not meet the purpose and need. Details on marsh creation alternatives including sustainability and the reasons for elimination from further detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. Additional information related to the marsh creation alternative have been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

Concern ID: 61978

Commenter inquired how much more land could be built by dredging as compared to the land that the diversion would build.

Response ID: 15978

Details on marsh creation alternatives including sustainability and the reasons for elimination from further detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. Additional information related to the marsh creation alternative has been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS. Because the marsh creation alternative was screened out, the EIS does not contain such a comparison.

Further, the LA TIG does not believe that comparing a sediment diversion to marsh creation projects using dredged material captures the benefits of the proposed Project. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the proposed Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis, and therefore would not nourish existing and created wetlands on an ongoing basis. Furthermore, assuming an initial dredge placement event with no further maintenance, the benefits of marsh created with dredged material would diminish relatively quickly compared to marsh created by the proposed Project due to subsidence, erosion, and sea-level rise; thus, the temporal nature of proposed Project benefits would also be markedly different. For these reasons, the LA TIG believes that simply comparing land-building capabilities of dredging and against a sediment diversion does not capture the full picture of the diversion's ecological benefits. The costs and benefits of the proposed Project were already considered and discussed in the LA TIG's Draft Restoration Plan.

Finally, while the proposed Project involves implementing a large-scale sediment diversion in the Barataria Basin, the Applicant also proposes

to place suitable dredged and excavated material in three beneficial use areas, resulting in localized elevation increases that are expected to result in the establishment of wetland vegetation. Therefore, the Project is projected to provide marsh creation benefits using both the diversion of fresh water and sediment, as well as through dredged material placement.

Concern ID: 61980

The permit application does not give adequate consideration to alternative methods of achieving the purpose. The permit application gives consideration only to different sizes of diversions. This forces a decision to implement a diversion of some size. It ignores other alternatives for achieving the purpose that are less expensive, provide immediate storm protection, and promote wildlife-based industries such as the sports-fishing, shrimp, crab, and oyster industries. For example, it gives no consideration to the use of inshore islands.

Response ID: 15979

CPRA's permit application requests USACE authorization of the Applicant's Preferred Alternative (75,000 cfs sediment diversion with 5,000 cfs base flow). The EIS evaluates the Applicant's Preferred Alternative and a range of reasonable alternatives, including No Action, based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS consistent with CEQ NEPA regulations. As described in Chapter 2 Alternatives of the EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan.

Details of the screening process including screening criteria are described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS. Similar to marsh creation alternatives, inshore islands typically involve dredging and movement of sediment to increase the elevation of uplands to create, or improve the abundance and quality of, nesting habitat for birds. Inshore islands would not meet

the goals and objectives as stated in the purpose and need in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS.

Prior to USACE's preparation of the EIS and the LA TIG's preparation of the Restoration Plan, the LA TIG evaluated restoration strategies that could restore injuries in the Barataria Basin in SRP/EA #3. In that document, the LA TIG found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the Restoration Plan. However, it is worth noting that the LA TIG has also funded, and will continue to fund, other types of restoration projects that provide ecosystem services lower in the basin (for example, the Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Chapter 2, Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of the process the LA TIG used to identify alternatives for its SRP/EA#3. See Chapter 4, Section 4.25 Cumulative Impacts of the EIS for a discussion of marsh creation projects in the Barataria Basin that are anticipated to provide complementary ecosystem services with the proposed Project.

Louisiana Trustee Implementation Group (LA TIG). 2018. Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana. Available online at: http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_03_LA_TIG_Final_SRP_EA_508-Compliant.pdf. Accessed: March 15, 2018.

Concern ID: 61982

Consider using suction dredge of Mississippi River beneficial material in South Pass, Pass A Loutre, Tiger Pass and other tributaries to pump the river sand material through pipelines. This material can be delivered up to 25 - 30 miles upriver and could be used to build a series of ridges that can be planted with sustainable foliage.

Response ID: 15980

This alternative as presented, specifically dredging the passes and other tributaries and creating marsh, would not meet the goals and objectives as stated in the purpose and need in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS. Similar to

marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long term would require repeated lifts and maintenance through placement of additional dredged material to maintain a marsh elevation despite subsidence and sea-level rise. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

CH28000 – New Project Ideas Suggested but not Previously Evaluated

Concern ID: 61885	Consider the alternative of reducing the size of Bay Long Pass and 4 Bayou Pass to slow the tide water and save land instead of implementing the proposed MBSD Project.
Response ID: 15981	<p>This alternative as presented, specifically reducing or narrowing the passes, would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.</p> <p>Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.</p>
Concern ID: 61886	Consider changing the operating plan for Davis Pond and coordinate both diversions to maximize environmental benefits.
Response ID: 15982	<p>There are no plans at this time to change the operating plan for the Davis Pond Freshwater Diversion Project. As discussed in Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the Draft EIS, as part of the Fish & Wildlife Coordination Act consultation, USFWS has recommended, and CPRA has agreed to develop a basin-wide operations and basin monitoring</p>

data repository to help in the general coordination among diversion operators, within their authorizations.

As part of the evaluation of the proposed Project and potential alternatives, the Delft3D Basinwide model runs and the EIS assumed operations of other diversions consistent with their current or anticipated operational protocols, including the Davis Pond Freshwater Diversion for the hydrodynamic and water quality simulations. The Davis Pond Freshwater Diversion was not included in the Delft 3D morphological modeling simulations.

Based on Delft3D Basinwide Modeling results, proposed MBSD Project operations are expected to reduce the frequency with which the Davis Pond Freshwater Diversion would be operated during certain months of the year to meet its current operational guidelines. Refer to Chapter 4, Section 4.5.7 in Surface Water and Sediment Quality of the EIS for further details on the projected number of days for the Davis Pond Freshwater Diversion opening. Potential impacts to the Davis Pond Freshwater Diversion will be further considered as part of the 408 process for the proposed MBSD Project.

Concern ID: 61888

Consider the alternative of allowing the levees to sink, erode, and collapse down to a normal height with annual widespread overflow distribution of the sediments in the historic and gentle way that would not have the sudden, disruptive impacts as seen with existing and planned diversions. Restoration of natural processes is the best way to replenish and preserve our renewable natural resources.

Response ID: 15983

This alternative of removing levees and restoring natural processes is not feasible and was not considered further because levees are necessary for flood risk reduction for the communities and industries that line the Mississippi River in Barataria Basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Concern ID: 61890

Consider suggestions such as barging in wood chips and placing in shallow waters, and using old sunken ships and barges to build land.

Response ID: 15984

Suggestions such as barging in wood chips and other organic material to the sediment deposited by the diversion or building upon old sunken ships and barges would not meet the scope and the scale of the proposed Project or its purpose and need, and therefore, would not be practicable. While alternative materials such as these may fill in small-scale areas, fill material such as these would not address the proposed Project's purpose of restoring deltaic processes to the Barataria Basin. Therefore, they were eliminated from further consideration. This

alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Concern ID: 61892

Consider including in the design of the diversion the planting of black, red, and white mangroves to create and sustain land in the Barataria Basin, as well as planting bald or related species cypress trees to aid in the retention of land. Even dead trees would stabilize the soils.

Response ID: 15986

The Draft EIS acknowledged impacts on wetland vegetation and terrestrial vegetation due to the proposed MBSD Project in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S. and Section 4.9 Terrestrial Wildlife and Habitat, respectively. While mangroves can provide areas of soil retention, their relative lack of cold tolerance does not currently allow growth throughout the entire coast of Louisiana. Red or white mangroves are not currently found in Louisiana because they are not as cold tolerant as black mangrove, although as the climate changes, CPRA recognizes that dedicated plantings of black mangrove and exploratory plantings of other mangrove species are a potential option in areas that are not currently suitable. Cypress trees are a viable option today and have been used (along with willows) to stabilize newly deposited sediments at the outfalls of existing diversions. CPRA would consider these options in the outfall area as part of future adaptive management efforts, especially to the extent base flows would provide suitable freshwater habitat, as well as to increase sediment stabilization and retention.

Concern ID: 61894

Consider the alternative of tearing down spoil banks and backfilling abandoned canals before, in addition to, or instead of implementing the proposed MBSD Project.

Response ID: 15987

This suggested alternative would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. It would not re-establish deltaic processes between the Mississippi River and Barataria Basin through the delivery of sediment, fresh water, and nutrients. However, the EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the Final EIS), and has updated the analysis to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The EIS recognizes that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years.

This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan and the LA TIG through Natural Resources Damage restoration planning.

Concern ID: 61895

Commenters suggest using a sediment diversion to selectively build land by directing sediment to a contained area, such as a colmates system or large-scale marsh creation containment area. A controlled system of dredging to create dry land coupled with a system to contain sediment-infused river water in specific areas outside of the levee protection system would be most beneficial to create more land exactly where it's needed.

Response ID: 15988

This method of sediment transport and/or sediment containment and land building would not meet the proposed Project's purpose and need of reconnecting and reestablishing sustainable deltaic process between the Mississippi River and the Barataria Basin. A colmate or other means of large-scale marsh creation using dewatered sediment would allow for sediment to be transported from the Mississippi River to the Barataria Basin and deposited into a location confined by containment berms, which would create an impoundment where the suspended sediment would settle out of the water column over time to create a marsh platform. Once the area dewatered and the platform stabilizes at an appropriate marsh elevation, the berms would be degraded or gapped to allow fish passage and hydrologic exchange. While this type of system would create marsh, it would not be a passive system and would require active management and maintenance, including potentially pumps to ensure sediment transport, mechanical gapping/degrading of the retention berms and periodic lifts to combat the effects of subsidence. It would not reestablish natural deltaic processes. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Concern ID: 61896

Add salt injection points directly downstream of the river sediment flow before it gets into the basin so that the volume of fresh water is reduced.

Response ID: 15990

This outfall feature alternative was considered in the Draft EIS but was not fully evaluated because it does not meet purpose and need for the Project because it does not restore the natural deltaic process between the Mississippi River and Barataria Basin through the introduction of fresh water, sediment, and nutrients from the Mississippi River into the Basin. Refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS. Additionally, the basin will experience periodic introduction of

more saline water naturally through tidal processes and storm events. Potential impacts associated with changes in salinity are addressed in Chapter 4, Section 4.5 Surface Water and Sediment Quality.

Concern ID: 61897

Consider alternatives that transport more sediment and sand and less water, such as a conveyor belt or barge and utilizing a processing plant that removes the sediment from the Mississippi River to filter and neutralize the sediment before transport.

Response ID: 15991

This suggested alternative would not meet the goals and objectives as stated in the purpose and need as described in Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. CPRA's intent is to reestablish sustainable deltaic processes between the Mississippi River and Barataria Basin through the introduction of fresh water, sediment, and nutrients from the Mississippi River into the Basin. Additionally, in light of the volume and nature of the material that would need to be transported, a conveyor belt is not feasible. In addition, as described in Chapter 2, Section 2.4 Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow the proposed Project is designed to maximize sediment bed load transport. Previous studies of the Mississippi River have documented the positive correlation between river discharge and sediment load, demonstrating that higher river discharge levels are generally correlated with higher sediment loads. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Concern ID: 61898

Consider using the funds to move people out of the area instead of implementing the proposed MBSD Project.

Response ID: 15992

This suggested alternative would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. It would not reestablish sustainable deltaic processes and help restore habitat and ecosystem services injured by the DWH oil spill. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Concern ID: 61899

Consider building a man-made river instead of implementing the proposed MBSD Project.

Response ID: 15993

This suggestion is not inherently different than the proposed Project which consists of a man-made conveyance structure. The proposed MBSD Project would provide a controlled riverine connection to the Barataria Basin. No edits have been made to the Final EIS.

Concern ID: 61902	Consider opening the Morganza Spillway instead of implementing the proposed MBSD Project.
Response ID: 15995	The Morganza Spillway, operated by USACE for emergency flood control, discharges into the Atchafalaya Basin. The scope of this EIS is the Barataria Basin and the Mississippi River birdfoot delta, which is the defined proposed Project area. This suggested alternative would not meet the purpose and need to reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. The LA TIG identified the Barataria Basin in the SRP/EA #3 as the location for the proposed Project because within Louisiana, the Barataria Basin suffered the most severe and persistent oiling from the DWH oil spill. This suggestion would not provide any land-building benefits in the Barataria Basin because it is located outside of the basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.
Concern ID: 61903	Divert some of the Mississippi River water off to other states and areas.
Response ID: 15996	The proposed MBSD Project purpose and need is to reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. The LA TIG identified the Barataria Basin in the SRP/EA #3 as the location for the proposed Project because within Louisiana, the Barataria Basin suffered the most severe and persistent oiling from the DWH oil spill. This suggestion would not meet the purpose and need because it would not connect the Mississippi River to the Barataria Basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.
Concern ID: 64005	Consider an alternative that creates a split system to capture and concentrate sediment in one stage, followed by a transfer of the captured sediment to a separate second stage which delivers that sediment with a reduced volume of water having a chosen composition in terms of salinity and nutrients. This can be accomplished by capturing sediment in basins within the channel bottom, while curving the main channel back to the Mississippi River to return the majority of river water to the Mississippi, and delivering a more sediment-focused slurry to Barataria Bay via a separate outfall channel. A dredge operating in the basins, powered by river current, would move the captured sediment, under well-controlled conditions, the short distance from the basins to the outfall channel.
Response ID: 15997	This suggested alternative would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4

Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. The purpose of the project is to reestablish sustainable deltaic processes between the Mississippi River and Barataria Basin through the delivery of sediment, fresh water, and nutrients from the Mississippi River into the Basin. Details as submitted by the commenter regarding this alternative are lacking making it difficult to evaluate. Based on the description provided by the commenter, it seems that this alternative would transport primarily coarse-grained sediments (for example, larger sediments and sand) collected in the Mississippi River and conveyance channel into the Basin, but, due to the collection method, would not convey substantial finer grained sediments (for example, clay and silt) that are necessary to sustain existing wetlands in the Basin. Also, with the significant reduction in fresh water transported into the Basin, this alternative would not transport sufficient fresh water or nutrients to meet the purpose and need. Further, it is unclear whether or how the proposed alternative would mobilize the collected coarser-grained sediments. As explained in Section 2.4.3.2 Application of Additional Considerations to Capacity Alternatives of the Final EIS, a sufficient volume of water is needed to mobilize and entrain coarser-grained sediments and transport them into the Basin. The commenter's description of the alternative suggests a significant reduction in the volume of water that would pass through the diversion channel. Absent diversion flows, the commenter did not explain how this alternative would transport these coarser sediments to the Basin other than to mention a "dredge operating in the basin." Marsh creation through dredging was evaluated in the Draft EIS and eliminated from detailed consideration. See Section 2.3.5 Large Scale Marsh Creation of the Final EIS. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

CH30000 – Applicant's Preferred Alternative/Alternative 1 – 75K cfs

Concern ID: 61911

Commenter inquired about design and operational features of the proposed MBSD Project including pump station(s) and elevation and design grade of the guide levees.

Response ID: 15998

Chapter 2, Section 2.8.1.1 in Action Alternatives Carried Forward for Detailed Analysis of the Final EIS includes a description of the proposed MBSD Project including Project design features, which has been updated based on 60 percent designs since the Draft EIS. Also refer to the Design Documentation Report in Appendix F1 Design

Documentation Report (60% Design) of the Final EIS for additional information regarding the proposed Project design.

Concern ID: 61912

CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.

Response ID: 15999

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61913	While a commenter acknowledges temporary habitat degradation with the Applicant’s Preferred Alternative, the commenter supports the Applicant’s Preferred Alternative.
Response ID: 16000	The commenter’s support of the proposed Project is acknowledged. Refer to Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the EIS for terrestrial wildlife and habitat impacts.
Concern ID: 61914	The information provided in Chapter 2 Alternatives of the EIS regarding diversion flows at given Mississippi River flows is confusing.
Response ID: 16001	As described in the EIS, when the Mississippi River flows exceed 450,000 cfs, and the gates are fully opened, the diversion flow would increase to approximately 25,000 cfs, and thereafter flows would increase proportionally as the river flow increases up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs. Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis of the Final EIS has been revised to clarify the description of proposed Project operations.
Concern ID: 61915	Standard operating plans should include diverting as much water as possible from the Mississippi River when a category 4 or 5 storm approaches to reduce loss of life and damage to property.
Response ID: 16002	As stated in Draft EIS Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis, the Operations Plan for the proposed MBSD Project calls for the diversion structure to be closed when the relationship between the water levels in the Mississippi River and the Barataria Basin would create a reverse flow or when other stop triggers or “Emergency Operations” are met, including spills and other hazardous discharges, navigation impediments, climatic conditions such as tropical depressions or named storms, diversion structure damage or emergency, and public safety as described in the Applicant’s Operations Plan. Regarding climatic conditions, the Operations Plan states that CPRA will close the diversion gates and suspend all flows through the diversion when tropical activity (depression or named storm) is forecasted to impact the Barataria and Mississippi River Basins. The structure would be closed in advance of storm impact to avoid affecting water levels in the Mississippi River or the Barataria Basin. After passage of an event and without unnecessary, unexpected impacts, operations would resume per the Operations Plan. Refer to Appendix F2 Preliminary Operations Plan of the Final EIS for further details on the Operations Plan.
Concern ID: 61916	The proposed Project should have a design life beyond 50 years.
Response ID: 16003	The proposed Project design life would extend beyond 50 years. This is not to be confused with the 50-year analysis period used in the EIS. The 50-year analysis period corresponds with the Delft3D Basinwide

Model simulations, which were run over 5 decades (beginning in 2020 and run through 2070). USACE typically uses a 50-year period of analysis for its water resources projects. The EIS analyzes operational impacts resulting from operation and maintenance of the alternatives during the 50-year analysis period. Analysis of potential impacts past 50 years was determined to be too speculative to assist in understanding or decision making regarding the proposed Project.

Concern ID: 61917

Commenters expressed concerns over CPRA's potential for mishandling of the operation and long-term maintenance of the proposed MBSD Project, particularly pointing to CPRA's past inadequate operations and maintenance of other diversions.

Response ID: 16004

CPRA would operate the proposed MBSD Project as detailed in the Operations Plan, which is found in Appendix F2 Preliminary Operations Plan in the Final EIS. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated proposed Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required

by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61918

Prior to and during the implementation of the proposed MBSD Project, consider ways to slow down the flow of the water in the basin for the sediment to work and to stop tidal surge, including dredging and filling, building islands, and planting vegetation to prevent erosion.

Response ID: 16005

CPRA considered ways to slow down the flow in the basin during design and alternatives development of the proposed MBSD Project. Chapter 2 Alternatives of the EIS describes the various alternatives that were considered including several diversion outfall features (see Section 2.5, Step 3: Evaluation of Sediment Diversion Outfall Features). Marsh terracing is an outfall feature that was included in the reasonable range of alternatives evaluated in the EIS because these features are often used to reduce wave energy, protect eroding or recently restored shorelines, or to promote sediment deposition. However, results of the impact analysis showed mainly negligible to minor differences in impacts when terrace alternatives were compared to alternatives without terraces. If the proposed Project is implemented, CPRA would consider potential ways to optimize diversion operations including outfall management based on Project performance and success as part of the adaptive management and monitoring process.

Refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained

draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

In addition, other restoration strategies in coastal Louisiana similar to what is being proposed are being currently implemented or considered by CPRA in their Coastal Master Plan and the LA TIG through separate NRDA restoration planning.

Concern ID: 61919

Commenter requested information on the proposed annual operation and maintenance budgets for the proposed MBSD Project and how would they be funded.

Response ID: 16006

If the proposed Project is permitted and funded, CPRA states that information on the proposed annual operation and maintenance budgets for MBSD Project will be provided to the public through CPRA's Annual Plan. Details on the state funding cycle, CPRA's request for operations funding, and inclusion in CPRA's Annual Plan can be found in the CPRA's Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

Concern ID: 61922

The design features of the proposed Mid-Barataria Sediment Diversion Project are lacking in innovation and creativity. Commenters suggests inclusion of innovative design, such as

Response ID: 16009	<p>converting hydraulic energy to electricity and potential solutions for combating climate change, as part of the proposed Project.</p> <p>CPRA states that the proposed Project would be the first of its kind and size that would create a sustained deltaic connection between the Mississippi River and the Barataria Basin.</p>
Concern ID: 63957	<p>Commenters expressed concern that walls from the diversion structure could fail and flood out the local communities.</p>
Response ID: 16011	<p>As described in Chapter 2, Section 2.8, Action Alternatives Carried Forward for Detailed Analysis of the Draft EIS, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events. In addition, because the proposed MBSD Project would use, occupy, and/or alter the Mississippi River Levee, the New Orleans to Venice Levee, and the Mississippi River Navigation Channel, which are USACE projects, CPRA has requested permission under 33 U.S.C. Section 408 to construct and operate the proposed MBSD Project. The USACE Section 408 Review process includes a review of the technical adequacy of the proposed MBSD Project design to alter the Mississippi River and NOV-NFL levees and to deliver appropriate flood risk reduction in place of those levees, including all appropriate technical analyses, including geotechnical, structural, hydraulic and hydrologic, construction, safety and operations and maintenance requirements. A Section 408 permission would not be granted unless the proposed modifications to the USACE projects would not limit the ability of the USACE project to function as authorized and would not compromise any authorized USACE project purposes.</p>
Concern ID: 64020	<p>A comprehensive plan for operating the diversion is lacking. Diversion operations should not be based solely on when flows in the Mississippi River exceed 450,000 cfs or only operate at maximum capacity when Mississippi River flows reach 1,000,000 cfs, but instead should rely on multiple factors for determining when to operate the diversion. The comprehensive plan should also include some flexibility in operations including triggers for water releases and for closing the diversion. The design should be modified to allow continued use after significant sea-level rise.</p>
Response ID: 16012	<p>CPRA would operate the proposed MBSD Project in accordance with the Operations Plan which can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. Chapter 2, Section 2.4.2 in Step 2:</p>

Evaluation of Operational Alternatives – Location, Operational Trigger, Capacity, and Base Flow of the Draft EIS described the evaluation of various operational triggers during the alternatives analysis. It was determined that the 450,000 cfs operational trigger would best meet the purpose and need and would be the standard operations trigger (see Chapter 2, Section 2.4.2.1 Application of Additional Considerations to On/Off Trigger Scenarios). Additionally as stated in Chapter 2, Section 2.4.3.2 Application of Additional Considerations to Capacity Alternatives, flow in a sediment diversion is variable. When the diversion is operating, the flow rate through a diversion is controlled by the difference in water surface elevation between the Mississippi River and the Barataria Basin (the head differential). When the Mississippi River flow and stage are high, this high head differential would push a higher volume of water and sediment through the diversion into the Barataria Basin. When the Mississippi River flow and stage are low, there would be less energy to push water and sediment through the diversion. Thus, depending upon the flow rate in the Mississippi River and the head differential, flow in the diversion would be variable, up to a defined maximum capacity.

The diversion is designed for passive operation rather than active operation. Once opened, the head differential determines the flow rather than pumps or another active feature.

Full operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occurs in the river).

Triggers for closing the structure when river discharge is above 450,000 cfs include spills and other hazardous discharges, navigation impediments, climatic conditions such as tropical depressions or named storms, diversion structure damage or emergency, and public safety.

As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Section 4.4 in Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. The operation plan allows for diversion

operations that capture the high sediment loads associated with rapidly rising river discharges and effectively addresses relative sea-level rise.

If the proposed Project is implemented and once operational, CPRA would consider potential ways to optimize diversion operations based on Project performance and success as part of the adaptive management and monitoring process. Refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

The Project MAM Plan in the Final EIS Appendix R2 provides examples of possible outfall management actions, such as spoil bank gapping or construction of water-directing features, that CPRA may consider in the future as potential adaptive management actions aimed at improving Project effectiveness and limiting ecological and/or human impacts when possible. This will be based on assessment of Project performance and monitoring data and recommendations of the CPRA's Project Adaptive Management Team to CPRA's Project Operations Management Team.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 65187

Commenter inquired as to what year the proposed MBSD Project is planned to be operational.

Response ID: 16695

Construction would not commence until after the USACE decision on the Section 10/404 permit and Section 408 permissions request. As described in EIS Chapter 2, Section 2.8.1.4 Project Construction Activities in Action Alternatives Carried Forward for Detailed Analysis, once begun, the proposed Project would require 3 to 5 years of construction which would occur in several phases.

Concern ID: 61920

Commenters recommended that there must be a flood gate on the marsh side of the diversion structure to protect the residents of Plaquemines Parish from being inundated.

Response ID: 16007

As described in Chapter 2, Section 2.8, Action Alternatives Carried Forward for Detailed Analysis of the Draft EIS, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events.

CPRA considered a diversion structure with a back gate structure on the basin side (which is the marsh side). After detailed design and cost consideration, however, CPRA proposed eliminating the back gate design and proceeded with a diversion structure with hurricane/guide levees and no back gate structure. CPRA determined that the proposed Project without a gate structure is generally lower risk due to its passive operation relative to the active operation of a gate structure. In addition, the guide levees are proposed to be constructed to an elevation equivalent to a 2 percent Annual Exceedance Probability (AEP) (50-year storm) and will connect to the NOV-NF-W-05a.1 levee. CPRA worked with USACE to complete a USACE Risk Assessment of this proposed design through the Section 408 process.

Concern ID: 61921

Commenter supports the use of adaptive management, but notes that it has been poorly used in the past. Suggests building adaptive management requirements into the current design to allow for future releases above 75,000 cfs.

Response ID: 16008

The proposed MBSD Project as designed would have a maximum diversion flow capacity of 75,000 cfs when the Mississippi River flow reaches approximately 1,000,000 cfs or higher. Therefore, the proposed MBSD Project would not have the capacity to transport more

than 75,000 cfs, which precludes the suggested adaptive management of flows higher than 75,000 cfs. Refer to EIS Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis for additional details regarding proposed Project operations. However, CPRA does intend to adaptively manage the proposed Project. CPRA's Monitoring and Adaptive Management (MAM) Plan can be found in Appendix R2 of the Final EIS. CPRA's MAM Plan describes how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting Trustee goals, having a high likelihood of success, and avoiding collateral injury. While a 150k cfs diversion would be expected to deliver more ecological benefits to land creation and marsh building than the LA TIG's Preferred Alternative, it would also incur more collateral injuries and pose a greater risk to human health and safety; thus, it was not selected as preferred. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision.

Concern ID: 61923

The proposed MBSD Project should be redesigned to achieve two objectives: build storm surge protection as well as create the environmental conditions for the expansion of the oyster industry.

Response ID: 16010

Storm surge protection is not a purpose of the proposed Project but it is a projected benefit for some areas, while it will increase storm surge and flooding risk for other areas (see EIS Chapter 4, Section 4.20.4.2, Operational Impacts, Storm Hazards in Public Health and Safety, including Flood and Storm Hazard Risk Reduction). Restoring for oysters does not meet the intent of the proposed Project, which is to reestablish sustainable deltaic processes and help restore habitat and ecosystem services injured by the DWH oil spill. The Project is projected to help positively impact habitat for numerous species impacted by the spill and to negatively impact habitat for other species impacted by the spill.

Concern ID: 67231

Consider adding improvements, such as using the proposed railroad bridge crossing and channel guide levees as hurricane evacuation routes to the Project, to get more value out of the Project.

Response ID: 16951

1. Emergency Evacuations for Plaquemines Parish are coordinated with USACE-New Orleans District, LADOTD, Plaquemines Parish Sheriff's Department, GOHSEP, and other entities as
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needed. Evacuations through the Eastern Tie-In of the Hurricane and Storm Damage Risk Reduction System (HSDRRS) in Oakville, Louisiana are routed north via Louisiana Hwy 23. The proposed railroad bridge would have dual access for authorized personnel to cross the project from the Mississippi River Levee for railroad and project operations, maintenance, and flood fighting purposes.

2. The upstream or northern guide levee would serve as a guide levee for diversion flows from the Mississippi River to Barataria Basin. Additionally, the guide levee would serve as a flood risk reduction levee replacing a portion of and as part of the New Orleans to Venice (NOV) flood risk reduction levee. The proposed guide levees would allow access for authorized personnel to access the Project for operations, maintenance, and flood fighting purposes.

The proposed Project would relocate Louisiana Hwy 23 in kind (or equivalent to the existing roadway) maintaining the current evacuation route. An alternate evacuation route for Louisiana Hwy 23 is not part of the MBSD Project and would not advance the stated purpose and need as stated in EIS Chapter 1, Section 1.4 Purpose and Need.

CH31000 – Other Alternatives Evaluated

Concern ID: 61871

Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.

Response ID: 15944

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right

balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant's Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404

permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

CH32000 – No Action Alternative

Concern ID: 61870

If no action is taken, the resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture.

Response ID: 15941

The concerns raised by the commenters were considered in the Draft EIS. The EIS evaluates anticipated conditions in the Barataria Basin if no action is taken. Within the EIS, the No Action Alternative enables a comparison of anticipated future conditions without the proposed Project to anticipated future conditions with the proposed Project and the alternatives. Refer to Chapter 4 Environmental Consequences of the EIS, for a description of anticipated conditions under the No Action Alternative for each of the resource areas evaluated. The Delft3D Basinwide Model was used to forecast conditions that would occur under the No Action Alternative which helped to inform the analysis in Chapter 4.

Concern ID: 64151

Commenter is concerned with the CPRA's apparent desire, in both the Draft EIS and Mitigation Plan, to condition its obligation to mitigate impacts to properties and communities, through its continuing reference to the current vulnerability of those communities or the fact that those communities would become more vulnerable in the future even under the No Action Alternative. Although many areas outside levee protection are in fact vulnerable and may become more vulnerable as sea-level rises and wetlands loss continues, many of those communities would not feel the full impacts for a decade or more absent the proposed diversion. Moreover, the causes of coastal wetlands loss can, at least in part, be attributable to the State's historic, and continuing, permitting of the destruction of coastal wetlands for pipeline and navigation canals, and the like.

Response ID: 15942

In the EIS, the No Action Alternative is evaluated to understand the anticipated changes in the environment that would occur irrespective of the proposed Project.

In addition, the Delft3D Basinwide Model was used to assess impacts of the No Action Alternative. For each resource in Chapter 4 Environmental Consequences, Sections 4.1 through 4.24, the analysis of the impacts for each Project action alternative is compared to the impacts under the No Action Alternative. The EIS acknowledges both the deteriorating conditions that are projected to occur under the No Action Alternative, as well as the degree to which the Applicant's Preferred Alternative and other action alternatives would alter those projected impacts, including in some cases by accelerating potential adverse impacts.

Additionally, the EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see EIS Chapter 3, Section 3.6.2.2.4 in Wetland Resources and Waters of the U.S.), and the analysis in the Final EIS has been updated to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. In addition, Chapter 1, Section 1.2.1 History of the Barataria Basin in Project Background and Chapter 3, Section 3.1.4 Overview and History of the Project Area in Introduction describes the historical reasons for coastal land loss within the Barataria Basin and notes that as a result of this coastal land loss, various agencies and non-governmental organizations have implemented coastal protection, restoration, and rehabilitation projects within the basin. These existing conditions have been factored into the analysis in the EIS.

The mitigation and stewardship measures proposed by CPRA for proposed MBSD Project impacts described in Chapter 4, Section 4.27 Mitigation Summary of the Final EIS and in the Final Mitigation and Stewardship Plan (Appendix R1) are based on the understanding of anticipated impacts described in Chapter 4 Environmental Consequences, Sections 4.1 through 4.24. CPRA's Final Mitigation and Stewardship Plan provides details on the mitigation and stewardship measures CPRA would implement prior to the proposed Project beginning operations to ensure that the measure's benefits are in place in advance of the Project impacts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to

implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

EC10000 – Eval Standard – Cost to Carry Out Alternative

Concern ID: 66342

The cost of the diversion is not justified and the project is questionable.

Response ID: 16772

The NEPA regulations do not require a cost-benefit analysis for the EIS unless such an analysis is relevant to an agency's decision. USACE generally assumes that a permit applicant has made its own economic evaluation regarding the costs of a proposed project. However, as part of its public interest review, USACE will weigh the harms that would be caused by the Project against its potential benefits.

In the LA TIG's Restoration Plan, the LA TIG considers the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54.

Concern ID: 61852

The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50

years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.

Response ID: 16617

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

Concern ID: 61853

The amount of acres of habitat that would be restored through the preferred alternative would not justify its high cost. Given Louisiana's annual coastal habitat loss rate, investing in a nearly \$2 billion Project that would provide relatively little benefit compared to this annual loss is not justifiable.

Response ID: 16618

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has conducted its own economic evaluation of the costs of a proposed Project. USACE will conduct a public interest review as part of its permit decision-

making process, which weighs the anticipated harms of a project against its anticipated benefits.

As part of the OPA analysis, LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and successfully develop deltaic habitats that connect nearshore and offshore ecosystems. Wetlands are one component of a restored ecosystem to be achieved. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The creation of marsh habitat would provide substantial benefits to nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, terrestrial wildlife, and offshore marine ecosystems (see Section 3.2.1.6 [Benefits Multiple Resources] of the Restoration Plan). Given the high rates of erosion and land loss, the land created by the Project would become even more important to the coastal ecosystem over time.

Concern ID: 62983

There will be ongoing and continuing costs to maintain the structure. Will there be sufficient funds to maintain the Project into the future? Commenters questioned who would have responsibility for the Project's maintenance throughout its operation.

Response ID: 16621

As the Project Implementing Trustee, CPRA would ensure that there is sufficient funding to operate and maintain the Project into the future. Roles and responsibilities regarding the Project are set forth in the EIS in Sections 2 and 3 of Appendix R2 Monitoring and Adaptive Management Plan. CPRA has primary responsibility for the operations, maintenance, and monitoring of the Project.

Concern ID: 61854

The cost of the proposed Project is a sound investment. More specifically, \$2 billion seems a reasonable price for decades of extension of habitat and use. Even though the cost of the Project is high, the price of inaction would be far greater.

Response ID: 16619

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and

therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

The LA TIG acknowledges commenters' belief that the Project would be a sound investment. As part of the OPA analysis, the LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The LA TIG has found that the Project costs are commensurate with achieving the goals of comprehensive integrated ecosystem restoration intended to persist for decades even in the face of rising sea levels and continued coastal erosion.

Concern ID: 62982

Anticipated increases in the cost of maintenance dredging induced by diversion operations and anticipated effects on the navigation community must be accounted for in the early stages of diversion planning so that accurate cost-benefit ratios can be considered.

Response ID: 16620

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

The impacts of the Project on maintenance dredging requirements and on the navigation community were addressed and considered in the Draft EIS, in Chapter 4, in the Mississippi River and Barataria Basin "Maintenance Dredging" subsections of Section 4.21 Navigation. USACE has engaged the navigation industry to get its input on the proposed Project's anticipated effects on navigation, including increased sedimentation in the Mississippi River, as part of the EIS process.

In the LA TIG's Restoration Plan, the LA TIG considers the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The Project budget in the Draft Restoration Plan (see Section 3.2.1.2 Cost to Carry Out the Alternative) included the cost of additional maintenance dredging that would be induced by the Project. Also, monitoring to identify the need for additional maintenance dredging induced by the Project is addressed in

the Restoration Plan Appendix R2: Monitoring and Adaptive Management Plan for the proposed MBSD Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

EC20000 – Eval Standard – Meets Trustee Restoration Goals and Objectives

Concern ID: 62663

Decades of study demonstrate the MBSD is the optimal way to restore the sustainable functionality to the ecosystem injured by the DWH oil spill, including providing benefits to the northern Gulf of Mexico ecosystem injured by the spill. The Project would rebuild and restore coastal wetland habitat, which is vital to the health of the Gulf of Mexico ecosystem and the species that reside within it. It would address a multitude of concerns on an ecosystem-wide and economic scale, would work synergistically with ecosystem restoration projects in the basin, and would create jobs. The Draft Restoration Plan demonstrates the likely benefits of the Project, and the Project would likely help mitigate consequences of future natural disasters and climate change. Not implementing the Project would not only prevent the area from recovering, but would accelerate its degradation over time.

Response ID: 16622

The LA TIG acknowledges the comment and agrees that the Project would deliver fresh water, sediment, and nutrients to the Barataria Basin; reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin (for example, sediment retention and accumulation, new delta formation); and create, restore, and sustain wetlands and other deltaic habitats and associated ecosystem services.

Concern ID: 62664

The Project, instead of restoring coastal Louisiana, would accelerate its degradation. The Upper Barataria Basin, which was not affected by the DWH oil spill, would be negatively affected by the proposed Project in terms of cultural, topographic, and ecological impacts. Because the Oil Pollution Act is designed to restore areas affected by an oil spill to their pre-spill conditions, the proposed Project should not be funded because it does not achieve this goal.

Response ID: 16623

The potential impacts of the proposed Project on affected ecosystems and communities were considered in the Draft EIS. For example, Chapter 3 Affected Environment of the EIS describes existing conditions within the Project area and Section 3.1 Introduction provides an overview and history of the Project area. These existing conditions are factored into the impact analysis in Chapter 4 Environmental Consequences of the EIS. Further, Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. notes the ongoing impact of the DWH oil spill on wetland loss, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 in Aquatic Resources provides an overview of the adverse impact of the oil spill on key aquatic species within the Barataria Basin.

The impacts raised by the commenters were also considered in the LA TIG's Draft Restoration Plan. As described in the Restoration Plan in Section 1.3 (Authorities and Regulations), the goal of the Oil Pollution

Act of 1990, 33 USC 2701 et seq., is to make the environment and public whole for injuries to natural resources and services resulting from an incident involving a discharge or substantial threat of a discharge of oil. This goal is achieved through the return of the injured resources and services to baseline, and compensation for interim losses from the date of the incident until recovery. According to 15 CFR, Part 990.30, restoration is defined as “any action...to restore, rehabilitate, replace, or acquire the equivalent of injured natural resources and services”, and 15 CFR, Part 990.53 (c) (2) specifies that compensatory restoration actions can include actions that provide natural resources and services of the same or comparable type and quality as the injured resources.

Considering the scale of impacts from the oil spill, the LA TIG also understands the importance of increasing the resiliency and sustainability of this highly productive Gulf ecosystem through restoration. As noted in the PDARP/PEIS, diversions of Mississippi River water into adjacent wetlands have a high probability of providing these types of large-scale benefits for the long-term sustainability of deltaic wetlands. As described in Section 2.3.3 (Proposed MBSD Project Location Alternatives) of the Restoration Plan, while a project in Lower Barataria Basin would provide restoration closest to where the heaviest oiling and associated injuries occurred, such a project would also require more time and more sediment to build land given the relatively deep open water in that area, and newly created marshes would be more quickly eroded by waves, tidal action, and storm surge. A project in the Mid-Barataria Basin is close to oiled shorelines but farther away from additional erosive forces found in the Lower Barataria Basin. The LA TIG selected the proposed Project location in the Mid-Barataria Basin because a project in this location would have the capacity to accept and disperse sediments and nutrients and would promote the long-term sustainability of existing and newly created marshes.

The LA TIG recognizes that the proposed Project would result in some adverse impacts to natural resources as described in Section 3.2.1.5 (Avoids Collateral Injury) of the Restoration Plan. However, these injuries occur primarily in the middle and Lower Barataria Basin, and the proposed Project would also restore natural resources that were injured by the DWH spill as described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan. The increase in wetland area under the Project is also expected to benefit communities on the West Bank, north of the diversion, by providing increased protection from storm surge (see Section 3.2.1.7).

Because the proposed Project would contribute to restoring natural resources injured by the DWH oil spill to their baseline conditions, the Project is consistent with OPA, the OPA NRDA regulations, the PDARP/PEIS, and the SRP. See Section 3 (OPA Evaluation of the

Alternatives) of the Restoration Plan for more details about the LA TIG's evaluation of the proposed Project and its alternatives.

The LA TIG has also funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 (Screening for a Reasonable Range of Alternatives) of the Restoration Plan provides a detailed discussion of the selection of the location for the LA TIG's Preferred Alternative in the Restoration Plan.

Concern ID: 62665

Commenters suggested that the proposed Project would achieve some benefits relative to the No Action Alternative, but that even if the modeling is correct (which it probably is not), the projected benefits provided by the Project would be very small compared to amount of habitat that is expected to be lost in the Barataria Basin over 50 years. If the models used for the EIS turn out to be accurate, more than 43 percent of the land in the Barataria Basin will have disappeared even with the Project in 30 years. During that time, 105,000 acres of land will be lost, with the Project sustaining only 17,300 more acres than the No Action Alternative (5 percent of the basin's current land area). Because of this background of large land loss, the proposed Project could only be considered a stop-gap measure. Further, commenters cited sources indicating ongoing debate about the effectiveness of large-scale sediment diversions as a land-building strategy and recommended those uncertainties be addressed in the Draft EIS (Blaskey, 2020; Blum and Roberts, 2009; Chamberlain et al., 2018; DeLaune et al., 2013; Suir et al., 2014; Turner et al., 2019).

Blaskey, D. 2020. Modeling of distributary channels formed by a large sediment diversion in broken marshland. Dissertation, University of New Orleans, Louisiana. 112 pages.

Blum, M.D., and H.H. Roberts. 2009. Drowning of the Mississippi Delta due to insufficient sediment supply and global sea-level rise. Nature Geoscience Letters 2:488-491.

Chamberlain, E.L., T.E. Törnqvist, Z. Shen, B. Mauz, and J. Wallinga. 2018. Anatomy of Mississippi Delta growth and its implications for coastal restoration. Science Advances 4:eaar4740.

DeLaune, R.D., M. Kongchum, J.R. White, and A. Jugsujinda. 2013. Freshwater diversions as an ecosystem management tool for maintaining soil organic matter accretion in coastal marshes. Catena 107:139-144.

Suir, G.M., W.R. Jones, A.L. Garber, and J.A. Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. U.S. Army Corps of Engineers Mississippi River Geomorphology & Potamology Program, Report No. 2. 37 pages.

Turner R.E., M. Layne, Y. Mo, and E.M. Swenson. 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. Restoration Ecology 27(6):1231-1240.

Response ID: 16624

The issues raised by the commenters were considered in the Draft EIS. For example, the proposed Project's long-term influence on land building and wetland creation has been modeled extensively through engineering and design and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS. With regard to modeling conducted to determine impacts of the proposed Project, the Delft3D Basinwide Model projections of Project impacts include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainty in model results is recognized in Table 4.2-4 found in Section 4.2.3.2.2.1 Geology, which indicates that land areas are considered accurate within +/- 200 acres and that the error in land gains is +/-300 acres.

As part of developing the EIS, the USACE, together with members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. The cited studies were reviewed and included in relevant analyses in the Draft EIS.

The LA TIG acknowledges the commenters' concerns. As described in the LA TIG's Draft Restoration Plan, the Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The LA TIG agrees

that, with or without the Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts. All citations referenced by the commenters were included in the Final EIS and thus were considered by the LA TIG in the Final Restoration Plan.

Concern ID: 62666

It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.

Response ID: 16625

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of

collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated

each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

	part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.
Concern ID: 62667	One commenter inquired about whether climate scientists had been involved in assessing the potential impacts of the proposed Project.
Response ID: 16626	Multi-disciplinary teams of scientists and professionals contributed to the preparation of the EIS and the LA TIG's Restoration Plan. See Chapter 6 List of Preparers in the Final EIS for the qualifications of the contributors to the EIS. In addition, climate modeling was incorporated into the EIS analysis. The Delft3D Basinwide Model incorporates two different Gulf of Mexico regional sea-level rise scenarios: 2.6 and 4.9 feet (0.79 and 1.5 meters) by year 2100 in addition to local subsidence rates. For additional information on Delft3D Basinwide Modeling, refer to Appendix E Delft3D Modeling of the EIS.
Concern ID: 62668	The Project fails to meet the five objectives that Trustees articulated in the PDARP/PEIS. By diverting Mississippi River water into the coastal zone, the proposed Project would damage water quality and destroy habitat essential to living coastal and marine resources.
Response ID: 16627	USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH oil spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views. The ability of the Project to meet LA TIG objectives was considered in the LA TIG's Draft Restoration Plan. In preparing the LA TIG's Restoration Plan, the LA TIG developed the goals and objectives for the proposed Project through an iterative restoration planning process, beginning with the restoration goals in the Final PDARP/PEIS, then developing SRP/EA #3 for the restoration of habitat and services in the Barataria Basin, and ending with Project-specific goals. The LA TIG notes that while the commenter asserts that the proposed Project would fail to meet the goals of the PDARP/PEIS, the PDARP/PEIS in fact included a large-scale sediment diversion as a key restoration technique (see Section 5.5.2.2 [Strategy to Achieve Goals] of the PDARP/PEIS). The proposed MBSD Project has been developed to address the specific goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type. More specifically, the proposed Project has been

designed to (1) restore a variety of interspersed and ecologically connected coastal habitats, (2) restore for injuries to habitats in geographic areas where the injuries occurred, while considering approaches that provide resilience and sustainability, and (3) restore habitats and their ecological functions in appropriate combinations.

In developing restoration alternatives, the LA TIG evaluated the proposed Project according to the OPA evaluation criteria, including the extent to which alternatives would prevent future injury as a result of the oil spill and avoid collateral injury, which could include a threat of compromised water quality from the introduction of Mississippi River water into the receiving Barataria Basin (see Section 3.2 [OPA Evaluation of the Alternatives] in the Restoration Plan). That OPA evaluation, as well as related evaluation of impacts to surface water quality evaluated in the EIS, finds that species with a wide range of salinity tolerance (for example, flounder) are not likely to be affected by the water quality changes resulting from operations of the diversion, but could experience minor collateral injuries due to temporary shifts in prey composition and distribution or suboptimal salinity affecting early life stages (see Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan and Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS). Indirect impacts on bottlenose dolphins in the Barataria Basin could occur as water quality (for example, HABs, contaminants) habitat and food web dynamics shift over time. Overall, the operation of the diversion would be expected to have permanent minor to moderate changes in salinity, water temperatures, seasonal trends in total nitrogen and total phosphorus, dissolved oxygen trends, sulfate concentrations, and fecal coliform concentrations in the Barataria Basin (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan and Chapter 4, Section 4.5 Surface Water and Sediment Quality, Table 4.5-4 of the EIS).

Collateral injury and impacts to essential fish habitat are also included as part of the OPA and NEPA evaluation. The proposed Project would be expected to increase the overall coverage and biomass of SAV in the basin once salinity regimes stabilize and new freshwater or intermediate communities become established (see Section 3.2.1.6 [Benefits Multiple Resources – Alternative 1] of the Restoration Plan and Chapter 4, Section 4.10.4.1 in Aquatic Resources of the EIS). SAV is managed as essential fish habitat in the Barataria Basin, providing structured habitat that is of greater value for fish and crustaceans than unstructured habitats, such as soft bottoms (see Section 4.10.4.4 of the EIS). From the proposed Project, the Barataria Basin is projected to retain a diversity of marsh habitat types by 2050, with a projected acreage of approximately 207,000 acres of freshwater/intermediate marsh, 16,600 acres of brackish marsh, and 10,400 acres of saline marsh (see Section 3.2.1.6 [Benefits Multiple Resources] of the

Restoration Plan and Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-3 in the EIS). These wetlands provide ecosystem services, including essential fish habitat for fish and crustaceans and other aquatic species as described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan.

By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem. The proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Concern ID: 62669

While the proposed Project would harm the aquatic wildlife (for example, shellfish, finfish and dolphins) that currently reside in the Mid-Barataria Basin, that wildlife only resides in the area due to human interventions that cut the basin off from the Mississippi River. The EIS and Restoration Plan should place the impacts in historical context and thereby demonstrate that the Project is truly restorative because it is returning the basin to the conditions that were typical prior to the extensive flood control efforts of the 20th century.

Response ID: 16628

The historic conditions of the Barataria Basin, and how this relates to potentially impacted resources, was considered in the Draft EIS. For example, Chapter 3 (Affected Environment) of the EIS describes existing conditions within the Project area and Section 3.1.4 (Overview and History of the Project Area) in the Introduction provides an overview and history of the Project area. See for example, Figure 3.2-1, Land Area Change in Project Area (1932 to 2016); Section 3.6.2 Wetland Loss; Section 3.6.2.2. Causes of Wetland Loss; Figure 3.6-2 Marsh Type Change in the Project Area, 1968 through 2013. These existing conditions were factored into the impact analysis in Chapter 4 (Environmental Consequences) of the EIS.

Shellfish and finfish historically resided in the Barataria Basin prior the 1930s. Due to land loss over the 20th century, as noted in Section 3.6.2 Wetland Loss of the EIS and Section 3.10.1 Historical Context of the Final EIS, Barataria Bay and surrounding waterbodies have expanded as marsh has given way to open water and more saline conditions have shifted slightly north, creating more suitable habitat for oysters and other species benefiting from brackish or saline waters, such as dolphins, in the mid to lower basin.

The proposed Project is not anticipated to restore the basin to its historic conditions. As noted in Section 3.4.1.2 (Barataria Basin), land loss in the Barataria Basin from 1932 to 2016 resulted in a net loss of 276,036 acres, accounting for 29.1 percent of the land area in the basin (Couvillion et al. 2017). The proposed Project is anticipated to create and/or maintain 12,700 acres of wetlands in the basin by the year 2070 when compared with the No Action Alternative.

The historical context of the Project has also been considered in the LA TIG's Draft Restoration Plan. More specifically, Section 3.2.1.5.3 (Resources with a High Level of Expected Collateral Injury from Alternative 1) of the Restoration Plan notes that the area that would be affected by the proposed Project has been severed from its historical hydrological connection to the Mississippi River, resulting in higher salinity in an area that historically experienced regular freshwater and sediment inputs. The intended restoration of this area would result in collateral injury to species that depend on the current higher-salinity conditions in the basin.

Concern ID: 62671

The Project benefits may last only a few decades.

Response ID: 16629

The potential duration of Project benefits was considered in the Draft EIS. For example, the Project's long-term influence on land building and wetland creation are modeled extensively and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS.

The potential duration of Project benefits has also been considered in the LA TIG's Draft Restoration Plan. For example, as described in 2.3 (Screening for a Reasonable Range of Alternatives) of the Restoration Plan, the LA TIG determined that a sediment diversion is the best way to achieve a self-sustaining marsh ecosystem in the Barataria Basin. Compared to other restoration methods (for example, marsh creation through the placement of dredged material), sediment diversions offer the greatest long-term sustainability. The Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts.

Concern ID: 63770

A large-scale river diversion is not needed to restore damages from the Deepwater Horizon oil spill and is unrelated to the spill.

Response ID: 16630

Chapter 2, Section 2.2.1 Define Project Objectives of the EIS describes the goals and objectives of the Project, which are based on the Project's purpose and need. As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose and need for this Project was developed taking into consideration the Applicant's stated purpose and need, the public's and other perspectives, input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and

Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC). Chapter 3 (Affected Environment) of the EIS describes existing conditions within the Project area and Section 3.1 (Introduction) provides an overview and history of the Project area, including the DWH oil spill. These existing conditions are factored into the impact analysis in Chapter 4 (Environmental Consequences) of the EIS.

The appropriate means to restore the injuries caused by the DWH oil spill was considered by the LA TIG. As discussed in the PDARP/PEIS, the SRP/EA #3, and the LA TIG's Restoration Plan, the LA TIG agencies found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the coastal wetland losses (caused by multiple factors including river levees that prevent deposition of sediments through regular flood events, subsidence and a changing climate). In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. In identifying the nexus to injury, the Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the services they provide within the Barataria Basin, and the need for restoration to restore for the injuries incurred.

Evaluating restoration strategies that could restore injuries in the Barataria Basin, the SRP/EA #3 found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018, page 3-32) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed MBSD Project evaluated in this Restoration Plan, and finds that it would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

EC30000 – Eval Standard – Likelihood of Success

Concern ID: 62639

The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).

Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.

Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.

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Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip,

Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005>).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental

Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

Concern ID: 62660

Commenters stated that the proposed Project will not provide the benefits described in the Draft Restoration Plan and EIS. The proposed Project will not stop the problems of sea-level rise and marsh erosion.

Response ID: 16633

How sea-level rise and marsh erosion would affect the proposed diversion's land-building capability has been considered in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils. In addition, sea-level rise and subsidence are explicitly accounted for in the Delft3D Basinwide Model projection of Project impacts, as described in Sections 3.2.4 and 3.2.3, respectively, of EIS Appendix E Delft3D Modeling.

The potential benefits of the Project and how those benefits relate to sea-level rise and marsh erosion have also been considered in the LA TIG's Draft Restoration Plan. The LA TIG agrees that the Project would not stop sea-level rise, subsidence or other erosive forces that result in marsh erosion. However, the Project is designed to counteract these forces by transporting sediment from the Mississippi River to create thousands of acres of marsh that would be sustained over decades, even in the face of erosion and rising sea levels (see Section 3.2.1.6 [Benefits Multiple Resources] in the Restoration Plan).

Concern ID: 62661

The Mississippi River is currently not capable of building land as it used to, in part because it does not carry as much sediment as it used to, and thus the proposed Project will fail. If it were capable of building land, there would be a large land mass at its current outlet.

Response ID: 16634

The capability of the Mississippi River to support land building has been considered in the Draft EIS. For example, Chapter 3, Section 3.4.2.5 Sediment Transport discusses the available sediment in the Mississippi River, noting that studies had shown downward trends in sediment supply in the river through the 1990s, but that since then the volume of sediment (coarse and fine) in the water column has remained fairly constant. The river still carries a massive sediment load, but not as massive as before. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in the EIS in Chapter 3, Section 3.4.2.5 Sediment Transport. The EIS takes this diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin via the proposed diversion. This is described in detail in Section 5.2.2 (River Discharge and Sediment Rating Curve) of Appendix E (Delft3D Modeling) to the EIS.

The LA TIG acknowledges the comment and understands the commenters' concern, and this was considered in the LA TIG's Draft Restoration Plan. The Mississippi River does carry a large plume of sediment into the Gulf of Mexico each year. A large delta exists at the mouth of the river, often requiring dredging to maintain navigation. Crevasses have been used to supplement land building in the birdfoot delta, confirming the ability of the river to build and maintain land. The size of the delta is limited by a number of factors, including the depth of the water at the mouth of the Mississippi River and the constant erosive forces affecting the Gulf of Mexico. By comparison, the Project is proposed to be constructed at RM 60.7 of the Mississippi River because this location is capable of capturing and retaining the sediments transported into the Barataria Basin by the Project (see EIS Chapter 2, Section 2.4.1.3 Application of Additional considerations to Potential Alternative Locations in Upper, Middle, or Lower Barataria Basin). As noted above, these issues and analyses are included in the EIS, and are also considered by the LA TIG in its identification of its Preferred Alternative in the Restoration Plan.

Concern ID: 62662

The proposed Project is likely to succeed because other diversions have also built land and restored ecosystems. Specific examples of land-building projects include the Caernarvon Freshwater Diversion, Davis Pond, West Bay, Fort St. Phillip, the Jaws, Wax Lake, and Mardi Gras Pass. Many of the benefits of the Project, in terms of soil creation and microbial processes, are not captured in the engineering of the modeling. Many of the fine sediments transported by the diversion cannot be dredged but are critical soil components.

Response ID: 16635

The benefits to land building of fine sediments transported by the diversion were addressed in the Draft EIS in Chapter 4, Section 4.2.3.2

Operational Impacts in 4.2.3 Geology, Topography, and Geomorphology. The Delft3D modeling conducted for the EIS distinguishes the types of sediment (sands and fine sediments) that would be deposited in the basin. Table 5.2-1 in EIS Appendix E Delft3D Modeling lists the sediment classes included in the model. As described in EIS Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics, sand and fine sediments would contribute to land building in the basin in two ways - by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment could form marsh or land. The model's physics-based computations showed that the coarser sands would settle out before the finer sediment. As the sediment builds up, discharge velocities would increase over the previously deposited sediment and resuspend it, pushing it farther into the basin. Thus, the model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed without moving it by dredging and placement. In addition, Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS discusses the geomorphic impacts of diversion operations, including the Wax Lake Outlet, the Caernarvon Freshwater Diversion, the Davis Pond Freshwater Diversion, the Bohemia Spillway, and Bonnet Carré Spillway, and Mardi Gras Pass.

The likelihood of the Project's success and its potential benefits were considered in the LA TIG's Draft Restoration Plan. As part of evaluating the Project and alternatives, the LA TIG considered the likelihood that the Project would succeed and achieve the LA TIG's goals. Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the LA TIG's Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, these sections note that the knowledge gained through the projects noted by the commenters has been applied in designing the Project and evaluating whether and how the Project would restore and sustain critical marshlands. A full description of the range of benefits that would be provided by the Project is also included in Section 3.2.1.6 Benefits Multiple Resources of the Restoration Plan.

Concern ID: 62659

The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.

Response ID: 16632

The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice,

model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

EC40000 - Eval Standard – Benefits More Than One Resource

Concern ID: 62637

The proposed Project will benefit habitat, fish and wildlife, levee protection, flood control and navigation. These benefits will help protect coastal resources and communities in Louisiana.

Response ID: 16647

The potential benefits of the Project were considered in the Draft EIS. As described in Chapter 4 (Environmental Consequences), the proposed Project would result in both beneficial and adverse effects on habitat, fish and wildlife, levee protection, flood control, and navigation, depending on the specific characteristics of the species or location involved (for example, a species' life history or salinity preferences, or a levee's height).

The potential benefits of the Project were also considered in the LA TIG's Draft Restoration Plan. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, the proposed Project is expected to benefit multiple resources in the Barataria Basin and the northern Gulf of Mexico, including nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, and terrestrial wildlife. The LA TIG also anticipates that the Project would provide public health and safety benefits to the populated areas north of the diversion through increased wetland acreage that would decrease storm surge and wave height.

Concern ID: 62638

The Restoration Plan should be clear that, as stated in the Progress Report on Coordination for Non-point Source Measures in Hypoxia Task Force states, the leading causes of increased amounts of nutrients delivered to the Gulf are upstream sources of nitrogen and phosphorus (that is, agriculture, atmospheric deposition, urban runoff, and point sources like wastewater treatment plants).

Response ID: 16649

Chapter 3, Section 3.10.5.1.4 Nutrient Loading of the Final EIS has been revised to reference the Hypoxia Task Force report and further identify the types of anthropogenic sources that have resulted in increased nutrient loading in the Gulf.

The LA TIG acknowledges the comment about the leading causes of increased amounts of nutrients being delivered to the Gulf and has revised Section 3.2.1.6.5 (Alternative 1 - Benefits to Offshore Ecosystems) of the LA TIG's Final Restoration Plan accordingly.

EC60000 – Eval Standard – Avoids Collateral Injury

Concern ID: 62634

The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.

Response ID: 16650

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the “assessment of natural resource damages.” See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter “NRDA regulations” at 15 CFR Part 990) also

include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG's Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more

closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

Concern ID: 62635

The proposed Project would cause harm to some species and fisheries, and would increase flooding in some communities, and the EIS does not show that the proposed Project's benefits outweigh these harms. Other less harmful alternatives to the proposed Project should be considered to minimize impacts.

Response ID: 16651

The range of alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. USACE generally focused on the Applicant's purpose and need and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project purpose and need.

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. Based on a review of the various alternatives against these criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such a cost-benefit analysis is relevant to the agency's permit decision. USACE generally assumes that a permit applicant has made its own economic evaluation regarding the costs of a proposed project and therefore a cost-benefit analysis is not relevant to its decision. However, as part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG is the group responsible for restoring natural resources and services within Louisiana that were injured by the DWH oil spill. In the LA TIG's Restoration Plan, the LA TIG also evaluates a range of alternatives and identifies its Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs) as providing the right balance in terms of likely benefits the Project would achieve and risks related to collateral injury for its NRDA decision. Title 15 CFR §990.54 of the NRDA regulations outlines the criteria that are used to evaluate a reasonable range of alternatives and select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The

potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluates a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Avoids Collateral Injury – Alternative 1), and 3.2.2.5 (Avoids Collateral Injury – Alternatives 2-6) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems, and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as its Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project is expected to enhance the ecological productivity of the estuary and

improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

Concern ID: 63752

Commenters questioned the slow pace of LA TIG restoration planning for marine mammals and noted several restoration actions that have already been submitted to the NRDA restoration project idea portal. They suggested that the LA TIG identify priorities for marine mammal restoration in Louisiana and prepare a Restoration Plan to implement those priorities without delay.

Response ID: 16652

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH oil spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views. The LA TIG acknowledges the comments and notes that because the discussion of specific marine mammal restoration project ideas is beyond the scope of this particular restoration planning effort, no related edits have been made to the LA TIG's Restoration Plan.

The LA TIG recognizes the importance of expediency in restoration of all resources injured by the DWH oil spill, including marine mammals. In the 2016 NRDA settlement with BP, \$50M was allocated to the restoration of Marine Mammals in the Louisiana Restoration Area. Settlement payments from BP began in 2017 and will occur every year for 15 years. Therefore, considerations must be made regarding the priority for expenditures of restoration dollars. There are additional implementation considerations that help to set the pace for restoration for all resources across the Gulf. Since the settlement, the LA TIG has approved two projects from the Marine Mammal allocation: the Assessment of Marine Mammal Physiological Responses to Low

Salinity Exposure and the Louisiana Enhanced Marine Mammal Stranding Network. The LA TIG has also funded the Louisiana Marine Mammal Abundance, Distribution, and Density project from the Monitoring and Adaptive Management allocation.

It is imperative that the LA TIG maximize the effectiveness of restoration efforts for all resources, including marine mammals. Thoughtful, intentional restoration planning is the first step in that process. Considerable data needs exist in regard to the identification and prioritization of marine mammal stressors in Louisiana. In the LA TIG Monitoring and Adaptive Management Strategy (LA TIG 2021), the LA TIG identified fundamental objectives for marine mammals in Louisiana and data needs to support the development of SMART (smart, measurable, achievable, realistic, and time-bound) objectives. These objectives will guide the expenditure of monitoring and adaptive management funding to support better understanding of marine mammal needs in Louisiana and, in turn, support the prioritization of restoration actions for that resource.

The LA TIG will consider the Project suggestions submitted to the DWH project portal when planning for future restoration efforts. The LA TIG appreciates the submission of thoughtful ideas based on the experience and knowledge of our partners and citizens.

Concern ID: 63810

Commenters raised concerns about the consequences if the Project fails and who will pay to compensate those harmed by a failed project, including the tourism and seafood industries.

Response ID: 16653

Each of the Alternatives analyzed in the EIS, except for the No Action Alternative, are expected to meet the purpose and need of the Project, and uncertainties in the quantum of impacts of the Project, both beneficial and adverse, are incorporated into the analyses included in Chapter 4, Environmental Consequences of the EIS. More specifically, salinity impacts of the Project are assessed using the Delft3D Basinwide Model, and this model's projections of future conditions include uncertainties. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties. Uncertainties related to the Marine Mammals impact analysis are summarized in detail in Chapter 4, Section 4.11.3.1 Marine Mammals, General Caveats to Impact Analysis Approach.

The LA TIG expects the proposed Project to succeed for several reasons, which are discussed in Chapter 3, Section 3.2.1.4 (Likelihood of Success – Alternative 1) of the Restoration Plan.

With regard to fisheries impacts, the LA TIG notes that major, adverse impacts to shrimp and oyster fisheries are anticipated with or without

the proposed Project. While the timing of those impacts may be somewhat accelerated with the proposed Project, major adverse impacts to shrimpers and oyster harvesters are likely regardless of whether the Project is constructed.

CPRA, as a member of the LA TIG, has chosen to focus its mitigation strategies and expenditures on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses. The LA TIG believes that the provisions of its fishery mitigation plan, valued at approximately \$54 million, along with other restoration actions being funded by the LA TIG, as well as other programs funded by the State through LDWF, would help to achieve that goal and address the impacts of the proposed Project.

CPRA's fishery mitigation plan can be found in the Mitigation and Stewardship Plan included as Appendix R1 to the EIS. Although not being implemented to mitigate the effects of the MBSD, examples of separately funded restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery, and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries.

Expected Project impacts on recreation and tourism are summarized in Table 4.16-5 (Summary of Potential Impacts on Recreation and Tourism from Each Alternative) of the EIS. The Mitigation and Stewardship Plan (Appendix R1 to the EIS) includes funding to increase access to recreational fishing sites.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated

Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

EC60100 – Geology/Soils

Concern ID: 61720

The commenter requested that the EIS be revised to properly re-frame impact determinations within the context of the Delta Cycle. While a normally functioning delta includes one or more active delta lobes, it also includes several other older, abandoned, degrading delta lobes. These latter delta lobes have higher-salinity water, low sediment loads, and flora and fauna that are characteristic of higher-salinity waters, including estuarine aquatic species of very high commercial and recreational value. The proposed diversion's impact on these high-value species should not be considered adverse. Such conclusions are fundamentally erroneous because functional deltas require some active deltas, and some abandoned, degrading ones, at all times. One commenter explained that this idea has been best communicated by van Beek and Gagliano (1984) and Roberts (1997).

Van Beek, J.L., and S.M. Gagliano. 1984. Renewal and Use of the Mississippi River Deltaic Plain. Water Science & Technology. 16 (3-4), 699-705.

Roberts, H. 1997. Dynamic Changes of the Holocene Mississippi River Delta Plain: The Delta cycle. Journal of Coastal Research, 13 (3), 605-627.

Response ID: 16169

The commenter's suggestion to include a contextual description of the delta cycle was considered in the Draft EIS. Further, the commenter's concerns regarding the criteria used to evaluate the beneficial or adverse nature of impacts is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, have been added to the Final EIS in Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context in Geology and Soils, and the literature mentioned in public comments has also been incorporated into this section. Additional discussion related to the Project's impacts on geomorphology and historic deltaic landforms has been added to the Final EIS in Chapter 4, Section 4.2.3.2.2.3 Geomorphology. It is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary in the Final EIS has been revised to include this clarification.

The EIS includes extensive resource-specific explanations of why impacts are considered either beneficial or adverse in Chapter 4, Section 4.2 Geology and Soils. Section 4.2.2 Guidelines for Geology and Soils Impact Determinations specifically explains resource-specific definitions for minor, moderate, and major impacts. To further address concerns related to the classification of impacts, the USACE has added text to the Final EIS in the Executive Summary, Section ES.4.1 Geology and Soils to provide a more thorough overview of both adverse and beneficial impacts. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the Project against its prospective benefits.

In making its NRDA decision for the proposed Project, the LA TIG would evaluate Project alternatives considering the OPA evaluation criteria in 15 CFR §990.54; public input; and proposed Project mitigation, stewardship, and monitoring and adaptive management measures.

Concern ID: 61768

The commenter stated that the Geology and Soils section of the Executive Summary is not detailed enough. For example, clarify

what the 6 to 8 million cubic yards of dredging during construction is for and why it is described as a permanent, moderate, adverse impact; explain whether this dredging would impact artificial levees or the natural environment; and explain whether the dredged material placed in beneficial use sites would create as well as retain existing marsh. What this should also say is that the diversion is expected to actually decrease the rate of loss of existing marsh, in addition to creating new marsh.

Response ID: 16170

The commenter's concerns regarding dredging that would be undertaken for the proposed Project and the clarity of description of the proposed MBSD Project's impacts on land loss rates were considered in the Draft EIS. To help address the concerns related to dredging, additional details about the proposed Project's impacts on geology and soils during construction have been added to the Executive Summary, Section ES.4.1 Geology and Soils of the Final EIS. Chapter 4, Section 4.2.3.1 in Geology and Soils also includes details about why dredging during construction is required and an explanation of the intensity and adverse or beneficial nature of these impacts.

To address concerns related to descriptions of land-change impacts of the proposed Project, a discussion to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations has also been added. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 61770

The commenter requested that the Geology and Soils section of the Executive Summary clarify what restoration projects the following sentence alludes to and whether those birdfoot delta restoration projects have been successful in the past: "These [landloss] impacts in the birdfoot delta may be partially abated by improving the capture of sediment that is lost to the Gulf through other targeted restoration projects."

Response ID: 16171

The issue raised by the commenter regarding the impact of other planned restoration projects that may abate projected land loss in the birdfoot delta due to diversion operations was addressed in the Draft EIS. Examples of reasonably foreseeable restoration projects aimed to retain sediment in the birdfoot delta are provided in Chapter 4, Section 4.25.2 (Geology and Soils section of Cumulative Impacts). The name of one of these restoration projects—the NRDA/CPRA-sponsored project Pass a Loutre Wildlife Management Area Crevasse Access Project approved in the LA TIG Final Restoration Plan and Environmental Assessment #4—has been added to the Geology and Soils section ES.4.1 of the Executive Summary and to Chapter 4, Section 4.2.3.2.1 in Geology and Soils, Operational Impacts in the Final

EIS. The successes of completed birdfoot delta crevasse restoration projects, such as the CWPPRA Delta Wide Crevasse Program, can be found on the CWPPRA website (<https://lacoast.gov/new/Default.aspx>).

Concern ID: 61771

The commenter expressed concern that the Geology and Soils section of the Executive Summary overstates the negative impact of the proposed diversion on wetlands in the Mississippi River birdfoot delta. Chapter 2 seems to suggest that between 6 and 10 percent of the flow in the river would be diverted from the birdfoot delta during operations. The commenter requested a more detailed explanation of how a diversion of between 6 and 10 percent of the flow of the river would decrease wetlands in the birdfoot delta by 45 percent. The commenter requested that this be explained in more detail.

Response ID: 16172

The commenter's concern regarding the percentage of Project-induced land loss in the birdfoot delta relative to the No Action Alternative was considered in the Draft EIS. To help clarify, a discussion to further explain currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations has been added to the Final EIS in the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology.

As pointed out by the commenter, the Applicant's Preferred Alternative would divert about 6 percent of the flow and about 6 percent of the sediment load of the river (as analyzed by the Water Institute of the Gulf). As shown in the EIS, Chapter 4, Section 4.2.3.2.2.1 Geology, Table 4.2-4, the Applicant's Preferred Alternative would result in increased land loss in the birdfoot delta by about 3 to 6 percent during the first 4 decades of diversion operations and by 45 percent after 50 years of diversion operations.

Concern ID: 61772

The commenter pointed out that Figure 4.2-6 in Chapter 4, Section 4.2 Geology and Soils indicates that by 2070, total acres created by the Project in the basin would be about 10,000 acres. The commenter expressed concern that this contradicts the amount of land created by the Project as stated in the December 18, 2019 presentation by CPRA to the Myrtle Grove Homeowners Association.

Response ID: 16173

The total acres projected to be created by the proposed Project were considered in the Draft EIS. The EIS contains projections derived from the most recent modeling efforts available by the Water Institute of the Gulf, and these projections may differ from those of earlier modeling efforts. A detailed overview of the modeling conducted to project land creation and land-loss impacts of the proposed MBSD Project is provided in Appendix E Delft3D Modeling of the EIS. To help further address these concerns, a discussion to clarify currently ongoing and

future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 61774

The commenter referred to the recommendations made in McLindon et al. (2017), which stated that data collection is necessary to evaluate the potential for fault slip in the vicinity of the proposed MBSD Project. The commenter stated that in the absence of collecting data necessary to fully develop a probabilistic model for future fault slip events, the values provided in McLindon et al. (2017) can be used to make some framework estimates.

Response ID: 16175

The commenters' concerns regarding the potential for fault slip of the Ironton fault in the vicinity of the proposed Project were considered in the Draft EIS. Further, the commenters' suggestions for acquisition and analysis of additional seismic, sediment core profile, and subsidence data in service of the development of predictive subsurface geological models as discussed in McLindon et al. (2017) is acknowledged. To address these concerns, additional language has been added to the Final EIS to make clear the potential, but unquantified, probability for slip events along the Ironton fault during operations of the proposed Project based upon the framework estimates in the McLindon et al. (2017) provided by the commenters. This additional discussion and a citation for McLindon et al. (2017) has been added to the Geology and Soils section of Chapter 4, Section 4.2.3.2.2.4 Faulting of the Final EIS.

McLindon, C.D., Dawers, N.A., Culpepper, D., Kulp, M.A., and McDade, E. 2017. Comments to the U.S. Army Corps of Engineers, New Orleans District in reference to the Environmental Impact Statement for the Mid-Barataria Sediment Diversion. 11 pg.

Concern ID: 61776

The commenter expressed concern that over recent decades, Louisiana has averaged losing a football field of land every 100 minutes. The proposed Project would take 8 years to construct and 20 years to build 17,400 acres of land. Meanwhile, the state would have lost 147,168 football fields (about 195,000 acres) of coastline waiting on this proposed Project.

Response ID: 16176

The commenter's concerns regarding the pace of land loss occurring in the region and the acres projected to be created by the proposed Project over the 50-year analysis period were considered in the Draft EIS. To provide further insight into these tradeoffs, a discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS. Additionally, as stated

in Chapter 2, Section 2.8.1.3 Project Construction Activities, the proposed Project is expected to require 5 years to construct.

Concern ID: 61780

The commenter expressed concern that the proposed Project would cause detrimental land loss in the birdfoot delta that would cause the birdfoot delta and lower Plaquemines Parish to disappear. All that would be left would be upper Plaquemines Parish, which would be so small that decision makers would merge the parish with Orleans Parish.

Response ID: 16177

The commenter's concerns regarding projected land change in the birdfoot delta and the Barataria Basin (both located in lower Plaquemines Parish) due to diversion operations were considered in the Draft EIS. As explained in Chapter 4, Section 4.2.3.2 Geology and Soils, Operational Impacts, the Project would increase the amount of land in the Barataria Basin, but land in the birdfoot delta would decrease. Under the No Action Alternative, land area in the birdfoot delta would be reduced from 62,800 acres in 2020 to 6,640 acres in 2070 due to sea-level rise and subsidence (see the Final EIS, Chapter 4, Section 4.2.3.2.1 No Action Alternative, Table 4.2-3 Model-projected Total Land Area under the No Action Alternative). By diverting sediment and water upriver, the proposed Project would result in an increased rate of loss in the birdfoot delta, as illustrated in Figure 4.2-7 (Model-projected Change in Land Area). The Project specifically is projected to result in a loss of 3,000 acres in the birdfoot delta by 2070 as compared to the No Action Alternative. Examples of reasonably foreseeable restoration projects aimed to retain sediment in the birdfoot delta are provided in Chapter 4, Section 4.25.2 (Geology and Soils section of Cumulative Impacts). To address concerns related to descriptions of land-change impacts of the proposed Project, a discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

In the Draft Restoration Plan, the LA TIG recognized the potential collateral injuries associated with the Project, including potential land loss in the birdfoot delta. In selecting the preferred alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in the OPA evaluation criteria in 15 CFR §990.54. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA

decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process. See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the LA TIG's Final Restoration Plan for more information about the LA TIG's selection of the Preferred Alternative.

Other restoration efforts in the Barataria Basin that are not part of the proposed MBSD Project may benefit land creation in the Barataria Basin. These are discussed in the EIS, Chapter 4, Section 4.25 Cumulative Impacts.

Concern ID: 62150

The land-building results of the Project presented in Chapter 4, Section 4.2 Geology and Soils should include consideration of potential reductions in land building due to hurricanes, which can have a significant impact on any build-up of land.

Response ID: 16178

The commenter's concerns related to the effects of hurricanes and tropical storms on projected future land loss were considered in the Draft EIS; therefore, no related updates have been made to the Final EIS. The EIS includes extensive ADCIRC/SWAN modeling of storm surge and wave height elevation simulations based on historical hurricanes and tropical storms over the Project area for the 50-year analysis period. The details of these modeling efforts and the assumptions involved are provided in Chapter 4, Section 4.20 Public Health and Safety, including Flood and Storm Hazard Risk Reduction and in Appendix P (Flood and Storm Hazards Evaluation). Additional analysis regarding the potential impact of hurricanes on the extent of wetlands in the proposed Project area during operations is included in Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS.

Concern ID: 62152

The commenter questioned whether the basin would lose more land than what the proposed MBSD Project diversion would create on a day-to-day basis.

Response ID: 16179

The commenter's concern regarding the rates of land loss and land projected to be built during diversion operations was considered in the Draft EIS. To further clarify, further discussion has been added of currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 62157

Since the 1930s, the Barataria Basin has lost more than 276,000 acres of land; if nothing is done, that number will nearly double in just 50 years.

Response ID: 16180

The commenter's concerns regarding the rates of land loss in the region were considered in the Draft EIS in Chapter 3, Section 3.1.4

Overview and History of the Project Area and in Section 3.2.1 Geology, Topography, and Geomorphology. To clarify, a discussion has been added to further explain currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 62159

The land-building capabilities of this Project are highly exaggerated, and the EIS supports previous findings that the Project may actually accelerate land loss, increasing flood risks. The depletion of historic sediment loads of the Mississippi River is well documented. Given the projected 2000 to 3000-acre land loss in the birdfoot delta cited in the EIS, the projected land-building capabilities of the proposed Project is obviously exaggerated.

Response ID: 16181

The Draft EIS has considered the commenter's concerns regarding the rates of land loss and land projected to be built during diversion operations. To help address these concerns, a discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Although the Mississippi River is carrying much less sediment than it did in the past, it still carries a massive sediment load. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. The Draft EIS Appendix E Delft3D Modeling Section 5.2.2 took this diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin.

Concern ID: 62161

The commenter asked what is meant by “sustain 20 percent of the land” and further questioned whether this means the diversion would retain 20 percent of the land that exists now in 2021 or 20 percent of the projected future amount of land in the basin.

Response ID: 16182

The commenter's question regarding the meaning of the word “sustain” in describing the land building projected to take place during operation of the diversion has been considered. To help clarify, a discussion has been added to further explain currently ongoing and future projected land loss and the amount of land that would be created, sustained, or

lost due to Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

In the LA TIG's Restoration Plan in Section 3.2.1.1 OPA Evaluation of the Alternatives - Alternative 1 Description, the LA TIG highlights that by 2070 (the end of the analysis period), the Project is projected to be responsible for creating or maintaining approximately 20 percent of the land that remains in the Barataria Basin at that time. To be clear, this represents the amount of land that would be created or maintained by the Project in 2070 divided by the total amount of land that would remain in the Barataria Basin without the Project in 2070.

Concern ID: 62162

The commenter stated that every day Louisiana loses an estimated 725 acres of wetlands, and the commenter is concerned about how this number, within the same time frame, compares to the amount of land proposed to be built by the Mid-Barataria Sediment Diversion Project. The commenter asked what the projected amount of land loss is estimated to be before balance is achieved once the Mid-Barataria Diversion operations begin.

Response ID: 16183

The commenter's questions regarding the rates of land loss and land projected to be built during diversion operation were considered in the Draft EIS. The rate of land loss in Louisiana is discussed in the Draft EIS Chapter 3, Section 3.1.4. To clarify, a discussion has been added to further explain currently ongoing and future projected land loss without the proposed Project and the amount of land that would be created, sustained, or lost due to proposed Project diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 62163

The commenter noted that in addition to Project impacts on wetland creation, the Project would also capture fine-grained sediments and that would maintain existing wetlands, but that discussion lacks clarity. The EIS should more clearly explain that the Project would distribute silts and clays that would provide support for wetlands perhaps as distant as Bayou Lafourche.

Response ID: 16167

The impacts raised by the commenter were considered in the Draft EIS. As described in Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS, sand and coarser-grained sediments would be deposited in the outfall area within 0.5-mile of the diversion, while finer-grained sediment would be deposited farther gulfward in the basin. Land gains associated with the Project would primarily occur within 5.0 to 10.0 miles from the mouth of the diversion structure (see Chapter 4, Figures 4.2-2 through 4.2-4). To clarify, Chapter 4, Sections 4.2.3 Geology, Topography, and Geomorphology and 4.6.5.1 in Wetland Resources and Waters of the U.S. have been revised in the Final EIS

to further address the importance of fine-grained sediments for marsh building and sustenance.

Concern ID: 62172

The commenter questioned what pipelines would traverse the sediment diversion between the back levee tie-ins and Bayou Dupont, which is located in the Barataria Basin, and what companies own these pipelines.

Response ID: 16406

The commenter's concern regarding existing pipelines that would be impacted by the diversion were considered in the Draft EIS. The EIS describes pipelines currently known to be present in the Project area based on publicly available pipeline data sources in Chapter 3, Section 3.2.3 Mineral Resources, including ownership of those pipelines. The EIS describes potential impacts to existing pipelines in Chapter 4, Section 4.2.3 Mineral Resources.

Concern ID: 64682

The Delft3D Basinwide Modeling conducted to assess impacts of the proposed Project in the Draft EIS includes incomplete physical components, including a lack of consideration of geological faults, which McLindon et al. (2017) described as incompletely assessed.

Response ID: 16410

The impacts raised by the commenter were considered in the Draft EIS. To clarify, additional language has been added to the Final EIS to make clear the potential, but unquantified, probability for slip events along the Ironton fault during operations of the proposed Project based upon the framework estimates in the McLindon et al. (2017) provided by the commenters. This additional discussion and a citation for McLindon et al. (2017) has been added to Chapter 4, Section 4.2.3.2.2.4 Faulting of the Final EIS.

The USACE agrees that the Delft3D Basinwide Model results include uncertainties. As discussed in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties), those uncertainties were examined through sensitivity tests and by comparing the No Action Alternative to the Action Alternatives. The results of this comparison are provided in the EIS conclusions throughout Chapter 4 (Environmental Consequences).

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the proposed MBSD Project EIS impacts analysis of the alternatives.

Concern ID: 62173

This Project touts its ability to build a new river delta where one has never existed. That is not coastal "restoration."

Response ID: 16407	The issues raised by the commenter were considered in the Draft EIS. As shown in Figure 3.2-1 in Chapter 3, Section 3.2 Geology and Soils, much of the Barataria Basin was wetland and terrestrial habitat in the past. Historically, Mississippi River overbank flooding deposited sediment, fresh water, and nutrients into the Barataria Basin during annual flooding cycles, nourishing and sustaining wetland habitats. The EIS Chapter 1, Section 1.2.1 History of the Barataria Basin describes this historic process. To clarify this, discussions of the delta cycle in the Project area have been added to the Final EIS in Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context. Additional discussion related to the Project's impacts on geomorphology and historic deltaic landforms has been added to Chapter 4, Section 4.2.3.2.2.3 Geomorphology of the Final EIS.
Concern ID: 61719	It would take 20 years for the Project to create land.
Response ID: 16168	The commenter's concern regarding the timeline required for land building was considered in the Draft EIS in Chapter 4, Section 4.2 Geology and Soils. A discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS. In short, the diversion is projected to create 6,260 acres of land in Barataria Basin in its first 10 years of operation and 12,800 acres by 20 years of operation.
Concern ID: 62166	New developments, oil/gas explorations, housing construction, sewage treatment, and water usage are playing a huge role in subsidence in south Louisiana.
Response ID: 16184	The commenter's concerns related to ongoing regional subsidence and factors that have played a role in subsidence were considered in the Draft EIS. To further recognize these concerns, an additional background description of regional subsidence has been added to Chapter 3, Section 3.4.1.1 Relative Sea-level and Subsidence of the Final EIS.
Concern ID: 62168	The commenter questioned how the new sediment would sustain itself from sinking when more freshwater is added from the proposed diversion given that land subsidence is well documented with impacts ranging from changing drainage patterns and increasing flooding, to the destruction of critical infrastructure.
Response ID: 16185	The commenter's concerns related to ongoing land subsidence were considered in the Draft EIS. Sea-level rise and subsidence were explicitly accounted for in the Delft3D Basinwide Model over a 50-year analysis period, as described in the Draft EIS Appendix E Delft3D

Modeling, Sections 3.2.4 and 3.2.3, respectively. Chapter 4, Section 4.2 Geology and Soils explains how long land-building benefits of the proposed Project would endure during that 50-year period against the background of ongoing subsidence. Section 4.6 Wetland Resources and Waters of the U.S. discusses how sediment transported by the proposed diversion to the basin would not only create new wetlands, but also sustain existing and newly created wetlands. To further recognize concerns related to land subsidence, additional background description of regional subsidence has been added to Chapter 3, Section 3.4.1.1 Relative Sea-level and Subsidence of the Final EIS. To further clarify, a discussion has also been added to explain in more detail currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 62169

The EIS should discuss how much sediment (not sand sediment, but hard core clay and other core river bottom rocky soil) would be brought to the basin through the proposed MBSD Project diversion. The discussion should include a comparison of that with the amount of sediment needed to rebuild or replace 28 square miles of marsh islands and wetlands.

Response ID: 16186

The commenter's concerns related to the composition and size distribution of sediments projected to be transported by the diversion were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. Creating and sustaining marshes requires the full range of sediment sizes from sand to fine sediment, and the proposed Project would transfer both sand and fine sediment into the basin from the river via the diversion channel. The EIS describes the anticipated size distribution of sediments projected to be transported into and retained in the Project outfall area in the Barataria Basin under the Applicant's Preferred Alternative in Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils. Chapter 3, Section 3.2 Geology and Soils describes existing sediment size distributions in the Barataria Basin, including both sand and fine-sediment components.

Concern ID: 62171

The commenter questioned whether water bottoms in the Barataria Basin would be damaged or submerged due to the river water entering the basin from the diversion. The commenter further questioned whether CPRA conducted very hardcore samples of the state water bottoms (in lieu of requiring examination of the bottoms with sonar).

Response ID: 16405

The issues raised by the commenter were considered in the Draft EIS. Geotechnical borings were undertaken for the proposed Project throughout the Mid-Barataria Basin in 2015. Results of the

geotechnical surveys were used by the Water Institute to develop the Delft3D Basinwide Model, which was used to assess proposed Project impacts on water bottoms in the Barataria Basin. The geotechnical survey reports were reviewed to characterize the geology and soils in the Project area in Chapter 3, Section 3.2 Geology and Soils. As described in the Bed Elevations section in Chapter 4, Section 4.4.4.2 in Surface Water and Coastal Processes, Operational Impacts, scour potential exists in the immediate outfall area as the diverted flow enters the marsh. However, as this section describes, CPRA engineered an outfall transition feature that would reduce the depth of the potential scour hole in the outfall area to no more than approximately 10 feet below the existing marsh bottom. Also described in Section 4.4.4.2, the proposed Project would have permanent, major (measurable and widespread) beneficial impacts on land building through raised bed (water bottom) elevations in the Barataria Basin, with the largest increases occurring within 10 miles of the diversion structure outlet (see Figure 4.4-3 and Table 4.4-3). No related edits have been made to the Final EIS.

Concern ID: 62544

The commenter expressed concern that adding more volume of fresh water from the Mississippi River into the Barataria Basin would not stop south Louisiana from sinking. Marsh islands, sand dunes, and estuaries provide protection of the shoreline from erosion, but even they would not stop south Louisiana from sinking. The commenter questioned how to solve this problem of subsidence as sea levels continue to rise in the Gulf.

Response ID: 16408

The commenter's concerns related to ongoing regional subsidence were considered in the Draft EIS in Chapter 3, Section 3.2 Geology and Soils. To clarify, an additional background description of regional subsidence has been added to Chapter 3, Section 3.4.1.1 Relative Sea-level and Subsidence of the Final EIS. While subsidence would continue during Project operations, the Project would help offset some of its impacts. Sea-level rise and subsidence were explicitly accounted for in the Delft3D Basinwide Model over a 50-year analysis period, as described in the Draft EIS Appendix E Delft3D Modeling, Sections 3.2.4 and 3.2.3, respectively. Chapter 4, Section 4.2 Geology and Soils explains and illustrates in detail how long land-building benefits of the proposed Project would endure during that 50-year period against a background of ongoing sea-level rise and subsidence.

EC60300 – Surface Water/Coastal Processes

Concern ID: 61781

The commenter questioned whether modeling was conducted for the Draft EIS to determine where sand would settle in the basin,

whether it would settle out near the diversion channel, and whether dredging would be required to remove the sand. Another commenter questioned whether water from the bottom of the river, where sediments are coarser, would be diverted to the basin.

Response ID: 16411

The issues raised by the commenter were considered in the Draft EIS. The Delft3D Basinwide Modeling conducted by the Water Institute of the Gulf for CPRA for the EIS distinguishes the types of sediment that would be deposited in the basin. Yes, sands were included in the modeling. Table 5.2-1 in Appendix E Delft3D Modeling of the EIS lists the sediment classes included in the model. The model's physics-based computations showed that the coarser sands would settle out before the finer classes, as the commenter suggests. The model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed (without a need to move it by dredging and placement). CPRA plans to dredge specific areas within the proposed Project limits and within Barataria Basin as needed to operate and maintain the proposed Project, as described in Section 3.2 of EIS Appendix F Preliminary Operations Plan and in EIS Appendix R2 Monitoring and Adaptive Management (MAM) Plan. Likewise, dredging of navigation channels would be assessed and managed through CPRA's MAM Plan (Appendix R2 to the EIS). Dredging in the Barataria Basin is expected to maintain certain dredged navigation channels but not the emerging deltaic front. However, the MAM Plan (Appendix R2) does include consideration of additional measures should they be necessary.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not

included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61782

Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.

Response ID: 16412

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 61783

The force of the water coming out of the proposed MBSD diversion into the basin would be greater than the proposed MBSD diversion's capability to build land.

Response ID: 16413

The issue raised by the commenter was addressed in the Draft EIS. The Delft3D Basinwide Model used physics-based computations of the

diversion flow's momentum (see Appendix E Delft3D Modeling, Section 5.1) to calculate the forces on sediment and resulting sediment movement (see Appendix E Delft3D Modeling Section 5.2). Those computations showed that the largest, heaviest sediment particles would settle out first and the smaller, lighter particles would be carried farther and deposited as the flow spreads out and slows down. These behaviors are consistent with the known physics of delta-building processes and demonstrate that the diversion would build land in the Barataria Basin.

Concern ID: 61784

The commenter expressed concern that proposed Project operations would divert Mississippi River waters toward the Mississippi Gulf Coast. The results would be far worse than the impact of opening the Louisiana spillways and would be permanent. The Mississippi Gulf Coast would see rising water levels that would intensify the effect of hurricanes. The commenter noted that other studies indicate this, but the Draft EIS does not mention impacts on the Mississippi Gulf Coast.

Response ID: 16414

The geographic area of flooding and other impacts of the proposed Project were considered in the Draft EIS in Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics and Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction. As discussed and illustrated in these sections, the proposed Project would not have more than negligible impacts on the Mississippi Gulf Coast. The proposed Project would divert water into the Barataria Basin, on the west side of the Mississippi River, away from the Mississippi Gulf Coast, not toward it. No related edits have been made to the Final EIS.

Concern ID: 61785

The commenter stated that the USGS has conducted modeling that shows that sea-level rise, subsidence, and the frequency of hurricanes would not allow for benefits of diversions to last multiple decades. The commenter questioned whether these factors were taken into account in the modeling for the EIS.

Response ID: 16415

Modeling conducted by the USGS (for example, Barras et al. 2003. Historical and projected coastal Louisiana land changes: 1978-2050: USGS Open File Report 03-334) was considered in the preparation of the Draft EIS. That work is based on extrapolation of past Barataria Basin behavior and is not directly comparable to the physics-based Delft3D Basinwide Model used to assess the MBSD Project alternatives in the Draft EIS.

Sea-level rise and subsidence were explicitly accounted for in the Delft3D Basinwide Model, as described in the Draft EIS, Appendix E Delft3D Modeling, Sections 3.2.4 and 3.2.3, respectively. Potential land-change effects from hurricanes were not modeled as part of the Delft3D Basinwide Model. The rationale for that omission and explanation of how it was accounted for are provided in Appendix E

Delft3D Modeling, Section 8.1. Storm modeling, described in Appendix P Flood and Storm Hazards Evaluation, included the effects of land building on storm surge and waves but did not simulate either erosion or deposition for reasons given in Appendix E, Section 8.1. No related edits have been made to the Final EIS.

Concern ID: 61786

The commenter stated that something that this Project does not consider is the number of sediments that are trapped upstream by dams farther north on the Mississippi River, calling into question whether there would be enough sediment in the river to build coastal wetlands in the basin. The commenter requested that a study be conducted to determine whether changes like the removal of dams would need to be made upstream of the diversion for the Project to achieve land and wetland creation goals.

National Academies Press. 2011. Sediment Management Alternatives and Opportunities. Missouri River Planning: Recognizing and Incorporating Sediment Management, 88-102.

Response ID: 16416

The commenter's concerns regarding the sediment load of the river were considered in the Draft EIS. The USACE agrees that the Mississippi River is carrying much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. As stated in the National Academies report cited by the commenter, the possible causes of the diminished sediment load include both trapping by dams and hardening of banklines. Other possible contributing factors include improved farming practices across the river basin, as explained in Chapter 3, Section 3.4 Surface Water and Coastal Processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is a worthy research project, but beyond the scope of the Draft EIS. Appendix E Delft3D Modeling, Section 5.2.2 of the EIS takes the diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin. The National Academies Press (2011) citation has been added to the discussion in Chapter 3, Section 3.4.2.5.1 Historical Context in Surface Water and Coastal Processes in the Final EIS.

Concern ID: 61787

The EIS used river hydrology information from as early as 1964 and no later than 2011. Current information was not used. The EIS should contain a hydrology report and the report should be based upon recent data.

Response ID: 16417	The issue raised by the commenter was considered in the Draft EIS. The Mississippi River hydrologic boundary conditions used in the Delft3D Basinwide Model included continuous 50-year historical Tarbert Landing records from 1964 to 2013. For the Delft3D Basinwide Model hydrodynamic simulations, representative hydrographs were selected to represent each decade. The selection was the product of a statistical analysis performed by the Water Institute of the Gulf, as described in Draft EIS Appendix E Delft3D Modeling, Section 5.1.1. In addition, four additional Mississippi River annual hydrographs were selected to represent specific statistical characteristics including the 2011 hydrograph, as the commenter mentioned. It was selected because it represented a particular type of hydrograph - a high discharge, late spring flood. Later years, including those available when the modeling was performed, were considered but did not meet the selection criteria. No related edits have been made to the Final EIS.
Concern ID: 61788	The commenter stated that the Surface Water and Coastal Processes section of the Draft EIS Executive Summary is not detailed enough and impacts summarized should be explained in more detail.
Response ID: 16418	The resource sections throughout Chapter 4 Environmental Consequences of the Draft EIS provide extensive detail for the impacts that are only summarized in the Executive Summary. The commenter should refer to Chapter 4 of the EIS for further explanations of the impact determinations and summaries presented in the Executive Summary. The requested level of detail is beyond the scope for the Executive Summary.
Concern ID: 62202	A contributing factor to rising water levels in the basin is the wind that blows from the south that increases tides all the way up to the northern end of the basin. The loss of the barrier islands and subsidence contribute to the south winds' increasing tides.
Response ID: 16419	The commenter's concern about wind was considered in the Draft EIS. The USACE agrees that wind is an important factor in the estuary. The Delft3D Basinwide Model simulations conducted for the EIS included wind as described in EIS Appendix E Delft3D Modeling, Section 3.2.2. Likewise, subsidence was explicitly included in the model simulations as described in Appendix E Delft3D Modeling, Section 3.2.3.
Concern ID: 62209	There is little discussion in the Draft EIS about the amount of sediment that would be deposited beneath the water's surface by the diversion, changing bathymetry and making sediment available for resuspension and deposition on marsh surfaces far from the diversion.

Response ID: 16421	The Draft EIS includes consideration and discussion of the benefits of the sediment that would be deposited below the Barataria Basin’s water surface. Sediment deposited below the water surface can contribute in one of two ways - by being resuspended and transported elsewhere for deposition, as the commenter suggests, and by forming a base layer upon which future pulses of sediment can form marsh or land. These benefits are discussed in Chapter 4, Section 4.2.3.2 in Geology in Soils, Section 4.4.4 Hydrology and Hydrodynamics, and in Section 4.6 Wetland Resources and Waters of the U.S. They are part of the model computations described in Appendix E Delft3D Modeling and are fully incorporated in the results and conclusions of the Draft EIS. No related edits have been made to the Final EIS.
Concern ID: 62210	An important benefit of the Project is that it would introduce sediment that would not only build wetlands but also increase elevations across a hundred square miles in the basin, which would benefit some fish and wildlife. This would also reduce storm surge threats to nearby communities.
Response ID: 16422	The beneficial impacts of sediment deposited below the Barataria Basin water surface were considered and incorporated in the Draft EIS in Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology; Section 4.4.4 Hydrology and Hydrodynamics; and in Section 4.6 Wetland Resources and Waters of the U.S. These processes are part of the model computations described in Appendix E Delft3D Modeling and are fully incorporated in the results and conclusions of the Draft EIS. Deposition of sediment by the proposed Project below the water surface would be beneficial to wetlands, fish, and wildlife by being resuspended and transported elsewhere for deposition, as the commenter suggests, and by forming a base layer upon which future pulses of sediment can form marsh or land.
Concern ID: 62211	The Project would provide prolonged sediment input so critical to this ecosystem and region.
Response ID: 16423	The Draft EIS considered the benefits of sediment that the proposed Project would deposit into the Barataria Basin. It can contribute in numerous ways, including by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment can form marsh or land. These benefits are discussed in Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology, Section 4.4.4 Hydrology and Hydrodynamics, and in Section 4.6 Wetland Resources and Waters of the U.S. These processes are part of the model computations described in Appendix E Delft3D Modeling and are fully incorporated in the results and conclusions of the Draft EIS. No related edits have been made to the Final EIS.

Concern ID: 64702

The commenter questioned whether proposed Project operations would change as sea-level rises in the future. The commenter also questioned at what level of sea-level rise would the proposed Project become useless.

Response ID: 16424

The issue raised by the commenter was considered in the Draft EIS. Sea-level rise and subsidence were explicitly accounted for in the Delft3D Basinwide Model over a 50-year analysis period, as described in the Draft EIS Appendix E Delft3D Modeling, Sections 3.2.4 and 3.2.3, respectively. Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology and Section 4.6 Wetland Resources and Waters of the U.S. show in detail how long wetland and land-building benefits of the proposed Project would endure during the 50-year analysis period. Section 4.4.4 Hydrology and Hydrodynamics discusses in detail how long bathymetric (water bottom) benefits would endure during the 50-year period of analysis. As explained in the Draft EIS Appendix F2 Preliminary Operations Plan and summarized in Chapter 2, Section 2.8.1.4 Project Operations, operations would follow the standard operational procedures and emergency operations put forth in Appendix F2 Preliminary Operations Plan until the water levels in the Barataria Basin exceed those in the Mississippi River, at which time the structure would be closed.

For the diversion to become useless (defined for this discussion as no longer diverting sediment), sea level would have to rise by about 9 feet. At that level there would be insufficient water level difference between the Mississippi River and the Barataria Basin to push water, sediment, and nutrients through the structure. The USACE currently projected “High” rate of sea-level rise at Grand Isle, Louisiana, (https://cwbi-app.sec.usace.army.mil/rccslc/slcc_calc.html; https://cwbi-app.sec.usace.army.mil/rccslc/slcc_calc.html) would produce a rise of 6.75 feet in 2100 (the last allowable year in the prediction tool). An unofficial extrapolation of the USACE’s High and Low curves suggests that 9 feet of relative sea-level rise would occur at Grand Isle some time between 2120 and 2300.

As explained in the Draft EIS in Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology and Section 4.6 Wetland Resources and Waters of the U.S., although the amount of wetlands and land that the Project would build and sustain after the first 30 years of operation would diminish, the wetlands and land created or sustained by the Project would become a larger percentage of the total wetlands and land remaining in the basin, as the basin is overwhelmed by sea-level rise and subsidence. Further, throughout the 50-year analysis period of the EIS, the Project would continue to provide a suite of ecosystem service benefits including but not limited to nutrient input and increased freshwater habitat (for freshwater species and SAV) as discussed in the

EIS Chapter 4, Section 4.10 Aquatic Resources and in the Restoration Plan, Section 3.2.1.6 Benefits Multiple Resources.

EC60400 – Surface Water/Sediment Quality

Concern ID: 61812

Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.

Response ID: 16425

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA’s Mississippi River/Gulf of Mexico Hypoxia Task Force “Hypoxia 101” webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic->

warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61815

The discussion in Chapter 3 of excessive nutrient (N and P) loads that create hypoxic conditions treats the problem as a global issue without mentioning the large annual hypoxic zone that forms each year in the proposed Project area.

Response ID: 16426

The Gulf of Mexico hypoxic zone was considered in the Draft EIS in Chapter 3, Section 3.5 Surface Water and Sediment Quality. The proposed Project would not have more than negligible impacts on the Gulf of Mexico hypoxic zone because it is located outside of the Project's area of potential impacts (defined in Chapter 3, Section 3.1.1 [Project Area] of the Draft EIS). Although the Gulf hypoxic zone is not expected to be impacted by proposed diversion operations, because it is near the proposed Project area, the USACE did include a description

and map of the Gulf hypoxic zone in Section 3.5.2.6 in Surface Water and Sediment Quality (see Figure 3.5-6). In response to this comment, the USACE has revised the title of Section 3.5.2.6 (Dissolved Oxygen) to 3.5.2.6 (Dissolved Oxygen and Hypoxia) in the Final EIS so that information about hypoxia in and near the proposed Project area can be more readily found by EIS readers. As explained in the EIS, Chapter 4, Section 4.25.5.2 in Cumulative Impacts, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone. Chapter 4, Section 4.25.5.4.4 Nitrogen and Section 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS have been updated to include a summary of the Gulf Hypoxia Action Plan.

Concern ID: 62264

The commenter expressed concern that the Draft EIS understates the proposed Project's potential impacts on nitrogen and phosphorus in the Barataria Basin and requested that the Final EIS explain how nitrogen (N) to Phosphorus (P) ratios (N:P) indicate the health of waters. While a portion of LDEQ's narrative nutrient criteria calls for the maintenance of natural N:P ratios, this does not account for the fact that while ratios might remain relatively constant, the loading of N and P would certainly increase, likely resulting in increased algal growth (and potentially toxic algae blooms and hypoxic areas). The Draft EIS only refers to half of LDEQ's narrative nutrient criteria, leaving out the half stating that nutrient concentrations that produce aquatic growth that it creates a public nuisance or interferes with designated water uses shall not be added to any surface waters. (L.A.C 33:IX.1113.B.8). The commenter further explained that this portion of the criteria is arguably the most important, as it refers to actual impacts of nitrogen and phosphorus pollution. The commenter stated that the Draft EIS also fails to consider USEPA or other proposed numeric criteria. It is difficult to understand how the authors can make impact determinations when no consideration was given to half of the narrative nutrient criteria and no numeric nitrogen and phosphorus goals are given.

Response ID: 16438

In response to this comment, the USACE has added the full narrative nutrient criteria statement to Chapter 3, Section 3.5.2.4 in Surface Water and Sediment Quality and to Chapter 4, Sections 4.5.5.3 and 4.5.5.4 in the Surface Water and Sediment Quality. As explained in Section 3.5.2.4, "the EPA generated sub-ecoregion reference condition metrics for total nitrogen (0.71 milligrams/liter [mg/L]) and total phosphorus (0.125 mg/L) for the Mississippi River and Barataria Basin concentrations (USEPA 2001). It is important to note that the reference metrics provide a numerical value to compare the Mississippi River and the Barataria Basin nutrient concentrations and are not intended to be

used to evaluate waterbody status relative to the current narrative nutrient criterion.” The USEPA reference metrics, however, are not enforceable criteria.

Proposed Project impacts associated with nutrient loading and algal blooms are addressed in Section 4.10.4.4 in Aquatic Resources of the Final EIS. A reference to Section 4.10 is included in Section 4.5.5.3 in Surface Water and Sediment Quality of the Draft EIS. A reference to Section 4.10 Aquatic Resources has been added to Section 4.5.5.4 (Phosphorus) of the Final EIS. Clarifying language has been added to Sections 4.5.5.3, 4.5.5.4, and 4.25.5.4 in Cumulative Impacts. Appendix R2 Monitoring and Adaptive Management (MAM) Plan includes proposed monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species), in the Barataria Basin during proposed Project operations to guide CPRA’s management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

	part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.
Concern ID: 62255	Commenters expressed concern that during proposed MBSD diversion operations, contaminated sediments from the Mississippi River may be routed to the Barataria Basin, where they would cause adverse impacts. One commenter stated concern that because the dilution capacity of the basin is less than that of the Mississippi River, contaminants routed to the basin via the diversion would reach toxic levels because basin waters would not sufficiently dilute the sediment.
Response ID: 16434	Impacts related to contaminated sediment raised by the commenters were considered in the Draft EIS. As noted in Chapter 4, Section 4.5.5.10 in Surface Water and Sediment Quality, recent evaluations of Mississippi River sediments in the vicinity of the proposed Project intake structure indicate that they are free from contaminants at concentrations that would result in detrimental impacts. The dilution referenced in Chapter 3, Section 3.5.3.1 in Surface Water and Sediment Quality refers to movement along the entire length of the river from Minnesota to Louisiana and is not meant to imply that dilution is occurring or needed to dilute elevated concentrations in the proposed Project area. In response to these comments, the USACE has edited Section 3.5.3.1 in Surface Water and Sediment Quality to make this clear in the Final EIS.
Concern ID: 61826	Commenters expressed concern that proposed Project operations would disturb existing oil sediment (from the DWH oil spill) in Barataria Bay.
Response ID: 16431	As explained in Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes, significant scour potential exists in the immediate outfall area of the diversion structure in the basin, which could disturb oiled sediments on water bottoms. However, based on surveys conducted during remediation efforts in the Barataria Basin in response to the DWH oil spill, oiling exposure did not occur in this area, as illustrated in Chapter 3, Section 3.10 Aquatic Resources, Figure 3.10-1 of the Draft EIS. With regard to DWH oiling exposure identified in remediation surveys throughout the rest of the Barataria Basin, proposed Project operations would deposit sediments on water bottoms, which would bury any oiled sediments. Where oiled sediment exists in the birdfoot delta, bed elevations are projected to decrease by 0.2 foot by 2070 as compared to the No Action Alternative (see Figure 4.4-3 in Section 4.4.4 in Surface Water and Coastal Processes) due to reduced sediment load reaching the delta in areas observed to be impacted by oil. Bed elevations in the birdfoot delta are projected to decrease under the No Action Alternative as well. Therefore, proposed Project operations are expected to negligibly disturb existing oil sediment from

the DWH oil spill. Clarification has been added to Chapter 4, Section 4.5.5.10.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS.

Concern ID: 62261

The commenter expressed concern that excessive nutrients in fresh water diverted to the basin during proposed diversion operations could runoff into the Gulf during flooding events and storms. The commenter reported that this occurred in Texas during Hurricane Harvey, when storm-induced flooding inland caused polluted fresh water to travel to coral reefs more than 100 miles offshore in the Gulf. The commenter expressed concern that excess nutrients brought into the Barataria Basin from the Mississippi River via the diversion could add to the already ongoing problems of the hypoxic zone in the Gulf due to runoff events during flooding and storm events, which are becoming more frequent and intense because of climate change.

Response ID: 16437

The issues raised by the commenters were considered in the Draft EIS. As discussed in Chapter 4, Section 4.5.5.5 in Surface Water and Sediment Quality, the proposed Project is not projected to cause monthly dissolved oxygen concentrations to fall below the water quality criterion of 5 mg/L during the 50-year analysis period throughout the Barataria Basin. In fact, dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase during the analysis period compared to projections for the No Action Alternative modeled by the Delft3D Basinwide Model. The Delft3D Basinwide Model accounts for the influence of algal growth on nutrient and dissolved oxygen concentrations. The Delft3D Basinwide Model results do not suggest that a significant hypoxic zone would form in the Barataria Basin due to proposed Project implementation. Language to this effect has been added to Section 4.5.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS.

As explained in Section 4.25.5.2 in Cumulative Impacts, Surface Water and Sediment Quality, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Concern ID: 61827

The Executive Summary, Section ES.4 (Surface Water and Sediment Quality) is not detailed enough. For example, clarify what criteria were used to classify proposed Project impacts on salinity, fecal coliform, and nutrients as minor, moderate, or major impacts. Also, compare potential water quality impacts with LDEQ water quality standards.

Response ID: 16432

The water quality information requested by the commenter was included in the Draft EIS. Chapter 4, Section 4.5 Surface Water and

Sediment Quality provides detailed information regarding the guidelines for impact intensity determinations, the data reviewed to evaluate impacts, how proposed Project impacts on water quality compare to LDEQ water quality standards, and a detailed discussion of the evaluation of proposed Project impacts on surface water and sediment quality. These details are beyond the scope of the Executive Summary.

Concern ID: 61816

Commenters expressed concern that the proposed Project operations would increase the hypoxic “dead” zone in the Gulf.

Response ID: 16427

The Gulf of Mexico hypoxic zone was discussed in the Draft EIS in Chapter 3, Section 3.5.2.6 in Surface Water and Sediment Quality. The proposed Project would not have more than negligible impacts on the Gulf of Mexico hypoxic zone because it is located outside of the Project’s area of potential impacts (defined in Chapter 3, Section 3.1.1 [Project Area] of the Draft EIS). Vegetative growth expected to occur in the Barataria Basin due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Basin than would reach the Gulf through the Mississippi River. Although the Gulf hypoxic zone is not expected to be impacted by proposed diversion operations, because it is near the proposed Project area, the USACE did include a description and map of the Gulf hypoxic zone in Section 3.5.2.6 in Surface Water and Sediment Quality (see Figure 3.5-6). In response to public comments, the USACE has revised the title of Section 3.5.2.6 (Dissolved Oxygen) to 3.5.2.6 (Dissolved Oxygen and Hypoxia) in the Final EIS so that information about hypoxia in and near the proposed Project area can be more readily found by EIS readers. As explained in the EIS, Chapter 4, Section 4.25.5.2 in Cumulative Impacts, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Concern ID: 61817

Commenters stated that information about the Gulf Hypoxia Action Plan (Louisiana Hypoxia Working Group), which calls for a 20 percent reduction in nitrogen and phosphorus loading to the Gulf by 2025, is pertinent to the Draft EIS but is not mentioned. Commenters requested that the plan should be included in the Final EIS.

Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2008. Gulf Hypoxia Action Plan 2008 for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin. Washington, DC.

Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2013. Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.

Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2016. December 2016 Update, Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.

Response ID: 16428

The USACE and the LA TIG agree that the Gulf Hypoxia Action Plan is relevant to the proposed Project area. Therefore, in response to these comments, a discussion about the Gulf Hypoxia Action Plan has been added to Section 4.25.5.4.4 Nitrogen and 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS. The Hypoxia Action Plan has highlighted the important role that river diversions could play in reducing nutrient loads. In addition, substantial nutrient load reduction could be achieved through the measures being implemented by the other states and entities involved with the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These combined efforts could lessen the potential impacts of excess nutrient loads to Barataria Basin and the northern Gulf of Mexico.

Concern ID: 61819

Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.

Response ID: 16429

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design and Operations Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the

proposed MBSD intake structure, the diversion structure would be closed.

Concern ID: 61825

Diversion operations would occur during months with a high flow rate, which coincides with northern regional snow melt. The commenter expressed concern that the cold river water would have adverse impacts in the basin.

Response ID: 16430

The impacts of water temperature from the river into the basin during proposed diversion operations were considered in the Draft EIS. As explained in Section 4.5.5.2 in Surface Water and Sediment Quality of the Draft EIS, the proposed Project would cause minor, intermittent decreases in water temperature during Project operations. As explained in Section 4.10.4.4 in Aquatic Resources, the proposed Project's overall direct and indirect impacts of decreased average temperatures and acute temperature changes on faunal populations at discrete locations and time periods in the Barataria Basin would likely be direct or indirect, minor to moderate, and adverse, and annually recurring and therefore permanent throughout the analysis period.

Concern ID: 62254

Commenters expressed concerns that hazardous substances spilled by industrial facilities upstream from the proposed diversion's intake structure in the Mississippi River could be routed to the Barataria Basin via the diversion during proposed Project operations. One commenter requested that because the Alliance Refinery is described in Chapter 3, Section 3.23 Hazardous, Toxic, and Radioactive Waste Assessment of the Draft EIS as having had past releases of petroleum and hazardous substances, hazardous waste violations under the Resource Conservation and Recovery Act (RCRA), and as having an active industrial landfill site, the Final EIS should assess the potential for the facility to discharge contaminated substances into the Barataria Basin via diversion flows.

Response ID: 16433

The commenters' concerns regarding hazardous spills were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality, the receiving waterbody for industrial facilities along the Mississippi River upstream from the proposed Project's intake structure (LDEQ Mississippi River subsegment LA070301_00), is not listed as impaired by LDEQ. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment for subsegment LA070301_00 indicates that regulated substances are not present at concentrations that would cause a water quality impairment. Industrial facilities, for example the Alliance Refinery, are regulated by LDEQ through permits that include monitoring and reporting requirements. Facilities are required to report any releases of oil or hazardous substances to water to LDEQ.

LDEQ's assessment of this subsegment of the river includes contributions from industrial facilities' regulated discharges to the Mississippi River. In the event of accidental spills of hazardous substances into the river, these facilities would follow their required Spill Prevention, Control, and Countermeasure (SPCC) and Stormwater Pollution Prevention (SWPP) plans to minimize impacts of accidental releases.

As described in Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design and Operations Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. In response to this concern, the USACE has added a new subsection to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of accidental spills of hazardous substances in the river during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills in the Mississippi River.

Concern ID: 62263

Commenters expressed concern that plastics and microplastics (including but not limited to PFAS) in the Mississippi River would be introduced into the basin through the proposed MBSD diversion, causing adverse impacts on wildlife and humans. Commenters stated that plastics never fully disintegrate, are poorly regulated, and have made their way into every part of the food chain. One commenter witnessed a major spill in the river of plastic pellets called "nurdles" that was never fully cleaned up.

Response ID: 16435

The USACE acknowledges that microplastics and PFAS in surface water are currently not regulated. There are currently no data to determine whether PFAS concentrations in the Mississippi River are significantly different from concentrations in the Barataria Basin. There are no standards to evaluate whether PFAS concentrations are unacceptably elevated in the river or the basin.

The Draft EIS acknowledges that accidents and spills can occur unexpectedly in the river or in the basin. Public and private emergency response teams are available to minimize damage from such accidental releases. As described in Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design and Operations Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. Also in response to this concern, the USACE has added a new subsection to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of accidental spills of hazardous substances in the river during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills in the Mississippi River.

Concern ID: 62260

The commenter stated support for the Applicant's Preferred Alternative and expressed concern that the Draft EIS overstates adverse impacts of the proposed Project associated with the input of freshwater into the Barataria Basin. The commenter explained that in the last 50 years, the basin has experienced numerous 100-year rainfall events that caused prolonged freshening events.

Response ID: 16436

The commenter's support for the proposed MBSD Project is acknowledged. The commenter's concerns about Project impacts on the salinity of the Barataria Basin waters were considered in the Draft EIS. As projected by Delft3D Basinwide Modeling conducted to assess potential impacts of the proposed Project on resources such as water quality and salinity, the Project area is projected to experience increasing salinity due to sea-level rise and subsidence, in spite of prolonged rainfall events (see Chapter 4, Section 4.5.5.1 in Surface Water and Sediment Quality). As compared to the No Action Alternative, the Applicant's Preferred Alternative would cause permanent, minor (detectable over a small area) to moderate (observable over a large area, readily detectable in local areas) reductions in salinity in the Barataria Basin and permanent, minor increases in salinity in the birdfoot delta during proposed Project operations. These Project impacts on salinity would be beneficial for some wetland types and aquatic species and adverse for others (see Section 4.6 Wetland Resources and Waters of the U.S. and Section 4.10 Aquatic Resources for further details about the proposed Project's salinity impacts on wetlands and aquatic resources, respectively). No related edits have been made to the Final EIS.

EC60500 - Wetland Resources/Waters of the US

Concern ID: 63015

There are misrepresentations in the EIS about how nutrients in the river would spread out far from the sand deposition area to lower plant biomass belowground. Increasing nutrient loads from diversions would weaken soils, not strengthen soils.

The modern Mississippi River has nutrient concentrations that are much higher than when the mostly organic soils were created centuries ago (Turner et al. 2007) and may weaken soils by 30 percent, resulting in less belowground biomass, and change vegetation from being comprised of perennials to annuals (Turner et al. 2011). Increased flooding inundation, which is a consequence of river diversions, also weakens the belowground biomass of wetland plants (Morris et al. 2017) that may erode during high water events or from hurricanes (Kearney et al. 2011, Howes et al. 2010). Individual roots become weaker when

exposed to ambient levels of nutrients found in the river (Hollis and Turner 2019a, b; Hollis and Turner 2021). The soil becomes degraded, accumulates less biomass, and decomposes and erodes faster (Swarzenski et al. 2008, Hebert et al. 2020). The diversion of river water into the nearby marshes would almost certainly weaken soils, making them less resistant to wave energy and hurricanes. A striking example is the net loss of wetlands in the Davis Pond Diversion where increased land loss occurred beginning the year after the diversion opened (Turner et al. 2019). This is an area that has no significant sediment input.

Turner RE, Rabalais NN, Alexander RB, Mclsaac G, Howarth RW 2007. Characterization of nutrient and organic carbon and sediment loads and concentrations from the Mississippi River into the northern Gulf of Mexico. *Estuaries Coasts* 30: 773-790.

Turner RE 2011. Beneath the wetland canopy: loss of soil marsh strength with increasing nutrient load. *Estuaries Coasts* 33 1084-1093.

Morris JT, Barber DC, Callaway JC, Chambers R, Hagen SC, Hopkinson CS, Johnson BJ, Megonigal P, Newbauer SC, Toxler T, Wigand C 2016. Contributions of organic and inorganic matter to sediment volume and accretion in tidal wetlands at steady state. *Earth's Future* 4, doi:10.1002/2015EF000334.

Kearney MS, Riter CA, Turner RE 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847

Hollis LO, Turner RE 2019a. The tensile root strength of *Spartina patens* varies with soil texture and atrazine concentration. *Estuaries and Coasts* 42: 1430-1439. doi: 10.1007/s12237-019-00591-5

Hollis LO, Turner RE 2019b. The tensile root strength of *Spartina patens*: response to atrazine exposure and nutrient addition. *Wetlands* 39(4): 759-775. Doi:10.1007/s13157-019-01126-1

Hollis LO, Turner RE 2021. The tensile root strength of *Spartina patens* declines with exposure to multiple stressors. *Wetlands Ecology and Management* 29: 143-153. Doi: 10.1007/s11273-020-09774-5

Howes NC, FitzGerald DM, Hughes ZJ, Georgiou IY, Kulp MA, Miner MD, Smith JM, Barras JA 2010. Hurricane-induced failure of low-salinity wetlands. *Proc Natl Acad Sci USA*; 107: 14014-14019.

Swarzenski CM, Doyle TW, Fry B, Hargis TG 2008. Biogeochemical response of organic-rich freshwater marshes in

Response ID: 16028	<p>the Louisiana delta plain to chronic river water influx. Biogeochem 90:49-63.</p> <p>Hebert ER, Schubauer, JP-Berigan, C 2020. Effects of 10 yr of nitrogen and phosphorus fertilization on carbon and nutrient cycling in a tidal freshwater marsh. Limnology and Oceanography 65: 1669-1687</p> <p>Turner RE, Layne M, Mo Y, Swenson EM 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. Restoration Ecology 27: 1231-1240. https://doi.org/10.1111/rec.13024</p> <p>Mo Y., Kearney M, Turner RE 2020. Excess nutrient impairs the resilience of coastal ecosystems to hurricanes: a long-term satellite and ground-based study for Louisiana coastal marshes. Environment International 138: 105409. https://doi.org/10.1016/j.envint.2019.105409</p> <p>The literature cited by the commenters has been reviewed, including Turner et al. 2007, Turner et al. 2011, Morris et al. 2017, Kearney et al. 2011, Howes et al. 2010, Hollis and Turner 2019, Swarzenski et al. 2008, Hebert et al. 2020, Turner et al. 2019, and Mo et al. 2020, and Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS has been revised to include additional analysis regarding the impact of nutrient input from the proposed Project on vegetation communities and soil shear strength.</p>
Concern ID: 63016	<p>The Carnarvon Diversion (and other diversions, such as the Naomi Siphon) did not build marsh but rather caused damage to the existing marsh, such as through the introduction of freshwater invasive plant species that clog available waterways, suffocating natural marsh grass, restricting water flow.</p>
Response ID: 16029	<p>A summary of select natural and man-made diversions in southeastern Louisiana, including the Caernarvon Diversion and Naomi Siphon, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and discuss their recorded impacts on the natural environment. This summary, which includes a discussion on changes to marsh extent and the presence of invasive plants, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.</p>
Concern ID: 63018	<p>The proposed Project would cause land loss further out from the diversion structure and also destroy the brackish/saline marsh grasses, which provide storm surge protection, and replace them with less surge-resistant freshwater plants.</p>
Response ID: 16030	<p>Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the Draft EIS acknowledged that the fresh water transported by</p>

the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations. Further, the Delft3D Basinwide Model projects inundation depths in the critical vegetation parameters to simulate vegetation losses and gains as a result of the diversion, as well as other sources of inundation (such as subsidence and sea-level rise).

However, salt- and brackish marsh vegetation would not be subjected to direct mortality due to the lower salinity of transported water. While saline and brackish species are associated with salinity ranges of greater than 18 ppt and between 18 and 5 ppt, respectively (see Chapter 3, Section 3.6.1.2 in Estuarine Wetlands of the Draft EIS), brackish marsh can fluctuate from fresh to saline conditions depending on tidal movement, and species such as *Spartina alterniflora* are common in both salt and brackish marsh (Conner and Day 1987). Salt is a stressor affecting osmosis and cell structure. Plants occurring in saline and brackish marshes have developed adaptations to either exclude uptake or excrete salt; however even salt marsh species grow better at lower salinities (Mitsch and Gosselink 2000; Teal et al. 2012). However, as described in Chapter 4, Section 4.6.5.1.2.1 Salinity of the Final EIS, in some areas of the Barataria Basin, the seasonal change in salinity due to operation of the diversion above base flow (primarily during spring and early summer) and lower-flow conditions during fall and winter months would be large enough to temporarily change the wetland hydrology from a brackish to fresh or from a saline to brackish system. In the southern basin, where salt marsh predominates, peak salinities would be within the range for salt marsh vegetation under the No Action and Applicant's Preferred Alternatives. Additional analysis regarding the potential impact of hurricanes and saltwater inundation on the extent of wetlands in the Project area during operations has been added to Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

The MAM Plan includes monitoring for inundation related effects on marsh vegetation in the Project area. The MAM Plan provided in the Draft EIS Appendix R was submitted by CPRA and represents a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation,

monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63019

The Draft EIS likely underestimated the benefits of far field effects on marsh soil bulk density and marshes sustained against climate change and rising seas. Related to the total sediment phenomenon, existing models underestimate capture of fines carried in suspension by diverted waters far from the diversion, and modeling underestimates the effect of this capture on renewed marsh vigor and organic soil formation, largely because while the effect is obvious, the specifics are difficult to capture numerically.

Response ID: 16031

As described in Appendix E Delft3D Modeling of the EIS, to account for the complexity of fine-sediment transport patterns, a hysteresis curve has been developed and incorporated into the sediment transport module of the Delft3D Basinwide Model. Therefore, while the model results must be interpreted in light of the uncertainties involved, hysteresis sediment rating curves have been used to project fine-sediment transport in a way that simulates observed transport to the extent practicable in the modeling analysis. Where feasible, uncertainties have been examined through sensitivity tests and model-to-model comparisons and incorporated in the conclusions (see Chapter Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences and Appendix E Delft3D Modeling, Section 8). Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63020

The Draft EIS highly exaggerated the land-building capabilities of the proposed Project, given that the depletion of historic sediment loads of the Mississippi River is well documented (including by

the Expert Panel on Diversion Planning and Implementation [convened by the Water Institute of the Gulf] and USACE's ERDC) and that increased periods of inundation have been found to adversely impact existing vegetation and contribute to land loss. Further, significant uncertainty exists with respect to the response of the existing wetland vegetation to diversion-induced inundation (Brown et al., 2019, p. iii).

Response ID: 16032

The Draft EIS considered the commenter's concerns regarding the rates of land loss and land projected to be built during diversion operations. The Mississippi River is carrying much less sediment than it did in the past. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The Delft3D Basinwide Modeling accounts for those sediment supply changes as described in Appendix E Delft3D Modeling of the EIS, Sections 5.2.2 and 8.

Further, the Delft3D Basinwide Model incorporates inundation depths in the critical vegetation parameters to simulate vegetation losses and gains as a result of the diversion, as well as other sources of inundation (such as subsidence and sea-level rise). The model results should be interpreted in light of the uncertainties involved. The USACE-ERDC report cited by the comment (Brown et al. 2019), which documents the development and validation of the Adaptive Hydraulics (AdH) model to simulate hydrodynamic, salinity, sedimentation, and morphodynamic processes in the Mississippi River and Delta, was reviewed and used in preparing the navigation analyses in the EIS (see Appendix Q1 Dredging Analysis). The USACE-ERDC report also describes the SEDLIB-VEG model, which is less complex than the vegetation model (LaVegMod) used to project impacts from the proposed Project. While the AdH model was not used in preparing the land-building analyses in the EIS and the SEDLIB-VEG model was not used for the assessment of vegetation impacts from the Project, uncertainties identified in the report for numerical modeling (including uncertainty in the sediment rating curve, subsidence rates, and inundation effects on vegetation) were considered. As discussed in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences and Section 8 of Appendix E Delft3D Modeling, those uncertainties include the parameters used to simulate vegetation growth and mortality. Vegetation ranges were determined by the probability of establishment and mortality of each species used in modeling simulations, based on salinity and inundation depth tolerances.. Where feasible, uncertainties have been examined through sensitivity tests and model-to-model

comparisons and incorporated in the conclusions. However, to further address the concern of exaggerated land building, Chapter 4, Section 4.1.3.3 in Model Limitations and Uncertainty, has been revised in the Final EIS to clarify uncertainty related to currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations.

Concern ID: 63024

The Draft EIS failed to properly capture the state of the science on the effects of nutrient inputs on wetlands. While the views indicating the detrimental effects of nutrient input are included, few opposing views are described, and the science is not settled on this issue.

Response ID: 16034

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledges uncertainty regarding the effects of nutrient inputs on wetlands. Additional analysis regarding the impact of nutrients that would be transported by the proposed Project on vegetation communities and soil shear strength has been incorporated into Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

Concern ID: 63027

Saltwater grasses and marsh would die when exposed to (or inundated by) fresh water, and would cease protecting the public.

Response ID: 16035

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledges that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations; those impacts would be offset by later marsh building in the area. While saline and brackish species are associated with salinity ranges of greater than 18 ppt and between 18 and 5 ppt, respectively (see Chapter 3, Section 3.6.1.2 in Estuarine Wetlands of the EIS), brackish marsh can fluctuate from fresh to saline conditions depending on tidal movement, and species such as *Spartina alterniflora* are common in both salt and brackish marsh (Connor and Day 1987). Salt is a stressor affecting osmosis and cell structure. Plants occurring in saline and brackish marshes have developed adaptations to either exclude uptake or excrete salt; however even salt marsh species grow better at lower salinities (Mitsch and Gosselink 2000; Teal et al. 2012). Therefore, salt and brackish marsh vegetation would not be subjected to direct mortality due to the lower salinity of transported water. Chapter 3, Section 3.6.2.1 of the EIS was revised to include additional information regarding the salinity tolerance of brackish and salt marsh vegetation.

Concern ID: 63028

All around the basin there are ghost cypress trees left over from a time when that area was much more fresh, as it naturally should be.

Response ID: 16036	Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the EIS describes historic wetland losses in the Barataria Basin, as those losses relate to changes in salinity. Further, Chapter 3, Sections 3.1.4.1 Mississippi River and 3.1.4.2 Barataria Basin of the EIS address the deltaic processes that formed the Barataria Basin and birdfoot delta; however, Sections 3.1.4.2 and 3.2.1.1 Historical Context, have been supplemented in the Final EIS to further discuss historic conditions.
Concern ID: 63029	The commenter states that, upon operation of the proposed MBSD Project, the force of the water would wash out the existing marsh and questions how much marsh would be washed out before the results of land building are seen.
Response ID: 16037	The high water velocities from the diversion structure into the Barataria Basin would contribute to localized wetland losses at the immediate outfall area; those impacts would be offset by later marsh building in the outfall area by 2030 (see Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS). The Final EIS has been updated to provide a discussion of that change in Chapter 4, Section 4.6.5.1.2.4 Land Accretion.
Concern ID: 63037	Two recent (2021) studies should be reviewed and incorporated into the EIS, both of which appear in the journal Water, Volume 13. In the February 27, 2021 issue, the article entitled “A Review of 50 Years of Study of Hydrology, Wetland Dynamics, Aquatic Metabolism, Water Quality and Trophic Status, and Nutrient Biogeochemistry in the Barataria Basin, Mississippi Delta-System Functioning, Human Impacts and Restoration Approaches” by Day et al. In the March 16, 2021 issue, the article (also by Day et al.) entitled “The ‘Problem’ of New Orleans and Diminishing Sustainability of Mississippi River Management - Future Options.”
Response ID: 16044	The EIS discloses the value of wetlands in the Barataria Basin, including as flood control and protection from storm surge, as well as the history of wetland losses in Barataria Basin described in the provided references (see Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the EIS). The Final EIS has been revised to include the recent studies provided by the commenter.
Concern ID: 63038	It would be at least 10 to 50 years before any appreciable amount of marsh may be built.
Response ID: 16045	The commenter correctly notes that the projected benefits of the proposed Project would not be immediate, but would occur over time beginning in the first decade of operations. The wetland acreages presented in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-3 of the Draft EIS represented the total acreage

projected to be present in the Barataria Basin under each action alternative assessed.

Concern ID: 63040

The diversion flow would only capture the top 20 feet of sediment from the river, which does not contain the material necessary to establish land and maintain a sustainable root system. That material lies beneath the top 20 feet and the river depth is too great for the flow to move the land-building material. The first hurricane would destroy this fragile “swamp.”

Response ID: 16047

The issues raised by the commenter were considered in the Draft EIS. The commenter’s description of diversions designed to extract water from the top of the river pertains to existing freshwater diversions (Davis Pond and Caernarvon Diversions). The proposed MBSD Project differs from these because it is not a freshwater diversion; it is a sediment diversion designed to capture larger-sized sediments from a lower portion of the river. As described in Chapter 2, Section 2.1.1 in Introduction of the EIS, the proposed MBSD Project intake structure is designed, and located at a sufficient depth, to capture a higher concentration of coarse-grained sediment transported along the riverbed to allow for a more rapid vertical accumulation of organic material, resulting in quicker emergence of wetlands in the outfall area that are then able to support vegetation that traps available sediment across a range of particle sizes. Although capture of these larger sediments is critical, the proposed MBSD Project would also convey organic material and finer-grained sediments (less than 32 microns) intended to disperse farther into the basin to sustain and nourish existing wetlands. Table 5.2-1 in Appendix E Delft3D Modeling of the EIS lists the sediment classes that the Delft3D Basinwide Model projects would be transported to the basin via the diversion. Additional analysis regarding the potential impact of hurricanes on the extent of wetlands in the proposed Project area during the period of diversion operations, and additional detail regarding the resiliency of marsh created by the proposed Project has been included in Chapter 4, Section 4.6.5.1.2 Applicant’s Preferred Alternative of the Final EIS.

Concern ID: 63041

The Draft EIS statement that “The Barataria Basin lost approximately 25 percent of its total land area between 1932 and 2016 (Couvillion et al., 2017)” is based on flawed data analysis by the USGS and represents a large and biased overestimate of the land area lost in the Barataria Basin, at least since Hurricane Katrina in 2005. As documented and published in the studies by Potter et al. (2020 and 2021) in the Journal of Coastal Research, it must be concluded that the USGS coastal land area change product (cited as Couvillion et al., 2017) has not reported widespread wetland area gains in southern Louisiana and has instead overestimated net marshland losses on most sections of the Gulf Coast since at least 2005. Therefore, the Draft EIS and the

Response ID: 16048	<p>LA TIG’s Draft Restoration Plan are based on erroneous land-loss rates and locations within the proposed Mid-Barataria Sediment Diversion impact area.</p> <p>Potter, C. and Amer, R., 2020. Mapping 30 years of change in the marshlands of Breton Sound Basin (southeastern Louisiana, U.S.A.): Coastal land area and vegetation green cover. Journal of Coastal Research, 36(3):437-450.</p> <p>Potter, C. 2021. Remote sensing of wetland area loss and gain in the western Barataria Basin (Louisiana, U.S.A.) since Hurricane Katrina. Journal of Coastal Research (in press).</p>
	<p>The analysis in the EIS is not based on past land-loss rates. The projected changes in wetland extent over the analysis period are based on current baseline conditions (including bathymetry, topography, and hydrologic conditions) and the Delft 3D Modeling analysis (see Appendix E Delft3D Modeling of the EIS) regarding future conditions for the No Action Alternative and the action alternatives (including the Applicant’s Preferred Alternative). The Delft 3D model used a variety of inputs to project future conditions and was not based on historical land-loss trends. The difference between USGS data and the land loss cited in the literature would not invalidate the Delft 3D model projections. However, Chapter 3, Section 3.6.2 Wetland Loss of the Final EIS has been revised to include additional detail regarding the historic rate and extent of land loss in the Barataria Basin based on review of the literature cited by the commenter (Potter and Amer 2020 and Potter 2021).</p>
Concern ID: 63042	<p>River sediment is currently wasted offshore when the Barataria Basin needs it to restore and preserve marsh, and the life the marsh supports.</p>
Response ID: 16049	<p>Comment noted. The benefits of diverting river sediments to the Barataria Basin through the proposed Project were discussed throughout Chapter 4 Environmental Consequences of the Draft EIS.</p>
Concern ID: 63043	<p>Sea-level rise, subsidence, and the frequency of hurricanes would not allow for a multiple decade-long positive effect from operation of the proposed Project.</p>
Response ID: 16050	<p>Chapter 4, Sections 4.1.3 in Approach to Evaluation of Environmental Consequences and 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledge that sea-level rise and subsidence would affect the extent of wetland creation that would occur if the proposed Project were implemented. The projected land gains in the Barataria Basin developed via the Delft3D Basinwide Model take into account estimates of sea-level rise and subsidence. Additional analysis regarding the potential impact of hurricanes on the extent of wetlands in the proposed Project area during the period of diversion operations is</p>

included in Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

Concern ID: 63045	The ongoing loss of Louisiana's coastal wetlands makes local communities increasingly vulnerable to stronger hurricanes and sea-level rise, threatening the health and stability of the entire Barataria Basin.
Response ID: 16051	The Draft EIS discussed the value of wetlands in the Barataria Basin, including as flood control and protection from storm surge (see Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the EIS).
Concern ID: 63046	<p>Coastal land loss is caused by dredged canals through wetlands and associated spoil banks, rather than by Mississippi River levees, resulting in greater than 90 percent of all land loss on this coast (Turner and McClenachan 2018). These features become a significant factor influencing wetland health, resulting in longer individual flooding and drying intervals, pond formation, and sulfide buildup. Large-scale dredging fundamentally changes the movement of water in and out of the wetland, leading to wetland loss; as a result, about 4.6 times more land is lost for every one canal formed. The spatial and temporal distribution of canal permitting is not only coincidental with land loss, but data analysis implies a dominant causal relationship. The result is that the land loss on the coast has stabilized (until sea-level rise reaches a tipping point for wetland survival). There has been a slight gain in land since 2010 (Figure 7 of the attachment).</p> <p>Turner R.E. and G. McClenachan G. 2018. Reversing wetland death from 35,000 cuts: opportunities to restore Louisiana's dredged canals. PLOS ONE 13(12): e0207717. https://doi.org/10.1371/journal.pone.0207717</p>
Response ID: 16052	The influence of canals and spoil banks on wetland losses in Barataria Basin are discussed in Chapter 3, Section 3.6.2.2 Causes of Wetland Loss of the EIS. The literature cited by the commenters (Turner and McClenachan 2018) has been reviewed and additional detail has been added to Chapter 3, Section 3.6.2.2.4 Canals and Spoil Banks of the Final EIS. However, as described in the EIS, risk reduction levees have been shown to reduce the sediment load that enters the Barataria Basin. As the deficit of sediment, combined with increased rates of sea-level rise, contributes to wetland losses, the Mississippi River levees do contribute to coastal land loss.
Concern ID: 63047	The proposed MBSD Project would cause increased loss of wetlands in the birdfoot delta when compared to the No Action Alternative.
Response ID: 16053	As indicated by the comment, the Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S. of the Draft EIS disclosed the

increased wetland losses in the birdfoot delta when compared with the No Action Alternative.

Concern ID: 63048

Models are useful tools but are not as reliable as real-world observations. Given the fact that the Atchafalaya and Wax Lake Deltas in Atchafalaya Bay are the healthiest land-building areas in the state, I think it is fair to compare the observed land building to model projections for the Mid-Barataria Diversion. The Atchafalaya River has been filling in the bay since the 1950s. Its flow is kept at 30 percent of total latitude flow, with the other 70 percent going to the Mississippi, such that the Atchafalaya flow is equal to 43 percent of the Mississippi River flow. The proposed operation of the Mid-Barataria Diversion varies from 5.6 to 7.5 percent of the Mississippi flow only when the river is between 450,000 and 1,000,000 cfs, and is lower otherwise. The proposed Project is expected to discharge more than 5,000 cfs for only 194 days per year (Table 4.1-1). Let us generously assume that the discharge averages 6 percent of river flow for discussion's sake. Thus, the diversion discharge would average about 1/7 of the flow of the Atchafalaya River. The EIS states that the proposed Project would result in 17,300 acres more than the No Action Alternative in 30 years, comparable to the amount of land built in Atchafalaya Bay since the 1950s (Pre-storm acreage was 17,500 [Pers. Comm. Barras 2009]). Several factors complicate the comparison: the Wax Lake Outlet, which receives approximately 1/3 of the Atchafalaya River's flow and delivers it to the Wax Lake Delta, skims from the top of the water column, and the Atchafalaya Delta is compromised by the dredging of the ship channel. Also, some of the Atchafalaya River flow is lost to the marshes south of the Intracoastal. These factors would tend to reduce land building in the bay.

Conversely, the Mississippi River is less sediment-rich than the Atchafalaya River (Blum and Roberts 2009). In addition, sea-level rise is accelerating (Figure 4.1-3), and as a result, future land building would be much slower than when the deltas were forming. The Mid-Barataria Diversion maximum discharge of 75,000 cfs would be reached at 1,000,000 cfs, and would not increase with greater flows, when sediment loads are greater. These factors would tend to limit the rate of land creation/maintenance by the proposed Project compared to the deltas in Atchafalaya Bay. In summary, the EIS states that the Mid-Barataria Diversion would create/maintain about the same amount of land as was built in Atchafalaya Bay with roughly 1/7 the water flow, in about 1/2 the time, and with less sediment-rich water in an environment of accelerating sea-level rise. Even considering the factors that limited land building in Atchafalaya

Bay, the proposed Project is unlikely to create/maintain land at roughly 14 times the rate observed in Atchafalaya Bay. [References provided]

Blum, M.D., Roberts, H.H., 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. Nature Geoscience 2, 488-491.

Response ID: 16054

While commenters have described real-world examples that by comparison suggest the proposed Project would not produce the land gains projected by the model, observed examples from other basins are not necessarily more reliable than numerical models. Multiple lines of evidence were used in development of the EIS, including professional field experience in coastal Louisiana, reviews of available scientific literature and the results of the Delft3D Basinwide Model, which are based on the site-specific conditions and design parameters of the proposed Project. These approaches have respective strengths and weaknesses such that they can be used in a complementary fashion to develop more reliable results than any one method alone. That complementary use was employed in preparing the EIS. The literature cited by the commenters has been reviewed (specifically, Blum and Roberts 2009) and that reference was considered in development of the EIS. The Delft3D Basinwide Modeling accounts for Mississippi River sediment supply as described in Appendix E Delft3D Modeling of the EIS, Sections 5.2.2 and 8.

Further, the Delft3D Basinwide Model incorporates inundation depths in the critical vegetation parameters to simulate vegetation losses and gains as a result of the diversion, as well as other sources of inundation (such as subsidence and sea-level rise). A summary of select natural and man-made diversions in southeastern Louisiana, including those in Atchafalaya Bay, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes the cited reference, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

The likelihood of success of the proposed Project and information from other freshwater diversions was considered in the LA TIG's Draft Restoration Plan; therefore, no related edits have been made to the Final Restoration Plan. Chapter 3, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the LA TIG's Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer models

used to analyze Project benefits fully consider the geomorphological features of the Lower Mississippi River, including data and knowledge gained from the referenced project.

Concern ID: 63049

Models are useful tools but are not as reliable as real-world observations. The West Bay Sediment Diversion project was constructed in 2003, originally designed to divert an average discharge of 20,000 cfs. By 2008, the flow had increased substantially, and in 2009 to 2011, measured flows were equal to 8.4 to 9.5 percent of Mississippi River flows (Sharp et al. 2013). Discharges into West Bay at moderate river flows of 551,000 cfs peaked in 2009 at about 42,000 cfs, and declined in the 2009 to 2014 period to about 24,700 cfs (Allison et al. 2017). The operational plan for the proposed Project, as described in the EIS, would result in a flow of about 34,000 cfs at the same moderate Mississippi River flow of 551,000 cfs, or about midway between the high and low West Bay discharges of 2009 to 2014. A report produced by the State of Louisiana CPRA stated that while the West Bay project area gained a total of 557 acres from 2002 to 2014, much of that gain can be attributed to beneficially placed material. Approximately 665 acres of material had been placed within the land/water analysis boundary at the time of the 2014 survey, versus the 557 acres determined via land/water analysis (Plitsch 2017). This lack of land building by the diversion of river water into West Bay for 10 years took place even though Grand Pass is another important source of sediment to the bay (Kolker 2012). Yet the Mid-Barataria EIS projects a land gain of 6,260 acres in the Barataria Basin relative to the No Action Alternative in the first 10 years (Table 4.2-4), with rates of discharge comparable to the West Bay project. [References provided]

Allison, M.A., Yuill, B.T., Meselhe, E.A., Marsh, J.K., Kolker, A.S., Ameen, A.D. 2017. Observational and numerical particle tracking to examine sediment dynamics in a Mississippi River delta diversion. Estuarine, Coastal and Shelf Science 194 (2017) 97-108.

Kolker, A.S., Miner, M.D., Weathers, H.D., 2012. Depositional dynamics in a river diversion receiving basin: the case of the West Bay Mississippi River Diversion. Estuar. Coast. Sci. 106, 1-12.

Plitsch, E., 2017. 2016 Operations, Maintenance, and Monitoring Report for West Bay Sediment Diversion (MR-03), Coastal Protection and Restoration Authority of Louisiana, New Orleans, Louisiana.

Sharp, J., Little, C., Brown, G., Pratt, T., Heath, R., Hubbard, L., Pinkard, F., Martin, K., Clifton, N., Perky, D., and Ganesh, N. (2013). West Bay Sediment Diversion Effects, ERDC/CHL Technical

Report 13-15, Vicksburg, Mississippi.**http://acwc.sdp.sirsi.net/client/en_US/search/asset/1032362****Response ID: 16055**

USACE notes that commenters have described real-world examples that by comparison suggest the proposed Project would not produce the land gains predicted by the model. USACE disagrees with the assertion that examples from other basins are more reliable than numerical models. Multiple lines of evidence were used in development of the EIS, including professional field experience in coastal Louisiana, reviews of available scientific literature and the results of the Delft3D Basinwide Model. However, the model is based on the site-specific conditions and design parameters of the proposed Project. These approaches have strengths and weaknesses such they can be used in a complementary fashion to develop more reliable results than any one method alone. That complementary use was employed in preparing the EIS. The USACE and the LA TIG have reviewed the literature cited by the commenters, including Allison et al. 2017, Kolker et al. 2012, Plitsch 2017, and Sharp et al. 2013 and those references have been added as applicable. A summary of select natural and man-made diversions in southeastern Louisiana, including the West Bay Sediment Diversion, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes the cited references, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation." (Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, Estuarine, Coastal and Shelf Science, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005>).

The likelihood of success of the proposed Project and information from other freshwater diversions was considered in the LA TIG's Draft Restoration Plan. More specifically, Chapter 3, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the LA TIG's Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer models

used to analyze Project benefits fully consider the current geomorphological features of the Lower Mississippi River, including data and knowledge gained from the referenced project.

Concern ID: 63050

The temperature shock from the discharge of colder river waters would be harmful and likely would damage existing vegetation.

Response ID: 16056

As described in Appendix E Delft3D Modeling, Section 5.4.1 of the EIS, temperature coefficients for growth and for senescence mortality have been incorporated into the vegetation parameters for the Delft3D Basinwide Model. Water temperature is simulated within the model; based on the results of the modeling analysis, and as described in Chapter 4, Section 4.5.5.2 in Surface Water and Sediment Quality of the EIS, temperature trends projected for the proposed Project would follow the same seasonal patterns as the No Action Alternative, though there would be a minor temperature decrease (up to 5°F or 3°C) at assessed locations following operation of the diversion structure above base flow. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63051

The Draft EIS underestimated the following beneficial impacts of the proposed Project:

- **pioneer species like black willow (which is exploding in the Davis Pond, Caernarvon and Mardi Gras Pass outfall areas);**
- **bald cypress retention and recruitment in areas formerly too saline or submerged; and**
- **survival and recruitment of live oaks and other maritime forest vegetation on natural levees and cheniers where saline soils have inhibited their growth, recruitment, and survival for decades.**

Response ID: 16057

While forested wetlands (including cypress swamps) are present in the northern portions of the Barataria Basin, as depicted in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S., Figure 3.6-1 of the EIS, land gains associated with the proposed Project would primarily be in the outfall area where marsh vegetation predominates (see Chapter 4, Section 4.2 Geology and Soils, Figures 4.2-2 through 4.2-4 of the EIS). Therefore, the establishment or spread of forest species as a result of the proposed Project is not anticipated. However, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes observed changes in vegetation growth from other

diversions, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Concern ID: 63052

Combined with other proposed restoration projects, the proposed MBSD Project would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the DWH oil spill.

Response ID: 16058

The Draft EIS disclosed the projected maximum wetland gains of 17,100 acres associated with the proposed Project at year 2060 before dropping to 12,700 acres at year 2070 in the Barataria Basin; these wetland gains over time are quantified in Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. and are consistent with the commenter's statement. When considered with other reasonably foreseeable future projects, cumulative wetland gains in the Barataria Basin could be greater, as presented in Section 4.25 Cumulative Impacts, Wetland Resources and Waters of the U.S. of the Draft EIS.

Concern ID: 63053

Newly built land is evident from the air on the east bank of the Mississippi River, where there are enough natural breaks in the river levees to allow the natural process of delta building.

Response ID: 16059

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the Draft EIS explained how the proposed Project is designed to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. This is also discussed in Chapter 3, Section 3.2.1.1 in Geology and Soils of the LA TIG's Restoration Plan.

Concern ID: 63054

Clarify whether "sustaining 20 percent of the marsh" means that the proposed Project would sustain 20 percent of the land that is present today or that the proposed Project would add 20 percent to the land's total. Further clarify if those numbers are based on the land that is present today or what would be present in 2050.

Response ID: 16060

The wetland acreages presented in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-3 of the EIS represent the total acreage projected to be present in the Barataria Basin under each action alternative assessed. The percentage of wetland gains and losses presented in Section 4.6, Table 4.6-4 therefore represents the total change in wetland area (including newly created wetlands as well as wetlands that would be lost to subsidence and sea-level rise but for the proposed Project). No edits to the Final EIS are warranted. The comparisons use projected wetland area by decade for all alternatives assessed (that is, the numbers are based on the projected future conditions, and not current wetland area).

The LA TIG's Restoration Plan highlights that, by the end of the analysis period, the proposed Project is projected to be responsible for

creating or maintaining approximately 20 percent of the land that would remain in Barataria Basin at that time (that is, 2070). Specifically, this represents the amount of created or maintained land that remains in 2070 divided by the total amount of land that remains in the Barataria Basin in 2070. See the EIS for more information about projected Project-driven changes in land area over time (Chapter 4, Section 4.2.3.2 Geology and Soils and Section 4.6.5.1 in Wetland Resources and Waters of the U.S.).

Concern ID: 63055

Clarify how the 150,000 cfs Alternative is projected to produce only 9.7 percent more fresh and intermediate marsh and less brackish and saline marsh than the 50,000 cfs Alternative.

Response ID: 16061

The same Project area was used for all alternatives assessed in the EIS, which is the extent of the Barataria Basin and birdfoot delta. Under each action alternative, the proposed Project would create and sustain existing wetlands. The magnitude of impacts would be greater under the 150,000 cfs Alternative when compared with the 50,000 cfs Alternative; however, because the 150,000 cfs Alternative would discharge more fresh water into the Barataria Basin, it would result in greater inundation of the marsh surface in the immediate outfall area, increasing plant stress and mortality. Therefore, the 150,000 cfs Alternative would result in the conversion of a larger area of existing, brackish marsh to freshwater and intermediate marsh in the delta formation area when compared with the other action alternatives. This difference is illustrated in Chapter 4, Section 4.6 Wetland Resources and Waters in the U.S., Figure 4.6-15. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63056

Louisiana loses an estimated 25 acres of wetlands each day; compare this daily loss to the daily wetland creation projected by the proposed Project.

Response ID: 16062

Reference to the loss of 25 acres of wetlands per day is assumed to be based on the estimate by Couvillon et al. (2017) that, between 1985 and 2010, an estimated 16.6 square miles of wetlands was lost across the state of Louisiana annually. While wetland losses cannot be assessed on a daily basis, this estimate equates to about 29 acres of wetland loss per day.

By comparison, in 2060 (when wetland gains under the Applicant's Preferred Alternative are greatest when compared with the No Action Alternative), the proposed Project would result in a 17,100-acre wetland increase over the No Action Alternative in the Barataria Basin (see Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-4). This area equates to about 428 acres (0.7 square mile) if

it is averaged annually over the 40-year period between 2020 and 2060.

By 2070, the proposed Project is anticipated to create 12,700 acres in the Barataria Basin (approximately 19.8 square miles, see Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-4). While wetland gains cannot be assessed on a daily basis, this projection would equate to about 254 acres per year or 0.7 acre per day.

Because the projected wetland increase over time was represented in the Draft EIS, no edits to the Final EIS have been made.

Concern ID: 63060

The proposed diversions would build land in the immediate outfall; however, the areas farther away would experience a higher land loss due to changes caused by the lower salinity. The losses in salt marsh flora causes increased erosion and land subsidence in old marshland and would result in a net land loss. The natural land that took nature thousands of years to build cannot be replicated by diversions.

Response ID: 16066

The EIS acknowledges that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations (see Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS).

However, salt- and brackish marsh vegetation would not be subjected to direct mortality due to the lower salinity of transported water. While saline and brackish species are associated with salinity ranges of greater than 18 ppt and between 18 and 5 ppt, respectively (see Chapter 3, Section 3.6.1.2 in Estuarine Wetlands of the EIS), brackish marsh can fluctuate from fresh to saline conditions depending on tidal movement, and species such as *Spartina alterniflora* are common in both salt and brackish marsh (Connor and Day 1987). Salt is a stressor affecting osmosis and cell structure. Plants occurring in saline and brackish marshes have developed adaptations to either exclude uptake or excrete salt; however even salt marsh species grow better at lower salinities (Mitsch and Gosselink 2000; Teal et al. 2012). However, as described in Chapter 4, Section 4.6.5.1.2.1 Salinity of the Final EIS, in some areas of the Barataria Basin, the seasonal change in salinity due to operation of the diversion above base flow (primarily during spring and early summer) and lower-flow conditions during fall and winter months would be large enough to temporarily change the wetland hydrology from a brackish to fresh or saline to brackish system. In the southern basin, where salt marsh predominates, peak salinities would be within the range for salt marsh vegetation under the No Action and Applicant's Preferred Alternatives. While the action alternatives would not counteract all wetland losses across the Barataria Basin over the

analysis period, as shown in Section 4.6 in Wetland Resources and Waters of the U.S., Table 4.6-4, the proposed Project would reduce wetland losses when compared with the No Action Alternative. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63064

Marsh flora and fauna would die once the proposed Project operation begins and river water fills the estuary. Clarify how long it would take for other species to inhabit the area and how much land would wash away once the saltwater marsh that is currently present dies.

Response ID: 16070

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. indicated that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations; however, those impacts would be offset by marsh building in the delta formation area. However, salt- and brackish marsh vegetation would not be adversely affected by the lower salinity of transported water. Chapter 4, Section 4.6.5.1.2.4 Land Accretion of the Final EIS has been revised to include additional analysis regarding the extent and timing of wetland changes in the immediate outfall area.

As summarized in Chapter 4, Section 4.10.5 in Aquatic Resources of the EIS, the proposed Project would have both adverse and beneficial impacts on the flora and fauna of the Barataria Basin, based on the specific life history and habitat preferences of a given species.

Concern ID: 64195

Vegetation is fragile but is resilient. Seedlings could be introduced in the sediment flow as topsoil crusting occurs, or could be introduced years later at additional cost.

Response ID: 16071

Comment noted. The Project, as proposed, does not include planting of wetland vegetation; rather, the diversion of fresh water and sediments would alter the abiotic conditions in the Barataria Basin to allow for establishment of marsh species via natural recruitment and spread. No related edits to the Final EIS have been made.

Concern ID: 64196

With respect to the Davis Pond and Caernarvon Diversions that overwhelmingly convey finer-grained silts and clays, the critical importance of those sized sediments is graphically apparent. Since those classes of sediments make up at least two-thirds of the sediments that the proposed MBSD Project is expected to transport into the basin (Draft EIS Chapter 2, Section 2.4 Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow, Table 2.4-2), these experiences serve as a telling example of what the proposed MBSD Project would do in terms of strengthening and building up wetlands that can filter and capture the finer-grained sediments that it would

Response ID: 16072	<p>convey. While the Draft EIS presented data about the quantity of these finer-grained sediments, the discussion about the areal distribution and role of these sediments in terms of maintaining and strengthening wetlands that are deteriorating could be improved.</p>
	<p>As described in Chapter 4, Section 4.2.3 in Geology and Soils of the EIS, sand and coarser-grained sediments would be deposited in the immediate outfall area while finer-grained sediment would be deposited farther gulfward in the basin. Land gains associated with the proposed Project would primarily be in the immediate outfall area (see Chapter 4, Figures 4.2-2 through 4.2-4 in Geology and Soils). Chapter 4, Sections 4.2.3.2.2.1 Geology and 4.6.5.1.2.4 Land Accretion have been revised in the Final EIS to further address the importance of fine-grained sediments for marsh building and sustenance.</p>
Concern ID: 63030	<p>The executive summary for Wetland Resources and Waters of the U.S. fails to capture the significance of wetland impacts within the context of the delta cycle (see van Beek and Gagliano 1984; Figs. 1, 2) and fails to discuss the implications of not reconnecting the river to the Barataria Basin.</p>
Response ID: 16038	<p>The implication of not reconnecting the Mississippi River to the Barataria Basin was considered in the Draft EIS. The No Action Alternative, assessed for each resource throughout the EIS, describes the projected future conditions without the proposed Project. Impacts on wetlands under the No Action Alternative are addressed in Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS, and comparisons of the change in wetland area during operations of the proposed Project as compared to conditions under the No Action Alternative are included in the Section ES.4, Wetland Resources and Waters of the U.S. in the Executive Summary. Further, Chapter 3, Sections 3.1.4.1 Mississippi River and 3.1.4.2 Barataria Basin of the EIS address the deltaic processes that formed the proposed Project area; however, Sections 3.1.4.2 and 3.2.1.1 Historical Context, have been supplemented in the Final EIS to further discuss historic conditions and include the referenced study (van Beek and Gagliano 1984).</p>
Concern ID: 63031	<p>The executive summary for Wetland Resources and Waters of the U.S. should indicate that the proposed Project would also benefit brackish marshes.</p>
Response ID: 16039	<p>As shown in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-3 of the EIS, the proposed Project is projected to reduce the total area of brackish marsh in the Barataria Basin when compared with the No Action Alternative over its operational period. As addressed in Section 4.6, some areas of brackish marsh that would be converted to open water under the No Action Alternative may be</p>

sustained by sediments transported by the proposed Project; however, some brackish marsh under the proposed Project would be converted to fresh water in the immediate outfall area. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63033

The executive summary for Wetland Resources and Waters of the U.S. should reiterate in the 3rd sentence of the first paragraph that the proposed Project would benefit wetlands by providing additional nutrients.

Response ID: 16040

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS includes an analysis of the proposed Project's impacts with respect to increased nutrients transported by the diversion to wetlands in the Barataria Basin and the benefits those nutrients would provide. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63034

The executive summary for Wetland Resources and Waters of the U.S. should provide additional detail on the impact of various river flow volumes on salinity in the birdfoot delta. The validity of this analysis is questionable because high river flows would overwhelm the birdfoot delta with freshwater regardless of a reduction in flow caused by the diversion, while at low flows, when the diversion is most likely to affect salinity in the birdfoot delta, the diversion still only represents a 10 percent reduction in river flow.

Response ID: 16041

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS provides a detailed analysis of the impacts of reduced sediment and freshwater flow to the birdfoot delta associated with the proposed Project. In addition, Figures 4.5-3 and 4.5-4 in Chapter 4, Section 4.5.5.1 in Surface Water and Sediment Quality, depict the average salinity projected under the proposed Project and No Action Alternatives in the Project area (including the birdfoot delta). Salinity was modeled using a historical representative hydrograph to quantify river flows; the representative hydrograph differs by each decade during Project operations. The results of the analysis find that the proposed Project would cause permanent, minor increases in salinity in the birdfoot delta during Project operations; the maximum increase would be 5 ppt above the No Action Alternative conditions. Finally, Appendix E Delft3D Modeling provides a detailed description of the Delft3D Basinwide Model used to provide quantitative projections of proposed Project impacts. Because these issues were considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63035

The executive summary for Wetland Resources and Waters of the U.S. should reconsider the operating plan for Davis Pond and how

Response ID: 16042	<p>the Davis Pond Diversion would be affected by the proposed Project.</p> <p>Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS provides a detailed analysis of the impacts of operations of the proposed Project on the Davis Pond Freshwater Diversion. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS. The operations plan for the Davis Pond Freshwater Diversion is outside the scope of this analysis. Further, there are no plans at this time to change the operating plan for the Davis Pond Freshwater Diversion Project. As discussed in Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the Draft EIS, as part of the Fish & Wildlife Coordination Act consultation, USFWS has recommended, and CPRA has agreed to implement, development of a basin-wide operations and basin monitoring data repository to help in the general coordination among diversion operators, within their authorizations.</p> <p>As part of the evaluation of the proposed Project and potential alternatives, the Delft3D model runs and the EIS assumed operations of other diversions consistent with their current or anticipated operational protocols, including the Davis Pond Freshwater Diversion for the hydrodynamic and water quality simulations. The Davis Pond Freshwater Diversion was not included in the Delft 3D morphological modeling simulations.</p> <p>Based on Delft3D Basinwide Modeling results, proposed MBSD Project operations are expected to reduce the frequency with which the Davis Pond Freshwater Diversion would be operated during certain months of the year to meet its current operational guidelines. Refer to Chapter 4, Section 4.5.7 in Surface Water and Sediment Quality of the EIS for further details on the projected number of days for the Davis Pond Freshwater Diversion opening. Potential impacts to the Davis Pond Freshwater Diversion will be further considered as part of the Section 408 permission request process for the proposed MBSD Project.</p>
Concern ID: 63036	<p>The executive summary for Wetland Resources and Waters of the U.S. should clarify whether the stated beneficial impacts on the spread of invasive species would be an adverse impact on the environment, and specify the invasive species considered in this paragraph.</p>
Response ID: 16043	<p>Chapter 4, Section 4.6.5.2 in Wetland Resources and Waters of the U.S. of the EIS analyzes the potential impacts on the spread of invasive species in wetlands in the proposed Project area, including identifying the species considered in the analysis. Chapter 4, Section 4.9.4 in Terrestrial Wildlife and Habitat and Section 4.10.4.6 in Aquatic Resources also analyze the potential for Project impacts on the spread of invasive plants and animals in uplands and aquatic habitats. The</p>

proposed Project could reduce the spread of invasive species in the birdfoot delta, which is considered a beneficial impact to the birdfoot delta. However, operation of the proposed Project could result in the introduction or spread of invasive wetland plant species in the Barataria Basin. The Executive Summary of the Final EIS has been revised to clarify the impact language.

Concern ID: 63059	The freshwater habitat components of Louisiana’s estuaries are under tremendous threat from erosion, saltwater intrusion, and sea-level rise, and are at risk of completely disappearing given physical limitations preventing inland marsh migration (Glick et al. 2013).
Response ID: 16065	The literature cited by the commenter (Glick et al. 2013) was reviewed. Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the EIS describes the causes of historic wetland losses in the Barataria Basin and is consistent with those documented by Glick et al. (2013), including sea-level rise. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 63061	Identify the amount of water and sediment diverted during the 2019 Bonnet Carré Spillway opening and describe the creation/restoration of wetlands from those diverted sediments.
Response ID: 16067	The Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological response. A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes additional discussion on the Bonnet Carré Spillway, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.
Concern ID: 63062	Early model runs used in the Draft EIS predicted accelerated loss of the brackish marsh in the first 10 to 60 days as these delicate plants cannot tolerate voluminous river water inundation.
Response ID: 16068	Chapter 4, Section 4.6.5.1.2.4 Land Accretion of the Final EIS has been revised to include additional analysis regarding the loss of some wetlands in the immediate outfall area due to scouring and inundation during the initial period following commencement of operations.
Concern ID: 63063	Barataria Basin is host to thousands of miles of unused oil canals, whose neglect has altered local hydrology to the detriment of marshes within 2 kilometers of the “spoil banks” constructed of the cast aside materials from canal excavation. The Draft EIS did not consider these hydrologic alterations as significant. However,

Response ID: 16069	<p>in the commenter’s experience, the cumulative impact of small canal projects can be significant.</p> <p>The influence of canals and spoil banks on wetland losses in Barataria Basin can be found in Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. in the EIS; however, Chapter 3, Section 3.6.2.2.4 Canals and Spoil Banks in the Final EIS has been updated to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin.</p>
Concern ID: 63039	<p>The proposed Project would create wetlands, which would in turn provide a myriad of benefits, including helping to protect the coastline from sea-level rise and flooding due to storms.</p>
Response ID: 16046	<p>Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the Draft EIS disclosed the projected wetland gains. Associated benefits, such as building coastal resiliency, from the proposed Project are addressed throughout the Draft EIS. Also see a discussion of the proposed Project’s benefits in Chapter 3, Section 3.2.1.6 Benefits Multiple Resources of the LA TIG’s Final Restoration Plan.</p>

EC60600 - Air Quality

Concern ID: 61925	<p>The Draft EIS belittled the major impacts the proposed Mid-Barataria Sediment Diversion would have on Ironton, and implied that impacts are limited to construction. Ironton already is inundated with pollution from an upriver grain terminal (CHS) and Alliance Refinery and down river coal export terminals. Removing trees from the land removes a critical buffer of air quality protection for Ironton.</p>
Response ID: 16187	<p>Chapter 3, Section 3.7.2 in Air Quality of the EIS describes the existing air quality classification under the Clean Air Act in the proposed Project area. Plaquemines Parish is designated as “unclassifiable/in attainment” for all criteria pollutants, meaning that the air quality in the area meets or is cleaner than national standards. As described in Chapter 4, Section 4.7.3.2 of the EIS in Air Quality, the Action Alternatives would cause minor to moderate adverse impacts on air quality during construction related to the use of combustion-powered equipment and fugitive dust generated by off-road vehicle use, earthwork (such as land clearing and ground excavation), aggregate and material handling (including concrete manufacturing), and wind erosion of exposed piles of dredged and excavated material. As described in Chapter 4, Section 4.7.4.2 in Air Quality of the EIS, the Action Alternatives would cause negligible air quality impacts during operation of the proposed Project due to active maintenance, which</p>

would not be sufficient to cause the proposed Project area to be re-designated as a non-attainment area. Tree cover can improve air quality via uptake of pollutants and the proposed Project would require clearing of some of the forest areas between Ironton and the existing Alliance Refinery. However, as depicted in Chapter 4, Section 4.18 Land Use and Land Cover, Figure 4.18-1, forest vegetation would remain on either side of the diversion structure and would continue to provide some buffer to air emissions from the Alliance Refinery and dust from the grain terminal for the community of Ironton. Chapter 3, Section 3.7.2 of the Final EIS was updated to identify existing sources of emissions in the Project vicinity include operation of the Alliance Refinery, the CHS terminal, and other industrial facilities.

Chapter 4, Section 4.15 Environmental Justice of the Final EIS has been revised to clarify information about potential impacts on the community of Ironton.

Concern ID: 63127

The future without action is a future of increasing oil and gas leaks into the Barataria Basin. The commenters believe that many or most of the ongoing environmental harms to the Barataria Basin are not mentioned in the Draft EIS. The Draft EIS mentioned over 2,600 miles of hazardous liquid pipelines, and over 4,990 “unplugged” (Townsend-Small et al. 2016), inactive wells, 15,979 plugged wells, and 799 active wells. Many of these unplugged, unproductive wells are likely leaking methane into the upper atmosphere.

Response ID: 16188

The EIS acknowledges that oil and gas development has affected the Barataria Basin (see Chapter 3, Section 3.2.3 in Geology and Soils and Section 3.23 Hazardous, Toxic, and Radioactive Waste Assessment of the EIS). In addition, literature provided by the commenter (Townsend-Small et al. 2016), has been reviewed and Chapter 3, Section 3.7.2.1 Climate Change and Greenhouse Gases in the Final EIS has been revised to include a discussion of sources of GHG emissions in Louisiana, including oil and gas production identified in this reference, as well as other ongoing activities.

EC60800 - Terrestrial Wildlife/Habitat

Concern ID: 62889

The Draft EIS ignores or underestimates likely positive impacts to upland wildlife (deer, hogs, furbearers, nutria), wetland wildlife (waterfowl, wading birds, colonial nesting birds), and wildlife with lower salinity tolerances (alligators), as well as foraging habitat (migratory shorebirds and neotropical migrants), nesting habitat (marsh birds) and prey availability for a variety of species.

Response ID: 16189	<p>The Draft EIS evaluated the effects of the proposed Project on terrestrial resources. The impacts of the proposed Project on upland species are discussed in Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the EIS, but are generally anticipated to be minor and adverse. Conversely, the effects of the proposed Project on wetland wildlife, wildlife with lower salinity tolerances, foraging/nesting habitat, and prey availability in the Barataria Basin are generally anticipated to be beneficial, as discussed throughout Section 4.9 Terrestrial Wildlife and Habitat.</p> <p>In addition, the potential benefits of the proposed Project to multiple resources in the Gulf are described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.</p>
Concern ID: 62890	<p>The wetlands and coastal habitats of Louisiana are essential to the bird populations (both resident and migratory) and must be protected and restored. The proposed Project is important to maintaining and rebuilding important bird habitat.</p>
Response ID: 16190	<p>Chapter 3, Section 3.9.2.1 in Terrestrial Wildlife and Habitat of the Draft EIS identified the importance of area habitats and resources to migratory, and other, birds in the Barataria Basin. Further, Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh, as well as initial land accretion and creation of mudflats, that is projected to occur as part of the proposed Project, and identified that the net addition of these habitats would generally be beneficial to waterfowl and shorebirds.</p> <p>The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.</p>
Concern ID: 62892	<p>The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.</p>
Response ID: 16191	<p>Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.</p> <p>The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.</p>

Concern ID: 62893	The proposed MBSD Project would kill wildlife.
Response ID: 16192	As described in Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS, wildlife would experience both adverse and beneficial impacts during proposed Project construction and operations, with specific impacts depending on the individual life history and tolerances of a given species.
Concern ID: 62894	Colonial nesting waterbirds are documented within 1 mile of the proposed Project and activities within a certain radius of an active colony are generally prohibited. Nesting colonies can move from year to year and no current information is available on the status of these colonies. If work for the proposed Project would commence during the nesting season, a field visit to the worksite to look for evidence of nesting colonies is required. This field visit should take place no more than 2 weeks before construction begins. If no nesting colonies are found within 1,000 feet (2,000 feet for brown pelicans) of the proposed Project, no further consultation with Louisiana Wildlife Diversity Program (WDP) staff may be necessary. If active nesting colonies are found within the previously stated distances of the proposed Project, further consultation with WDP staff would be required. Colonies should be surveyed by a qualified biologist to document species present and the extent of colonies. Additionally, LDWF should be provided with a survey report. For report requirements and restrictions for minimizing disturbance to colonial nesting birds or if at any time Louisiana Natural Heritage Program-tracked species are encountered within the proposed Project area, please contact our WDP biologists at 225-765-2643.
Response ID: 16193	<p>As noted in Chapter 4, Section 4.9.3.2 in Terrestrial Wildlife and Habitat and Appendix R1 (Mitigation and Stewardship Plan) of the EIS, if a permit is issued, CPRA would conduct pre-construction surveys for colonial waterbirds and would provide the survey results to the LDWF for review. As further noted in Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the EIS, if a permit is issued, CPRA has agreed to implement Conservation Recommendation 13 resulting from the Fish and Wildlife Coordination Act consultation with USFWS, which requires inspection and monitoring measures similar to those recommended by the commenter. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.</p> <p>The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for</p>

public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62895

Feral hogs significantly damage levee systems and the increased water levels surrounding marshes would drive them (and other wildlife) further onto the current levee system, exacerbating the damage. Commenter asked how the issue would be addressed.

Response ID: 16166

As noted in Chapter 4, Section 4.9 in Terrestrial Wildlife and Habitat of the Draft EIS, while feral hogs are sometimes found in marsh habitat, they are more common in forested habitat. As described in Section 4.4 Surface Water and Coastal Processes, water level increases from the proposed Project are not expected in northern portions of the basin or within federal levee systems. As shown in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S., Figure 3.6-1, and Section 3.18.2 Existing Land Use/Land Cover, Figure 3.18-1 forested lands/wetlands are located primarily in these areas. Therefore, increased water levels from the diversion are not expected to appreciably increase feral hog use of and damage to levees in the proposed Project area. Construction of the proposed Project would be expected to destroy and remove approximately 149 acres of forested lands (about 20 acres of which are forested wetlands) from within the Project construction footprint. Feral hogs using those forests would be

displaced during construction and operation and would be expected to move to other areas. See Sections 4.9.3.2 and 4.9.4.2 of the Draft EIS. Section 4.9.4.2.3.2 Terrestrial Invasive Animals was updated for the Final EIS to discuss the potential for feral hogs to damage levees during periods of increased water levels.

Concern ID: 62896

Some wildlife species would have higher survival, but the survival of others would decrease. Commenter expressed concern regarding impacts on wildlife and questioned if there would be more gains than losses.

Response ID: 16194

As described in Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS, wildlife would experience both adverse and beneficial impacts during proposed Project construction and operations, with specific impacts depending on the individual life history and tolerances of a given species. The proposed Project is not anticipated to result in the loss of individual species throughout the Barataria Basin, but rather would cause a shift in the species assemblages to account for the modified habitat present in the basin. For example, species with higher-salinity requirements that are currently present would remain during operation of the proposed Project, but would likely move further south to account for changing salinities. These potential impacts of the proposed Project on various species and wildlife groups are analyzed and described in detail in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat, 4.10 Aquatic Resources, 4.11 Marine Mammals, and 4.12 Threatened and Endangered Species in the EIS.

As discussed in Sections 4.16.5.1 and 4.16.5.2 in Recreation and Tourism, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts to these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. Section 4.16.5.2.3 Recreational Fishing of the Final EIS has been updated to acknowledge that some recreational fishers may need to modify their traditional fishing locations to target specific species that may modify habitat use (either temporarily or permanently) based on changing salinities.

Concern ID: 62898

The 2018 publication “Bird distribution among marsh types on the northern Gulf of Mexico” in the Journal of Coastal Research (vol.

Response ID: 16196	34 (5):1060-1086) presents the results of bird counts at 100 locations in the marsh, tracked for several years starting in 2010. The literature cited by the commenter (Yaukey 2018) has been reviewed and incorporated into Chapter 4, Section 4.9.4.2.2.3 Wetlands (Wet Pasture/Marsh/Bottomland Hardwoods) of the Final EIS.
Concern ID: 62900	The Draft EIS underestimated likely benefits of the proposed Project on wildlife and habitat, as indicated by the receiving areas of the Mississippi and Atchafalaya Rivers, which are vastly more productive and show greater wildlife diversity and abundance than comparable areas of fresh and brackish marsh with no riverine input. A few select instances where this is apparent include: <ul style="list-style-type: none">• waterfowl and wading bird abundance;• foraging habitat for migratory shorebirds and neotropical migrants;• nesting habitat for marsh birds;• prey availability for a wide variety of predators (birds, amphibians, reptiles, fish, and terrestrial and marine mammals);• net benthic and fisheries productivity;• growth rates and density for submerged aquatic vegetation;• the revival of woody vegetation, important for local songbirds, neotropical migrants and wintering birds;• pioneer species like black willow (which is exploding in the Davis Pond, Caernarvon and Mardi Gras Pass outfall areas);• bald cypress retention and recruitment in areas formerly too saline or submerged; and• survival and recruitment of live oaks and other maritime forest vegetation on natural levees and cheniers where saline soils have inhibited their growth, recruitment, and survival for decades.
Response ID: 16198	Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the EIS, discusses the benefits to waterfowl (and other birds) and general wildlife from the wetlands projected to be built or maintained in the Barataria Basin by the proposed Project. In addition, Sections 4.10.4.1 and 4.10.4.4 in Aquatic Resources indicate major beneficial impacts on SAV and minor to moderate beneficial impacts on fauna (through food

web production), respectively, in the Barataria Basin from operation of the proposed Project.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary, which includes observed changes in wildlife, wildlife habitat, and vegetation growth from other diversions, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

In addition, the potential benefits of the proposed Project to multiple resources in the Gulf are described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

Concern ID: 62905

The wetlands in the birdfoot delta and species better adapted to high-salinity environments would be negatively affected.

Response ID: 16202

Wetlands in the birdfoot delta would be negatively impacted by the proposed Project as discussed in Chapter 4, Section 4.6.5 in Wetland Resources and Waters of the U.S. of the EIS. Brackish and saline marsh, as well as species better adapted to higher salinities, would generally be negatively affected in areas closer to the diversion where salinity decreases are expected to be pronounced (see Chapter 4, Section 4.10 Aquatic Resources of the EIS); however, as noted in Section 4.5.5.1 in Surface Water and Sediment Quality, the salinity in the birdfoot delta is actually anticipated to increase slightly with proposed Project operations. Adverse impacts to wildlife from operation of the proposed Project are also discussed in the EIS, and more information on these impacts can be found in Chapter 4, Section 4.9 Terrestrial and Wildlife Habitat. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62897

Organic plant biomass is being converted to animal biomass as marsh loss occurs, serving as a prey base. But there is a fixed quantity of stored organic biomass and once it is gone, it is gone. Therefore, the No Action Alternative would have dire consequences overall for coastal bird and wildlife populations and the habitats on which they depend, because the system's energy continues to be depleted.

Response ID: 16195

The comment is consistent with the EIS (Chapter 4, Section 4.9.4.1 in Terrestrial Wildlife and Habitat) that identifies continued wetland loss to be a major adverse impact on wetland wildlife due, in part, to a decreasing food source. In addition, as stated in Section 4.10.4.4 in Aquatic Resources, the current Barataria Basin food web is relatively complicated with a high degree of resilience, although detritus plays an important role. In a system that would become predominantly open

water and soft bottom habitat with a low amount of wetlands, the food web would likely become more plankton-based and less detrital-based. This would represent a reduction in net system energy flow, trophic diversity, and faunal diversity compared to the existing system. The system could therefore be less resilient compared to one with multiple trophic pathways and detrital subsidies. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62899

The Draft EIS likely underestimated the value of the riverine reintroduction to wildlife and the estuarine system, as seen at the sites of several new planned and accidental riverine avulsions, such as West Bay, Mardi Gras Pass, Fort St. Philip, delta-wide crevasses in the birdfoot delta, Davis Pond, Caernarvon, and Wax Lake. Biophysically, the introduction of carbon, nitrogen, and phosphorus into declining marshes would automatically trigger concomitant increases in net primary productivity, with beneficial effects amplified up the trophic pyramid (Day et al. 2021, Tupitza and Glaspie 2020, Wissel and Fry 2005).

Response ID: 16197

A summary of select natural and man-made diversions in southeastern Louisiana, including those noted by the commenter, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes the impacts of these other diversions on wildlife and the respective estuarine systems, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS. In addition, the impacts of nutrient input from the proposed Project on the food web were discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the Draft EIS, which is consistent with the commenter's referenced statement and acknowledges the anticipated increase in primary productivity (and associated benefits to the food web) from nutrient input during Project operations and no changes to the Final EIS were warranted.

Concern ID: 62901

The executive summary for Terrestrial Wildlife and Habitat is confusing and should be put into the context of the delta cycle (that more salt tolerant species are reflective of an abandoned, degrading delta lobe).

Response ID: 16199

The commenter's request regarding the evaluation of impacts on terrestrial wildlife and habitat is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, has been added to Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context of the Final EIS. Additional discussion related to the Project's impacts on geomorphology and historic deltaic landforms has also been added to

Chapter 4, Section 4.2.3.2.2.3, Geomorphology. However, it is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification.

Concern ID: 62903

The freshening of systems allows the revival and recolonization of freshwater and brackish species. This is dramatically true in the case of trees and shrubs, few of which tolerate higher salinities. In the outfall areas of existing recent diversions, early successional willows are growing in profusion (for example, see CRMS3169), and succession to longer lived species like bald cypress would very likely follow. Meanwhile, on higher ground, stressed and dying natural levee and chenier vegetation like live oak may be revived, and recruitment of new woody vegetation can begin again.

Response ID: 16200

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS. Chapter 4, Section 4.9.4.2.1 Vegetation has also been revised to supplement the analysis of proposed Project's impacts on vegetation.

Concern ID: 63853

Louisiana wetlands provide habitat for 5 million migratory waterfowl during the winter months. Other migratory birds depend on the natural habitats of wetlands, marsh islands, estuary crabs, white/brown shrimp, finfish species, and oysters.

Response ID: 16203

Chapter 3, Section 3.9.2.1 in Terrestrial Wildlife and Habitat of the Draft EIS identified the importance of area habitats and resources to migratory, and other, birds in the Barataria Basin. In addition, Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S. and 4.9 Terrestrial Wildlife and Habitat, discussed the benefits of the additional wetland creation that would be anticipated with the proposed Project, including the benefits of those wetlands on waterfowl. There would be both adverse and beneficial impacts on the food resources listed for migratory birds, including adverse impacts on brown shrimp, oysters, and some finfish, and beneficial impacts on blue crab, white shrimp,

and certain finfish, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources.

In addition, the potential benefits of the proposed Project to multiple resources in the Gulf are described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

Concern ID: 62904

The loss of any single species would disrupt the local ecology, leading to harsher responses to natural disasters.

Response ID: 16201

As described in Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS, wildlife would experience both adverse and beneficial impacts during proposed Project construction and operations, with specific impacts depending on the individual life history and tolerances of a given species. The proposed Project is not anticipated to result in the loss of individual species throughout the Barataria Basin, but rather would cause a shift in the species assemblages to account for the modified habitat present in the basin. For example, species with higher-salinity requirements that are currently present would remain during operation of the proposed Project, but would likely move further south to account for changing salinities. The potential impacts of the proposed Project on various species and wildlife groups are analyzed and described in detail in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat, 4.10 Aquatic Resources, 4.11 Marine Mammals, and 4.12 Threatened and Endangered Species of the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

EC60900 - Aquatic Resources

Concern ID: 62690

The proposed Project would destroy the ecosystem and its flora and fauna, including oyster, shrimp, crabs, fish, sea turtles, and dolphins.

Response ID: 16073

As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated to those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts on the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. For example, the decrease in salinity that would occur

upon initial operation of the proposed Project would result in major adverse impacts on various species (oysters, brown shrimp, bottlenose dolphins) over a relatively short period of time; however, the accumulating fresh water and sediments would create or maintain wetlands over long-term or permanent basis (that is, extending through the remainder of the 50-year period of analysis) which would benefit other commercially or recreationally important aquatic species such as white shrimp, blue crab, and Gulf menhaden, and would increase storm protection for communities north of the immediate outfall area; the Delft3D Basinwide Model projects these benefits to increase over time and to be greatest in the 2060s (see Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S., 4.10.4.5 in Aquatic Resources, 4.11.5.2 in Marine Mammals, and 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). As discussed in Section 4.12.2.2 Sea Turtles, the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp's ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts, if shrimp and shrimp fishers move from mid-basin locations to locations lower in the basin or in nearshore/offshore waters (where more sea turtles would be present). However, NMFS has determined that these impacts would not jeopardize the continued existence of sea turtles (see Appendix O4 NMFS Biological Opinion of the Final EIS).

The USACE and the LA TIG are evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions in the basin. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin. The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project

(see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. The LA TIG's Restoration Plan indicates that by reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustees' Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

The CPRA has revised its Mitigation and Stewardship Plan and Monitoring and Adaptive Management (MAM) Plan in response to public concerns about these impacts. See Appendices R1 and R2 to the Final EIS for more information.

Concern ID: 62692

The proposed Project would introduce or facilitate the spread of invasive species (for example, carp, zebra mollusks, apple snails, Asian clams, water hyacinth, giant salvinia, hydrilla, nutria, northern snakehead) and freshwater pathogens to the basin, which could affect other living resources and impede navigation.

Response ID: 16074

The commenter correctly notes the potential for the proposed Project to introduce or facilitate the spread of invasive species from the Mississippi River into the Barataria Basin and resulting from the alteration of existing habitat characteristics, which is consistent with discussions in the EIS in Chapter 3, Section 3.10.6 and Chapter 4, Section 4.10.4.6 in Aquatic Resources; Sections 3.6.3 and 4.6.5.2 in Wetland Resources and Waters of the U.S.; and Sections 3.9.4 and

4.9.4.2 in Terrestrial Wildlife and Habitat. The sections in Chapter 4 also identify how the introduction or spread of invasive species may negatively impact other living resources. The northern snakehead is not currently known to occur in Louisiana; however, if its presence is later identified in the Mississippi River, its introduction or spread via the proposed Project would result in similar impacts on the environment as those described in Section 4.10.4.6 Aquatic Invasive Species of the EIS. The potential introduction of pathogens (specifically, fecal coliform [not typically pathogenic, but an indicator for other pathogenic bacteria] and Enterocci) is discussed in Section 4.5.5.8 Fecal Coliform; a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS. Section 4.10.4.6.2.1 Aquatic Invasive Species has also been supplemented to discuss potential threats to navigation in the Final EIS.

Concern ID: 62696

Oysters are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.

Response ID: 16075

The commenter correctly notes the impacts on oysters from low salinity. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the Draft EIS, operation of the proposed Project would result in a permanent, major adverse impact on oysters, due in large part to decreases in salinity.

To address Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). Mitigation and stewardship measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture.

Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS (Appendix R) were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62698

Brown shrimp are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.

Response ID: 16076

The commenter correctly notes the impacts on brown shrimp from low salinity, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources; however, as noted in the Draft EIS, brown shrimp reproduce offshore and, although the number of shrimp surviving to reproduce may change, the reproductive success of surviving shrimp is not anticipated to change. Overall, the Draft EIS anticipated a permanent, major adverse impact on brown shrimp from the proposed Project, due in part to reduced salinity in portions of the Barataria Basin.

Concern ID: 62699

The Draft EIS ignores the beneficial effects of low-salinity waters on low-salinity-tolerant and freshwater species.

Response ID: 16077

The EIS acknowledges the beneficial effects of low-salinity waters on low-salinity-tolerant and freshwater species throughout Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.10 Aquatic

Resources, which identify that the impacts on a given species are related to their salinity tolerance and habitat preferences. For example, the EIS indicates that low-salinity waters would directly benefit alligators, largemouth bass (and other freshwater fishes), and the biomass of SAV. Because this issue was addressed in the Draft EIS, no related edits were made to the Final EIS. These benefits, among others, are also described in Chapter 3, Section 3.2.1.6 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan; because this was described in the Draft Restoration Plan, no related edits were made to the Final Restoration Plan.

Concern ID: 62700

The oysters would move further south and the white shrimp and bass would benefit from the freshwater diversion.

Response ID: 16078

The commenter correctly notes the potential for oysters to use more southern areas of Barataria Bay, and the proposed Project benefits to white shrimp and bass, as described in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the Draft EIS. This benefit, among others, was also described in Chapter 3, Section 3.2.1.6 in OPA Evaluation of the Alternatives of the LA TIG's Draft Restoration Plan.

Concern ID: 62701

The commenter expressed concern regarding impacts on fishing and questions if a net gain or loss of survival would occur if the increased survival of certain fish species due to the freshwater input were compared to the decreased survival of others.

Response ID: 16079

As described throughout Chapter 4, Section 4.10 Aquatic Resources of the EIS, operation of the proposed Project would affect fish species in the Barataria Basin in both beneficial and adverse ways, with the overall impacts to a given species being dependent on that species' habitat preferences and tolerances. The proposed Project is not anticipated to result in the loss of individual species throughout the Barataria Basin, but rather would cause a shift in the species assemblages to account for the modified habitat present in the basin. For example, species with higher-salinity requirements that are currently present (for example, brown shrimp, oysters) would remain during operation of the proposed Project but would likely move further south to account for changing salinities (see Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS).

As discussed in Sections 4.16.5.1 and 4.16.5.2 in Recreation and Tourism, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts to these species are

anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. Section 4.16.5.2.3 Recreational Fishing of the Final EIS has been updated to acknowledge that some recreational fishers may need to modify their traditional fishing locations to target specific species that may modify habitat use (either temporarily or permanently) based on changing salinities.

Concern ID: 62702

The movement from an estuary to a delta-building system would adversely impact commercially-harvested species.

Response ID: 16080

The movement from an estuary to a delta-building system would result in either adverse or beneficial impacts on commercially-harvested species, based on habitat preferences and life histories, as summarized in Chapter 4, Section 4.10 Aquatic Resources, Table 4.10-6 of the Draft EIS. In the LA TIG's Draft Restoration Plan, commercially-harvested species that could experience collateral injury from the proposed Project were also described in Chapter 3, Section 3.2.1.5 in OPA Evaluation of the Alternatives, and species that could benefit from the proposed Project were discussed in Section 3.2.1.6 Benefits Multiple Resources.

Concern ID: 62703

The proposed Project would preclude larval recruitment of shrimp, oyster, crab and essential finfish.

Response ID: 16081

The proposed Project would preclude recruitment of certain larval species in certain areas of the basin (generally the outfall area and into the mid-basin) during certain portions of their transport period, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the Draft EIS. For example, operations above base flow would vary year by year, but are generally expected to occur between December/January and June/July and would overlap the majority of the larval transport period for brown shrimp (late January to June), thereby precluding larval recruitment to the outfall area. However, Atlantic croaker larvae are transported into the estuary from October to May (with peaks in November and February), such that larval migration to the outfall area would be precluded only during a portion of its larval transport period.

Concern ID: 62704

The Executive Summary for Aquatic Resources should clarify that wetland habitats are distinct from "open water" habitats.

Response ID: 16082

The Executive Summary for Aquatic Resources in the Draft EIS accurately identified wetlands as a habitat that benefits aquatic fauna due to the presence of vegetation and habitat structure. The Executive Summary in the Final EIS has been updated to distinguish structured habitat (such as wetlands) from open water habitats.

Concern ID: 62705	The Executive Summary for Aquatic Resources should acknowledge that the proposed Project impacts must be considered in the context of the delta cycle.
Response ID: 16083	The commenter's request regarding the evaluation of impacts on aquatic resources is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, have been added to Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context of the Final EIS. Additional discussion related to the Project's impacts on geomorphology and historic deltaic landforms has also been added to Chapter 4, Section 4.2.3.2.2.3, Geomorphology. However, it is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification.
Concern ID: 62707	The EIS does not acknowledge, or underestimates, the beneficial impacts of river water on the growth rates and density of SAV in coastal Louisiana.
Response ID: 16085	Chapter 4, Section 4.10.4.1 in Aquatic Resources of the EIS discusses the impacts of the proposed Project on SAV, including the overall beneficial impact of freshwater input on SAV biomass. Because this issue was addressed in the Draft EIS, no related edits were made to the Final EIS.
Concern ID: 62708	The release of polluted river water into the Barataria Basin would create harmful algal blooms and/or large areas of low dissolved oxygen that could negatively affect aquatic fauna including mortality of adults and juveniles that may not be able to escape impacted areas.
Response ID: 16086	As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, the input of nutrients from the Mississippi River is generally anticipated to be beneficial to the food web, although there is an acknowledged potential for harmful algal blooms. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and well-mixed by wind and tidal action, such that it is not typically prone to stratification that promotes hypoxic (dissolved oxygen of less than 2 to 3 mg/L) conditions. Further, as discussed in Section 4.10.4.4 in Aquatic Resources, the Delft3D Basinwide Model's dissolved oxygen results do

not suggest that Project implementation would result in oxygen concentrations below 5 mg/L on an average monthly basis; therefore, although sporadic and limited areas of low dissolved oxygen may occur, mainly in the summer months, no large or prolonged periods/layers of low dissolved oxygen are projected by the Delft3D Basinwide Model, nor anticipated based on the Barataria Basin's identification as a largely well-mixed estuary. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to Project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2), which has been updated for the Final EIS in response to public comments, includes CPRA's plan to implement a monitoring program for phytoplankton species composition, including harmful cyanobacterial/algal bloom species (and associated toxins) (see Sections 3.7.3.10 and 3.7.3.11 of Appendix R2 of the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62709

The 2019 opening of the Bonnet Carré Spillway caused significant impacts to aquatic fauna from the release of river water, and resulted in a declared fisheries disaster of at least \$58 million.

Response ID: 16087

A summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment, including area fisheries. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS. However, it is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. The anticipated impacts of the proposed Project on aquatic fauna from the release of river water is discussed in detail in Chapter 4, Section 4.10 Aquatic Resources.

Concern ID: 62710

The Draft EIS may underestimate likely increases in net primary productivity for aquatic estuarine organisms, which would translate into more biomass in both the proposed Project area and into the northern Gulf of Mexico.

Response ID: 16088

Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS identifies the overall effects of increased nutrients to the Barataria Basin as minor to moderate and beneficial based on benefits to the food web, and Section 4.10.4.5 accounts for these food web benefits in the individual determinations for each key species. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS. The potential for nearshore and offshore ecosystem benefits are also described in Chapter 3, Section 3.2.16 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan.

Concern ID: 62711

Sedimentation from the proposed Project would completely silt over oysters, resulting in 100 percent mortality in areas directly impacted.

Response ID: 16089

As discussed in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the Draft EIS, portions of the Little Lake Public Oyster Seed Ground (POSG) would experience substantial sedimentation over time, likely converting hard substrates to soft bottom in those areas over time. However, the Little Lake POSG is not currently a productive oyster reef and the areas with live/productive oyster reef (further south) would experience less sedimentation from the proposed Project, and at rates that the oyster reef/oysters would be expected to survive.

To address some projected adverse Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the

Final EIS in response to public comments (see CPRA's Mitigation and Stewardship Plan in Appendix R1 of the Final EIS). CPRA's mitigation and stewardship measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture. Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62722

The release of polluted river water through Bonnet Carré, Caernarvon, and Davis Pond resulted in algal blooms, low dissolved oxygen, and lasting adverse effects on local flora and fauna.

Response ID: 16100

Chapter 4, Sections 4.5.5.5 in Surface Water and Sediment Quality and 4.10.4.4 in Aquatic Resources of the EIS analyze the potential impact of Project operations on dissolved oxygen concentrations and the potential for algal blooms. In addition, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Concern ID: 62723

Various studies can prove that the higher the salinity of the water, the lower the mortality rate of brown and white shrimp, and the higher percentage of reproduction. The introduction of nearly 6.5 billion cubic feet of fresh water per day would significantly decrease the amount of shrimp and other seafood from reproducing, and would increase their mortality rate.

Response ID: 16101

The impacts of the proposed Project's introduction of fresh water on brown and white shrimp were analyzed and are discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. The impacts on brown shrimp from Project operations are anticipated to be major and adverse, due in part to salinity changes; however, white shrimp are more tolerant of lower salinities and younger life stages are present in the basin later in the year than brown shrimp, resulting in less exposure to higher diversion flows. Therefore, no significant adverse impacts on white shrimp survival are projected. White shrimp would be expected to experience minor to moderate benefits from the increased marsh, SAV, and primary production projected to occur from the proposed Project. The projected benefits of the proposed Project to white shrimp outweigh the negative effects, resulting in an overall negligible to minor benefit on white shrimp from the Project. See Section 4.10.4.5 Key Species of the EIS. Both brown and white shrimp spawn outside of the estuary, where salinity would not be affected by Project operations. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62724

On average, the Mississippi River gets up to 79 degrees Fahrenheit at the height of the reproductive cycle of white shrimp. The Barataria Basin during that same timeframe measures on average 91 degrees Fahrenheit. The temperature differential

would cause adverse reactions to shrimp species including lower growth and survival rates, a decrease in habitat suitability, and relocation of the shrimp to more favorable habitat.

Response ID: 16102

The changes in water temperatures in the Barataria Basin based on the input of cooler river water were analyzed and discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, which acknowledges that the average monthly temperature under the Applicant's Preferred Alternative would decrease by up to 11.9°F (6.6°C), particularly in cooler months near at the outfall, which may result in changes in bioenergetics and area avoidance by fauna. As discussed in Section 4.10.4.5 in Aquatic Resources, temperature is one of the principal drivers of growth and survival for white and brown shrimp. For white shrimp, post-larvae (the youngest stage occurring in the basin) generally enter the basin from May through November (with peaks in June and September) when temperature differentials would be smaller compared to the No Action Alternative. Further, the HSI model results for juvenile white shrimp, which consider optimum temperature ranges, did not identify significant decreases in habitat suitability. Although individual adverse impacts on white shrimp would occur from the proposed Project, the overall impact of the Project on white shrimp is anticipated to be negligible to minor beneficial. For brown shrimp, post-larvae (the youngest stage occurring in the basin) generally enter the basin from January through June when temperature differentials would be larger compared to the No Action Alternative, particularly in the outfall area. However, although the HSI model results for juvenile brown shrimp did identify significant decreases in habitat suitability, the driver for these impacts primarily related to salinity, rather than temperature, decreases. The overall impact of the Project on brown shrimp is anticipated to be major, permanent, and adverse. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62725

The sheer current of the inflowing water would displace shrimp and other species, pushing them further into the Gulf and precluding them from returning to the basin over time.

Response ID: 16103

The changes in water flows in the Barataria Basin from the proposed Project are discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources, which states that water would continue to follow its general trend of daily movements through the basin passes during Project operations, such that larval advection from marine habitats into the estuary would likely not be affected. The effects on shrimp and other species, from current-related impacts within the basin, are discussed in Section 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62726	The proposed Project would change the habitat of the Barataria Basin in a manner that would decrease key shellfish and finfish, which would subsequently affect higher and lower trophic levels in the food chain.
Response ID: 16104	The commenter is correct that the proposed Project would change the habitat in the Barataria Basin in a manner than would decrease or increase key shellfish and finfish, as noted in Chapter 4, Section 4.10, Table 4.10.6 in Aquatic Resources of the Draft EIS. A discussion of the food web impacts from the proposed Project in the Barataria Basin is included in Section 4.10.4.4 in Aquatic Resources of the Draft EIS.
Concern ID: 62727	Appendix O does not include impacts to the general biological communities of the basin.
Response ID: 16105	Appendix O1 (Biological Assessment) of the EIS is the assessment of impacts to federally listed threatened and endangered species, prepared as part of the Endangered Species Act consultation between USACE and NMFS and USFWS. Impacts on the general biological communities in the Barataria Basin are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat, 4.10 Aquatic Resources, and 4.11 Marine Mammals of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62728	Additional studies may determine that the fisheries impacts identified in the Draft EIS are incorrect and that all the fisheries in the Barataria Basin would be ruined.
Response ID: 16106	USACE and the LA TIG considered the best information and data available to them in drafting the EIS. No changes to the Final EIS have been made.
Concern ID: 62729	The commenter questioned to what degree the proposed Project would impact the Mississippi Sound and its aquatic life.
Response ID: 16107	The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which includes the Barataria Basin and the Mississippi River birdfoot delta (particularly for biological resources), as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS; therefore, negligible to no impacts on aquatic life in the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62730	Historical information on oyster beds in the Barataria Basin should be included and cited in the EIS.
Response ID: 16108	Historical information on oyster beds in the Barataria Basin is included in Chapter 3, Section 3.10.5.2 (Key Fish and Shellfish Species in the

Barataria Basin) of the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62731

The acute and significant change in salinity resulting from Project operation would adversely affect commercial species.

Response ID: 16109

The projected change in salinity from the proposed Project is discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, which indicates that impacts on a particular species (whether commercially important or not) from salinity changes would be dependent on the salinity tolerance of that species, but that species intolerant of the lower salinities in the outfall area would likely shift their habitat usage to areas further south. The adverse impacts of decreased salinity on certain commercially-harvested species are discussed in Section 4.10.4.5 in Aquatic Resources; decreased salinity is noted as a driving factor of adverse impacts on brown shrimp and oysters, and would have a lesser effect on southern flounder. Other commercially important species, such as white shrimp, blue crab, bay anchovy, and Gulf menhaden, would likely experience overall beneficial effects from the Project, despite the projected changes in salinity. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62732

Leveeing of the Mississippi River resulted in a saltier Barataria Basin, causing saltwater species to make a northward shift; without restoration, these changes will continue, resulting in a loss of species that rely on productive freshwater and intermediate wetland habitats.

Response ID: 16110

The commenter correctly notes the impacts from the No Action Alternative, as discussed in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62733

The impacts on oysters and the oyster industry from the over-freshening of Breton Sound should be considered in the development of the proposed MBSD Project.

Response ID: 16111

The impacts on oysters and the oyster industry from fresh water delivered through the proposed MBSD Project are discussed in Chapter 4, Sections 4.10.4.5 in Aquatic Resources and 4.14.4.2 in Commercial Fisheries of the EIS, respectively. As noted in those discussions, the proposed Project is anticipated to have major, permanent adverse impacts on eastern oysters in the Barataria Basin. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

To address Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to

public comments (see the Mitigation and Stewardship Plan in Appendix R1 of the Final EIS). Mitigation and stewardship measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture. Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62734

Wetlands built by the Mississippi and Atchafalaya Rivers, as well as by wetlands downstream of Mardi Gras Pass, have shown resiliency and a diverse assemblage of freshwater and estuarine species during spring flows and active water diversions.

Response ID: 16112

The commenter's observations are consistent with Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, which notes that, while some species would be negatively impacted by the freshwater flows from the diversion (including oysters, brown shrimp, spotted seatrout, and southern flounder), a higher number of key fishery species would either be unaffected or be benefitted by the proposed Project (including white shrimp, blue crab, bay anchovy, Gulf menhaden, red drum, Atlantic croaker, and largemouth bass). Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62735

Operation of the proposed Project would allow for the return of productive oyster grounds in the lower basin, which would in turn improve water quality, fisheries habitat, and natural protection for Grand Isle.

Response ID: 16113

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, operation of the proposed Project could allow for increased production of oyster grounds in the lower basin; however, this would likely be contingent on the enhancement of existing substrates to make them more suitable. The Final Mitigation and Stewardship Plan (Appendix R1), which has been revised for the Final EIS, describes CPRA's mitigation and stewardship measures, including those measures intended to offset adverse impacts on oysters; these mitigation and stewardship measures have been revised in response to public comment since the release of the Draft EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special

conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62736	The flora and fauna of Louisiana can adapt to seasonal changes in salinity and many of them thrive because of those changes, not in spite of them.
Response ID: 16114	Comment noted. The proposed Project is anticipated to have both beneficial and adverse impacts on the flora and fauna of the Barataria Basin, as discussed throughout Chapter 4, Section 4.10 Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62737	The proposed Project would result in the loss of red drum.
Response ID: 16115	As identified in Chapter 4, Section 4.10, Table 4.10-6 in Aquatic Resources of the EIS, the proposed Project is not expected to have an adverse impact on, or resulting loss of, red drum. Rather, changes in the Barataria Basin are anticipated to have an overall beneficial effect on red drum abundance. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62738	The proposed Project would affect salinity in the basin, but there would still be red drum and there would be more bass
Response ID: 16116	As identified in Chapter 4, Section 4.10, Table 4.10-6 in Aquatic Resources of the Draft EIS, the commenter correctly notes that the proposed Project is anticipated to have an overall beneficial effect on red drum and largemouth bass abundance through either direct or indirect effects of the decreasing salinity induced by Project operations.
Concern ID: 62739	The commenter questioned what would happen to bayou living and fishing in the future.
Response ID: 16117	Impacts of the proposed Project on Recreation and Tourism are discussed in Chapter 4, Section 4.16.5.2, impacts on local communities

	are discussed in Section 4.13 Socioeconomics, and impacts on Aquatic Resources are discussed throughout Section 4.10 of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62740	Specific field research indicates that fishes and crustaceans tolerate much lower salinity than those found in scientific literature; this research is available at www.herke-estuarine-fisheries-com and should be cited in the EIS.
Response ID: 16118	Although the noted website does not appear to exist as identified, select references by the comment author have been reviewed. Herke et al. 1987 (Abundance of Young Brown Shrimp in Natural and Semi-Impounded Marsh Nursery Areas: Relation to Temperature and Salinity) was incorporated into Chapter 4, Section 4.10.4.5.2.1 Brown Shrimp of the Final EIS.
Concern ID: 62741	The EIS should present not only the anticipated future conditions of the Barataria Basin, but also the salinity levels and distribution of shellfish, finfish, and other wildlife that were present 80 to 100 years ago. This past description will highlight that the proposed Project would return parts of the basin to more historic conditions and retard the rate wetland loss and saltwater intrusion compared to the No Action Alternative.
Response ID: 16119	Multiple sections within Chapter 3 Affected Environment of the Final EIS have been supplemented to further discuss the past conditions of the Barataria Basin, including Chapter 3, Sections 3.1.4.2 Barataria Basin, 3.2.1.1 in Geology and Soils, 3.9.1 in Terrestrial Wildlife and Habitat, and 3.10.1 in Aquatic Resources.
Concern ID: 62742	The commenter recommends that extensive studies be done on the marine resources and their habitat to evaluate the effect of the polluted Mississippi River that would be redirected into Barataria Bay
Response ID: 16120	Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS includes the results of Delft 3D Basinwide modeling for projected nutrient loading in the Barataria Basin, including nitrogen and phosphorus inputs from the Mississippi River. Individual assessment of potential contaminants, including nitrogen, phosphorus, sulfate, fecal coliform, and atrazine were modeled and discussed in Sections 4.5.5.3, 4.5.5.4, 4.5.5.7, 4.5.5.8, and 4.5.5.9 (respectively) in Surface Water and Sediment Quality. These sections indicate that the proposed Project would result in beneficial decreases in sulfate in the Barataria Basin and would have negligible impacts on atrazine levels and they are therefore not specifically discussed in Section 4.10; however, a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS. In addition, CPRA's Mitigation and Stewardship Plan

(Appendix R1 of the EIS) describes CPRA's mitigation and stewardship measures, including the agency's agreement with the USFWS' recommendation to monitor for certain contaminants, (through sampling of fish, shellfish, and potentially bald eagle feces and blood) during diversion operations, if applicable.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62743

An estimated 75 percent of the state commercial and recreational fishing depends on wetlands. As result, when wetlands are lost, so are the habitats that sustain the fishing industry.

Response ID: 16121

The commenter correctly notes the importance of wetlands to fisheries populations (and therefore the fisheries themselves), and the detrimental effect of wetland loss to many of those fisheries, as discussed in Chapter 3, Section 3.10.2 in Aquatic Resources and throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS.

Concern ID: 62750	The commenter opposes any diversion of fresh water that does not conform to the salinity cycles and water parameters needed by oysters in the Mississippi Sound.
Response ID: 16128	Comment noted. The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which includes the Barataria Basin and the Mississippi River birdfoot delta (particularly for biological resources), as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS; therefore, negligible to no impacts on oysters in the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62751	The EIS severely underestimates both the short- and long-term damages to the shrimp fisheries. While it is true that white shrimp production may increase, the reduction of the annual brown shrimp far exceeds any increase in the white shrimp production, as evidenced in production records from the Breton Sound area after inputs from the Caernarvon Freshwater Diversion and Mardi Gras Pass.
Response ID: 16129	<p>As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, brown shrimp are anticipated to experience a major decrease in abundance from operation of the proposed Project, and white shrimp are anticipated to experience a negligible to minor increase in abundance; therefore, the commenter is correct that the increase in white shrimp abundance would not outweigh the decrease in brown shrimp. As further discussed in EIS Chapter 4, Section 4.14.4.2 in Commercial Fisheries, overall impacts on the commercial shrimp industry would be expected to be moderate to major, permanent, and adverse, with the potential for a substantial loss of income in some months due to the decreased abundance of brown shrimp.</p> <p>Further, a summary of select natural and man-made diversions in southeastern Louisiana, including the Caernarvon Freshwater Diversion and Mardi Gras Pass, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.</p>
Concern ID: 62752	Long-term exposure to excessive fresh water would eventually be detrimental to all shrimp species. Vermilion Bay after years of overexposure to freshwater, has no brown shrimp production and minimal white shrimp production.
Response ID: 16130	The impacts of the proposed Project's introduction of fresh water on brown and white shrimp were analyzed and are discussed in Chapter 4,

Section 4.10.4.5 in Aquatic Resources of the EIS. The impacts on brown shrimp from Project operations are anticipated to be major and adverse, due in part to salinity changes. White shrimp are more tolerant of lower salinities and are anticipated to experience a negligible to minor increase in abundance; for white shrimp, the projected benefits of the proposed Project outweigh the negative effects, resulting in an overall negligible to minor benefit on white shrimp from the Project.

To further address the commenter's concern, a summary of select natural and man-made diversions in southeastern Louisiana, including the Wax Lake Outlet, which has impacted Vermilion Bay, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Concern ID: 62753

The task force strongly recommends that more consideration be given to real life effects of excessive fresh water on shrimp populations, including the 2019 opening of the Bonne Carré Spillway which caused over \$285 million in damages.

Response ID: 16131

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, brown shrimp are anticipated to experience a major decrease in abundance from operation of the proposed Project, and white shrimp are anticipated to experience a negligible to minor increase in abundance; these assessments included review of available literature as well as model projections. The Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. However, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Concern ID: 62757

Although tolerant of a wide range of salinities, oysters require several years of favorable salinity conditions for reef areas to develop and populations to become self-sustaining. While there are positive effects of flood pulses, massive freshets can cause elevated levels of oyster mortality, especially when water temperatures are high

Response ID: 16135

Consistent with the commenter's statements, there would be both positive and negative effects on oysters from the salinity changes projected to occur during operation of the proposed Project, with potentially positive benefits on oysters in the lower basin, where salinity is expected to remain high enough to allow growth and survival, but low enough to minimize the potential for predation and disease.

However, the overall impact of freshwater input on oysters anticipated to be major and adverse. The effects of altered temperatures and salinities on oysters during operation of the proposed Project are further discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62758

The operation of the MBSD could also affect reefs through sedimentation and burial.

Response ID: 16136

The commenter correctly notes that existing oyster reefs could be affected through sedimentation and burial during operation of the proposed Project, with the potential for adverse effects related to distance from the outfall and the current productivity of the reef (in other words, if oyster growth can outpace sediment deposition rates). The potential for oyster reef burial from sedimentation during operation of the proposed Project is further discussed in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62759

Nutrient rich waters may contribute to excessive fouling of reef areas, which could impact oysters and other fisheries.

Response ID: 16137

Chapter 4, Sections 4.10.4.4.2.2 Substrates and 4.10.4.5.2.11 Eastern Oysters in the Final EIS has been revised to discuss the potential for nutrient loading from the proposed Project to increase fouling of oyster reefs and oysters, respectively.

Concern ID: 62760

Sedimentation in EFH would have substantial impacts in the short-term.

Response ID: 16138

The impacts of sedimentation from the proposed Project on EFH are discussed in Chapter 4, Section 4.10.4.3 in Aquatic Resources and Appendix N2 Essential Fish Habitat Assessment (Section 6.6 [Project Effects to EFH]) of the EIS. Generally, the proposed Project would convert one type of EFH to another type. Over time, Project-related sedimentation would result in increased emergent marsh, and could affect sand/shell substrates and oyster reefs that are located higher in the basin by converting them to soft bottom EFH habitats. Both beneficial and adverse impacts from sedimentation would occur over time, with sediment building faster in the immediate outfall area. However, the effects of sediment deposition related to wetland creation and burial of structured habitat (for example shell or vegetation, which provide refugia for fauna) are not likely to be substantial in the short-term (generally defined as a 3-year period). Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62761	Shrimp require years of undisturbed bottom habitat to be able bury themselves in the sediments to evade depredation and to survive to spawn.
Response ID: 16139	Chapter 4, Sections 4.10.4.5.2.1 (Brown Shrimp) and 4.10.4.5.2.2 (White Shrimp) of the Final EIS have been supplemented to discuss predator avoidance through burial, and how the proposed Project could affect that potential.
Concern ID: 62762	The continuous input of colder river water would drastically alter the dynamics of EFH that is critically dependent on stable warm temperatures for the optimal growth of marine species.
Response ID: 16140	The impacts of decreased water temperatures from the proposed Project on EFH and managed species are discussed in Appendix N2 Essential Fish Habitat Assessment (Section 6.5.6 [Project Effects on Water Temperature]) of the EIS, which indicates the potential for faunal stress and mortality during opening of the diversion each year, as well as in areas near the outfall during winter. Similarly, Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources discuss the potential impacts of water temperature on the water column (decreases of up to 11.9°F in certain months at mid-basin stations) and how changes in water temperature may affect aquatic fauna in general, and select managed species, respectively. However, Section 4.10.4.1.2 in Submerged Aquatic Vegetation of the Final EIS has been updated to discuss impacts on SAV from the lower temperatures associated with Mississippi River water input.
Concern ID: 62771	The estuary provides a food source and nursing grounds for many species of fish (including migratory species), invertebrates, aquatic insects, which are threatened by this proposed Project.
Response ID: 16149	The impacts to the Barataria Basin from the proposed Project were discussed throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, which included both adverse and beneficial impacts on area flora and fauna, based on the specific life histories and habitat preferences.
Concern ID: 62772	The diversion would end the brown shrimp fishery in the upper/mid-basin.
Response ID: 16150	As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources and Section 4.14.4 in Commercial Fisheries of the EIS, habitat suitability for brown shrimp in the Barataria Basin would decrease, particularly in the mid- to lower basin (see Figure 4.10-16). Brown shrimp, and particularly earlier life stages of brown shrimp, may be precluded from the immediate outfall area in periods of high flow, instead being transported into areas west and south of the outfall, where water flow would be generally unaffected by diversion operation. Larger juvenile and sub-adult brown shrimp would remain in the southern basin, where

salinities would generally be below optimal, but still relatively suitable. Salinity in the Lower Barataria Basin may decrease below optimal levels for large juveniles and sub-adults in the spring and summer, but these life stages can tolerate low-salinity conditions and would remain in these lower basin habitats. The species is anticipated to have decreased abundance over time; however, the viability of the population is not anticipated to be affected, such that brown shrimp would remain in the Barataria Basin. As identified in Section 4.14.4.2 in Commercial Fisheries, impacts on the brown shrimp fishery are also anticipated to be major, permanent, and adverse associated with adverse impacts on brown shrimp abundance over time as compared to No Action Alternative. Adverse impacts to the fishery may be partially offset by changes in fisher behavior, especially given that the greatest impacts may be occurring later in the analysis period, but these adjustments could increase operating costs. Impacts could further encourage fishers to exit from the industry. Potential new entrants may adapt more easily by investing in more flexible vessels/gear than they would have otherwise, or they may pursue alternative employment. Communities reliant on employment and expenditures associated with this industry would be adversely affected. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)

- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62773

The decreased salinity and increased turbidity in the proposed Project area would decrease the commercial and recreational productivity of important finfish and shellfish species, including crab, oyster, white and brown shrimp, red drum, black drum, speckled trout, and flounder.

Response ID: 16151

Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS discusses the effects of decreased salinity and increased turbidity on select commercially and recreationally important species, where applicable. In light of the number of species present, these key species were chosen to use as representative species for impact analyses. These species were selected to cover a range of different feeding guilds, habitat usage, and life histories, and to describe how the individual effects of the proposed Project, as described in Section 4.10.4.4, could combine to cumulatively affect a given species. As summarized in Table 4.10-6, the proposed Project would be expected to decrease the abundance of oysters, brown shrimp, spotted trout, and southern flounder, but could result in increased abundance of blue crab, white shrimp, and red drum. Although black drum was not selected as a key species for evaluation in the EIS, its life history has similarities to that of the red drum and Atlantic croaker, and it is likely to experience a similar range of impacts (negligible impacts to moderate benefits) from operation of the proposed Project. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62774

The commenter questioned how the proposed diversion would affect fisheries productivity in the Project area and indicated that the analysis should include an assessment of the data from the Davis Pond.

Response ID: 16152

Impacts of the diversion on aquatic species would vary by species and are discussed in Chapter 4, Sections 4.10.4.5 and 4.10.5.5 in Aquatic Resources and 4.14.4 in Commercial Fisheries of the EIS. The Delft 3D Basinwide Model includes Davis Pond operations and the results capture how the Project operations are projected to affect Davis Pond operations. A summary of select natural and man-made diversions in southeastern Louisiana (including Davis Pond) has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to describe their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Concern ID: 63152

There are many fish species of conservation concern in the northern Gulf of Mexico including the dusky shark, sand tiger shark, Warsaw grouper, speckled hind (grouper), Alabama shad, key silverside, opossum pipefish, and mangrove rivulus. (NOAA 2012).

Response ID: 16154

The lists of special status species discussed in the Essential Fish Habitat Assessment (Appendix N2 of the EIS) and Chapter 4, Section 4.12 Threatened and Endangered Species were developed in consultation with NMFS and include those species anticipated to incur potential impact from construction or operation of the proposed Project. As these species were not identified as species of concern for the Project during the EFH and ESA consultations, they are not discussed in the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63154

Oysters are the cornerstone of everything in Louisiana (tourism and industry) and oysters need salinities of between 10 and 20 ppm. The oyster fields in the greater New Orleans area and Mississippi Sound are the largest oyster fields in the world at the moment, despite hanging on for dear life.

Response ID: 16155

The salinity requirements of oysters are discussed in Chapter 3, Section 3.10.5.2 in Aquatic Resources and impacts on oysters from salinity changes due to the proposed Project are discussed in Chapter 4, Section 4.10.5.5 in Aquatic Resources of the EIS. The importance of oysters to the commercial fishery is discussed in Chapter 3, Section 3.14.3 in Commercial Fisheries and impacts on these

industries/activities are discussed in Chapter 4, Section 4.14.4.2 in Commercial Fisheries.

Overall, the eastern oyster fishery in the Project area is expected to experience major, permanent, adverse impacts under the Applicant's Preferred Alternative relative to the No Action Alternative, although it is possible that areas near the barrier islands could be used as seed grounds and growing areas for adults when salinities are too low throughout the rest of the Barataria Basin. This determination considers expected impacts on oyster abundance as well as the anticipated response from commercial fishers.

As indicated in Table 4.16-2 of the EIS, recreational oyster harvest accounts for a very small portion of overall recreational fishing effort in the Barataria Basin; therefore, impacts to recreation and tourism associated with changes to recreational harvest of oysters are expected to be negligible.

While availability of shrimp and oysters from the basin would decrease due to the Project relative to the No Action Alternative, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional imports would likely also occur. Under the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp, though the impact would likely occur sooner and be more significant under the Applicant's Preferred Alternative.

The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which includes the Barataria Basin and the Mississippi River birdfoot delta (particularly for biological resources), as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS; therefore, negligible to no impacts on aquatic life in the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62706

The proposed Project would not be likely to create hard bottom habitat, but would likely affect oyster reefs in both a positive and negative manner.

Response ID: 16084

The Executive Summary for Aquatic Resources has been revised in the Final EIS to indicate that no hard bottom would be created by the proposed Project. Oysters and oyster reefs would experience both beneficial and adverse effects, with overall effects expected to be adverse, as described in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the EIS.

Concern ID: 62712	Aquatic fauna do not respond directly to nutrient concentrations and the Mississippi River Delta is not oligotrophic.
Response ID: 16090	The commenter correctly notes that aquatic fauna do not respond directly to nutrient concentrations. As discussed in Chapter 4, Section 4.10.4.4.2.4 in Aquatic Resources of the EIS, increased nutrient levels may result in increased primary productivity in the Barataria Basin, such that the increased nutrient loads would indirectly lead to benefits for aquatic fauna. Although the basin is not oligotrophic, Section 4.5 Surface Water and Sediment Quality indicates that certain nutrients, such as total nitrogen and total phosphorus concentrations in the basin, would be elevated compared to the No Action Alternative, allowing for the increased primary productivity. Section 4.10.4.4.2.4 Nutrient Loading of the Final EIS has been revised to clarify this point. The EIS further acknowledges in Section 4.10.4.4.2.4, that increased nutrient loads also have the potential to cause adverse impacts on fauna through decreases in DO and harmful algal blooms that can be caused from increased phytoplankton biomass.
Concern ID: 62713	It is unclear whether the first complete paragraph on page ES-12 is intended to refer to both animals and plants. If it is unintended to focus on animals, clarify why there is such a focus on SAV.
Response ID: 16091	The first paragraph of the Executive Summary for Aquatic Resources identifies aquatic fauna as the focus, but also identifies SAV as a habitat type that aquatic fauna benefit from. As such, Chapter 4, Section 4.10.4.1 in Aquatic Resources has an SAV-specific assessment in the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62715	The Executive Summary for Aquatic Resources should indicate that high diversion flows adversely affect the larval recruitment of estuarine fauna, but not of freshwater fauna.
Response ID: 16093	Consistent with Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, it is estuarine species for which the high diversion flows are a potential recruitment concern, not freshwater species. Therefore, the Executive Summary for Aquatic Resources has been revised in the Final EIS to clarify that the potential for high diversion flows to adversely affect recruitment is specific to estuarine species.
Concern ID: 62716	Commenters asked for clarification of why estuarine species are the focus of the EIS in the context of an abandoned, degrading delta lobe.
Response ID: 16094	The commenter's concern regarding the evaluation of impacts on aquatic resources is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, has been added to Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context of the Final EIS.

Additional discussion related to the proposed Project's impacts on geomorphology and historic deltaic landforms has also been added to Chapter 4, Section 4.2.3.2.2.3, Geomorphology. However, it is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification. Therefore, although the EIS acknowledges that conditions have changed over time, anticipated Project impacts are compared to future conditions without the Project in the Barataria Basin, which is currently an estuarine ecosystem. Thus, the EIS has selected species representative of an estuarine system in assessing the proposed Project's potential impacts.

Concern ID: 62717

Discuss how the diversion would affect phytoplankton standing stocks and productivity, and how any such effects would impact oysters.

Response ID: 16095

Nutrient loading and its projected effects on the food web are discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. As described, nutrient increases would stimulate primary productivity, which would contribute to increases in low trophic level species, such as shrimp, crabs, small planktivorous fish. As filter feeders, the increase in primary producers would also benefit oysters; Sections 4.10.4.4.2.4 Nutrient Loading and 4.10.4.5.2.11 Eastern Oysters of the Final EIS have been revised to acknowledge this benefit.

Concern ID: 62718

Fecal coliform concentrations adversely affect the people who eat contaminated oysters and the economics of the oyster fishery, not the oysters themselves.

Response ID: 16096

Anticipated changes in fecal coliform levels in the Barataria Basin from riverine inputs are discussed in Chapter 4, Section 4.5.5.8.2 in Fecal Coliform of the EIS. Section 4.14.4.2.3 Eastern Oyster Fishery in the Final EIS has been revised to discuss the potential impacts of increased fecal coliform levels on oyster propagation and harvest. Reference to fecal coliform as an impact driver for oysters in the Executive Summary for Aquatic Resources has been removed in the Final EIS.

Additionally, Appendix R2 in the Final EIS includes CPRA's Monitoring and Adaptive Management (MAM) Plan, which includes monthly fecal

coliform monitoring (Section 3.7.5.1) starting prior to construction and continuing during Project operations.

At the time of publication of the Draft EIS for public review, the Mitigation and Stewardship Plan and the MAM Plan (Appendix R) contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62719	The EIS should evaluate the potential impacts to white shrimp.
Response ID: 16097	Impacts on white shrimp from the proposed Project are discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62720	The EIS overestimates the likely impact of low dissolved oxygen because the Barataria Bay is shallow and well-mixed, likely allowing for low dissolved oxygen to occur only in the deeper areas/holes created by humans.
Response ID: 16098	Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS indicates the potential impact of low DO to be adverse, but negligible to minor based on the Barataria Basin's depth and identification as a well-mixed estuary, which would likely only allow for pockets of low DO in deeper

areas. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62721	Dredging to obtain sediment for marsh creation has led to large holes in coastal Louisiana which almost certainly contain pockets of low dissolved oxygen; however, these pockets of low dissolved oxygen are not identified in the assessment of other projects.
Response ID: 16099	Comment noted. No changes to the EIS are warranted as the comment is directed to DO analyses for other projects. Including or excluding data from environmental analyses for coastal restoration not related to the proposed Project is outside the scope of this EIS.
Concern ID: 62754	The proposed Project, once operating, would create a river-fed deltaic estuary with an abundance of life.
Response ID: 16132	The proposed Project would have both beneficial and adverse effects on aquatic life during operations, as discussed throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS. The benefits of the proposed Project are also discussed in detail in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Final Restoration Plan.
Concern ID: 62755	The diversion of nutrient delivery from the mouth of the Mississippi River to the mid-basin may ameliorate some of the imbalances which often lead to hypoxic conditions in the open Gulf, and would certainly lead to increases in many estuarine organisms.
Response ID: 16133	As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, nutrient levels in water diverted from the Mississippi River may result in increased primary productivity in the Barataria Basin, which would lead to benefits for aquatic fauna. The birdfoot delta is projected to have negligible changes in nutrient loads. Further, Section 4.25.5 in Cumulative Impacts, Surface Water and Sediment Quality of the Final EIS has been revised to discuss the Gulf Hypoxia Action Plan, which highlights the important role that river diversions could play in reducing nutrient loads. In addition, substantial nutrient load reduction could be achieved through the measures being implemented by the other states and entities involved with the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These combined efforts could lessen the potential impacts of excess nutrient loads to Barataria Basin and the northern Gulf of Mexico.
Concern ID: 62763	While there are positive effects of flood pulses associated with hurricanes that help flush the bays and estuaries of oyster diseases, massive freshets, such as those from high amounts of rain water (including tropical storms) or the proposed Project, can cause elevated levels of oyster mortality.

Response ID: 16141

Consistent with the commenter's statements, there would be both positive and negative effects on oysters from the salinity changes projected to occur during operation of the proposed Project, with the overall impact of freshwater input on oysters anticipated to be major and adverse. The effects of altered salinities, including prolonged decreases in salinity, on oysters are further discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62764

The diversion is intended to restore and rebuild marsh, but would affect the existing flora/fauna in the basin during operations, which the designers say could adapt and survive in the modified environment.

Response ID: 16142

As described throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, operation of the proposed Project would affect the existing flora and fauna of the Barataria Basin in both beneficial and adverse ways, with the overall impacts to a given species being dependent on that species habitat preferences and tolerances.

Concern ID: 62765

Without the oyster reefs, which would die in the fresh water, the commenter questioned how the ecosystem would be filtered.

Response ID: 16143

As described in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS, wetlands improve water quality by removing organic and inorganic toxic materials, suspended sediments, and nutrients via plant uptake and sedimentation. Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. identifies a projected maximum wetland gain of 17,100 acres associated with the proposed Project at year 2060 before dropping to 12,700 acres at year 2070 in the Barataria Basin. The increase in wetlands, when compared to the No Action Alternative, would continue to filter the ecosystem. In addition, Section 4.10.4.2.2 in Benthic Resources of the Final EIS has been supplemented to describe the increase in freshwater filter feeders that would also work to partially offset the water filtration capacity lost due to the decrease in oyster abundance.

Concern ID: 62766

A community model for oysters can be used to quantify the ecological benefits of an oyster reef in an ecosystem restoration project. This technical note describes additional benefits to consider during restoration planning: <https://erdc-library.erdc.dren.mil/jspui/bitstream/11681/4023/1/TN-EMRRP-ER-01.pdf>.

Response ID: 16144

The benefits of oyster reefs are qualitatively discussed in Chapter 3, Section 3.10.5.2.11 Eastern Oysters. This section has been supplemented in the Final EIS with the identified reference to further clarify the benefits of oyster reefs. However, the stated intent of the

referenced study is to provide information to planners on the economic benefits provided by oyster reef restoration, so that the full range of benefits can be considered when planning and evaluating oyster restoration projects. Restoration processes beyond assessment of the proposed delta restoration are outside the scope of this EIS.

Concern ID: 62767

Reefs provide both ecological and economic benefits. Ecological benefits result from the water quality, erosion prevention and stabilization, and habitat services provided by reefs (Wilber 2002).

Response ID: 16145

The benefits of oyster reefs are qualitatively discussed in Chapter 3, Section 3.10.5.2.11 Eastern Oysters; however, this section has been supplemented in the Final EIS with the identified reference (Wilber 2002) to further clarify the benefits of oyster reefs.

Concern ID: 62768

USACE needs to conduct a spatial analysis of future suitable areas for oyster reef creation and restoration, which should include additional data, not investigated in this MBSD study, such as temperatures, bottom conditions, water mixing, and diversion modeling.

Response ID: 16146

As discussed in Chapter 1, Section 1.6 Scope of the EIS, the EIS was developed to assess the environmental and socioeconomic impacts of the proposed Project. The Mitigation and Stewardship Plan (Appendix R1), which has been revised for the Final EIS in response to public comments, describes CPRA's mitigation and stewardship measures, including those measures proposed to partially offset some of the anticipated adverse impacts on oysters. Those mitigation and stewardship measures rely upon further sampling once the diversion begins operations (if permits are issued) to understand the most suitable locations for restoring oyster reef areas. Implementation of mitigation and stewardship measures would be led by CPRA. USACE would not participate in oyster mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special

conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62769

River water contains industrial and biological pollutants which could degrade water quality within the estuary and would adversely affect all marine life.

Response ID: 16147

Chapter 4, Sections 4.5.5.3 through 4.5.5.9 in Surface Water and Sediment Quality of the EIS discuss anticipated changes in chemical concentrations in the Barataria Basin due to the proposed Project. The general impacts of certain chemical compounds/nutrients on aquatic resources are discussed in Section 4.10.4.4 in Aquatic Resources. Other potential contaminants, including sulfate, atrazine, and fecal coliform were also modeled and discussed in Sections 4.5.5.7 and 4.5.5.9. The Draft EIS concludes that the proposed Project would result in beneficial decreases in sulfate and would have negligible impacts on atrazine levels. Sulfate and atrazine are therefore not specifically discussed in Section 4.10 Aquatic Resources; however, a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS.

Additionally, Appendix R2 in the Final EIS includes CPRA's Monitoring and Adaptive Management (MAM) Plan, which includes monthly fecal coliform monitoring (Section 3.7.5.1) and periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23).

At the time of publication of the Draft EIS for public review, the MAM Plan (Appendix R) contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures

except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62770

The commenters' concerns regarding this proposed diversion are rooted in other similar experiences. The PDARP/PEIS indicated "collateral injuries" to estuarine organisms such as oysters and brown shrimp, Mardi Gras Pass decimated oyster reefs, and high-volume diversions (natural or man-made) have obliterated marsh grass and the natural ecology in impacted areas.

Response ID: 16148

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, the impact of the proposed Project on brown shrimp and oysters is anticipated to be major and adverse, due in part to salinity changes. Conversely, the proposed Project is anticipated to have a major beneficial impact on wetlands in the Barataria Basin from the diversion of sediment and fresh water. A summary of select natural and man-made diversions in southeastern Louisiana, including Mardi Gras Pass, has been developed to compare the purpose and/or characteristics of these diversions and their recorded impacts on the natural environment, including estuarine organisms and marsh grasses to the proposed MBSD Project. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

The LA TIG's Final Restoration Plan recognizes the potential collateral injuries that could result from the proposed Project. In selecting the LA TIG's Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance

in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Avoids Collateral Injury), and 3.2.2.5 (Avoids Collateral Injury) of the LA TIG's Final Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project under OPA and this is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and which necessarily entails re-introducing freshwater flows that had historically characterized the Barataria Basin before construction of levees.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the LA TIG's Preferred Alternative.

The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which includes providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

At the time of publication of the Draft EIS for public review, the Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan (Appendix R) contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64217	The EIS needs to provide supporting evidence of the assertion that the proposed Project would cause increased occurrence of invasive plant species.
Response ID: 16156	Chapter 4, Section 4.10.4.6 in Aquatic Resources of the EIS identifies literature reviewed, and the evaluation and impact conclusions reflect the best professional judgment based on sound science and expertise of the USACE and cooperating agencies, to determine the potential for increased occurrence of invasive plants due to the proposed Project. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 62714	The Executive Summary for Aquatic Resources indicates a negative effect on SAV followed by a later positive effect. Mississippi River water greatly stimulates SAV growth in the delta. There are no seagrasses here, so there is no reason to be concerned with effects of river water on SAV.
Response ID: 16092	Chapter 3, Section 3.10.2.1 and Chapter 4, Section 4.10.4.1 in Aquatic Resources of the EIS discuss the SAV species likely present in the proposed Project area and the impacts to them from the proposed Project. Overall, the proposed Project would likely initially result in adverse impact on SAV in the basin from a relatively quick change in salinity, which may result in die-offs of species intolerant of the new salinity regime early in the Project life. However, the initial adverse impacts on SAV would be temporary, with permanent beneficial impacts to overall coverage and biomass of SAV once the salinity regime stabilizes. Consistent with the commenter's statement and the noted sections of the EIS, there are no seagrasses in the proposed Project area; however, there are multiple other species of SAV that may occur in the proposed Project area, such as hydrilla and wild celery. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.
Concern ID: 67232	The opening of the Davis Pond and Caernarvon diversions to combat effects of the DWH oil spill has had significant impacts on the fish and mega-invertebrate community associated with reduced salinity and lower water turbidity.
Response ID: 16952	The impacts that the DWH oil spill had on fish and mega-invertebrates in the Barataria Basin, and the drivers of those impacts, were considered in the Draft EIS. These impacts are discussed throughout Chapter 3 Affected Environment, including time series representations of LDWF fisheries independent data for key species that cover the period of the DWH oil spill. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Project is to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria

Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. This EIS serves as the environmental review required by NEPA to inform the LA TIG's OPA decision regarding funding the construction of the proposed MBSD Project using damages paid by BP following the DWH oil spill (see Section 1.6.1 The OPA and DWH NRDA Decisions of the EIS).

EC61000 - Marine Mammals

Concern ID: 62986

The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.

National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>

Response ID: 16701

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to

natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of

response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63066

It is not clear why the negative impacts to bottlenose dolphins are expected from the proposed Project when dolphin injuries and mortality have not been associated with other freshwater releases or diversion projects such as Wax Lake Delta. Dolphins may simply reduce their use of less saline environments as conditions change.

Response ID: 16589

The potential for dolphins to simply reduce their use of damaging, less saline environments by moving to higher saline environments was considered in the Draft EIS. More specifically, Chapter 4, Section 4.11 (Marine Mammals) of the EIS describes the impacts on bottlenose dolphins from freshwater exposure; these impacts are well documented and include observations and data collected in Louisiana associated with the release of fresh water. Most recently, a freshening event in 2019 resulted in the declaration of a bottlenose dolphin unusual mortality event (UME) in the northern Gulf of Mexico. The Bonnet Carré Spillway, Pearl River, and Lower Mississippi River distributaries contributed to low salinity in the region, resulting in increased mortality and strandings of bottlenose dolphins. Existing data on low-salinity exposure were used to develop a dose-response model that forms the basis for the evaluation of impacts in the EIS (Booth et al., 2020). Existing populations of bottlenose dolphins in Louisiana are largely reflective of the predominant conditions in a given area. Within Barataria Bay, dolphins demonstrate site fidelity to small areas of the basin which, as described in the EIS, has led to the identification of distinct strata (for example, Takeshita et al., 2020). Some of the dolphins tolerate lower salinity waters within Upper Barataria Bay, but are not expected to survive the amount and duration of fresh water released from the diversion. The Barataria Bay bottlenose dolphin stocks' extreme site fidelity and estuarine nature also suggests the dolphins would not move to areas with higher salinity, such as near the barrier islands or Gulf of Mexico.

Concern ID: 63067

The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after

flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).

Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on “Effects of Low Salinity Exposure on Bottlenose Dolphins,” 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>

Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.

McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.

Response ID: 16590

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al.2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and

supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without

implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63069

The Draft EIS did not include detailed information about the potential impacts of the proposed Project on bottlenose dolphins.

Response ID: 16592

The Draft EIS included an analysis of the impacts to marine mammals, including bottlenose dolphins, in Chapter 4, Section 4.11 (Marine Mammals). The EIS quantifies the impact on dolphin survival rates (the percentage of existing dolphins that would survive from one year to the next year) for different populations of dolphins (Table 4.11-5) from the most pronounced stressor, salinity, but also includes a qualitative assessment on other impacts such as wetland shifts, prey species impacts, HABs, water temperature, and other impacts. The Final EIS includes the incorporation of additional population impact analysis that was completed by Thomas et al. (2021) after the Draft EIS was released for public comment.

Concern ID: 63070

A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of

tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.

Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.

Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.

Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.

Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.

Response ID: 16593

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with

an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

Concern ID: 63071

The dire forecasts about the near-term effects on dolphin populations in parts of Barataria Bay depend upon a number of unproven and improbable assumptions about dolphin adaptability and tolerance for living in the delta (Garrison et al., 2020). Conversely, the continued collapse of the marsh platform in the Barataria Basin will eventually reach a tipping point at which the prey base of dolphins in the bay would shrink and could eventually collapse. The long-term health of dolphins in the northern Gulf of Mexico depends on reconnecting the river to the delta and reestablishing the deltaic cycle.

Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p.

Response ID: 16594

The Draft EIS recognized that the loss of wetlands under the No Action Alternative would result in a gradually increasing, from negligible to moderate, adverse impact on dolphins (see Chapter 4, Section 4.11.5.1 [Operational Impacts]). The impacts on bottlenose dolphins from freshwater exposure have been well documented, including observations and data collected in association with the release of fresh

water in Louisiana (see Chapter 4, Section 4.11 [Marine Mammals] of the EIS for more details). Most recently, a freshening event in 2019 resulted in the declaration of an unusual mortality event (UME) in the northern Gulf of Mexico. Existing data on low-salinity exposure were used to develop a dose-response model that formed the basis for the evaluation of impacts in the Draft EIS (see Chapter 4, Section 4.11.3 [Overview of Impact Analysis Approach]). The dose-response model was coupled with an updated population model to evaluate potential changes in survival rates with in BBES. These potential decreases in survival rates caused by the diversion were compared to future conditions without the diversion (the No Action Alternative). The analysis contained in the Draft EIS determined that there would be a major, adverse, long-term impact on the BBES Stock. That conclusion is also supported by Thomas et al. (2021), which built on earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. 2021 further concluded that after 10 the planned 50 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the remaining Island stratum being severely reduced relative to the No Action Alternative (that is, the median predicted population size of the Island stratum would be 85 percent lower [95 percent CI 28-99] under the Applicant's Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock would be 96 percent smaller (95 percent CI 80-100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al (2021). The impacts of Project-induced wetland changes on dolphins is discussed in Chapter 4, Section 4.11.5 Operational Impacts of the EIS.

Concern ID: 63072	The EIS should include an analysis of the potential impacts of the proposed Project on bottlenose dolphins in the Mississippi Sound.
Response ID: 16595	While Figure 3.11-1 of the Draft EIS showed the distribution of bottlenose dolphin stocks in southeast Louisiana, including the Mississippi Sound Stock, it was not meant to imply that all depicted stocks would be affected by the Project. The figure has been updated to clarify this point in the Final EIS. The Project would divert fresh water, sediment, and nutrients into the Barataria Basin on the western side of the Mississippi River. The Barataria Basin has no hydrological connection to Mississippi Sound, and the Mississippi Sound Stock does not extend into the Barataria Basin, or any other area that would be affected by the Project. Therefore, the Mississippi Sound Stock is not included in the analysis of the impacts of the Project.
Concern ID: 63075	The estimates of bottlenose dolphin survival rates provided in the Draft EIS may be inaccurate due to key modeling assumptions and limitations, which were acknowledged in the Draft EIS and associated studies (Garrison et al., 2020). For example, because the models used by the Draft EIS did not look at the cumulative effect of multiple stressors and exposure to low-salinity waters over many years, the Draft EIS likely underestimates the impact of the proposed Project on bottlenose dolphins.
Response ID: 16596	Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (<i>Tursiops truncatus</i>) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p. USACE and the LA TIG acknowledge the assumptions and limitations of the modeling, and the resulting uncertainties (including potential underestimation of adverse impacts) noted by the commenter. In addition to the Delft3D modeling, published, peer-reviewed studies (and in some cases, pre-published data available only to the NMFS EIS authors) were reviewed in conjunction with development of the EIS's evaluation of projected impacts to bottlenose dolphin populations in the Project area. The Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The EIS considers multiple sources of stress for bottlenose dolphins including salinity and temperature; sedimentation and land loss; contaminant and nutrients; food web and ecological interactions; and dolphin prey. While quantitative analysis regarding the combined effects of multiple stressors and prolonged salinity exposure are not currently available, the qualitative analysis supports the permanent, major, adverse impact on BBES dolphins found in the EIS (the most significant adverse impact category of the EIS).

Concern ID: 63076

Another operational alternative that should be considered is management of the timing of freshwater influxes to minimize impacts on dolphin reproductive success. Commenters provided multiple references for further information on dolphin reproduction and health.

Bejarano, A.C., R.S. Wells, and D.P. Costa. 2017. Development of a bioenergetic model for estimating energy requirements and prey biomass consumption of the bottlenose dolphin *Tursiops truncatus*. *Ecological Modelling* 356: 162-172.

Mattson, M., K. Mullin, G. Ingram, and W. Hoggard. 2006. Age structure and growth of the bottlenose dolphin (*Tursiops truncatus*) from strandings in the Mississippi Sound region of the north-central Gulf of Mexico from 1986 to 2003. *Marine Mammal Science* 22:654-666.

Miller L.J., A.D. Mackey, T. Hoffland, M. Solangi, and S.A. Kuczaj III. 2010. Potential effects of a major hurricane on Atlantic bottlenose dolphin (*Tursiops truncatus*) reproduction in the Mississippi Sound. 2010. *Marine Mammal Science* 26(3):707-715.

Miller L.J., A.D. Mackey, M. Solangi, and S.A. Kuczaj III. 2013. Population abundance and habitat utilization of bottlenose dolphins in the Mississippi Sound. *Aquatic Conservation: Marine and Freshwater Ecosystems* 23:145-151.

Rowe, L.E., R.J.C. Currey, S.M. Dawson, and D. Johnson. 2010. Assessment of epidermal condition and calf size of Fjordland bottlenose dolphin *Tursiops truncatus* populations using dorsal fin photographs and photogrammetry. *Endangered Species Research* 11:83-89.

Urian, K.W., D.A. Duffield, A.J. Read, R.S. Wells, and D.D. Shell. 1996. Seasonality of reproduction in bottlenose dolphins, *Tursiops truncatus*. *Journal of Mammalogy* 77:394-403.

Wells, R.S., M.D. Scott, and A.B. Irvine. 1987. The social structure of free-ranging bottlenose dolphins. Pages 247-305 in H.H. Genoways (ed.). *Current Mammalogy*. Plenum Press, New York, New York.

Response ID: 16705

Impacts on dolphin reproduction were considered in the Draft EIS. More specifically, Chapter 4, Sections 4.11.5.1 and 4.11.5.2 in Marine Mammals included an analysis of the potential impacts of harmful algal blooms, spring flows, and multiple stressors on reproductive health. Section 4.11.5.2 also considered the potential impacts of reduced reproductive health on the recovery trajectory of BBES Stock population. Some citations mentioned by the commenter (Bejarano et al., 2107; Miller et al., 2013; and Urian et al., 1996) were included in the Draft EIS. The other citations mentioned by the commenter (Mattson et

al., 2006; Miller et al., 2010; Rowe et al., 2010, and Wells et al., 1987) were reviewed and would not change the findings of the EIS, but they have been added to Section 4.11.

As discussed in Chapter 2, Section 2.4.2 Evaluation of Operational Trigger, in developing the proposed Project, CPRA considered different operational triggers for the diversion, including using pulsing operational regimes, to determine whether various operational alternatives would meet the purpose and need of the Project and which would best meet those purposes. CPRA concluded that a simple on/off operational trigger with no pulsing provides the greatest total volume of sediment.

Section 4.11.5.2 of the Draft EIS finds that the timing of the proposed Project operations would result in the lowest salinity levels in the BBES Stock area at the peak of dolphin calving and that this would represent a serious threat to dolphin reproductive success.

With respect to approaches that CPRA could use to mitigate potential impacts to dolphins, the LA TIG and CPRA have developed three documents that address the issue.

First is CPRA's Mitigation and Stewardship Plan, which includes support for a state-wide stranding program, a program to reduce non-diversion related stressors to dolphins, and additional stranding surge capacity in response to unusual marine mammal mortality (see Section 3.2.1.1.5 [Associated Stewardship Measures – Alternative 1] of the Final Restoration Plan).

Second is the MAM Plan, which CPRA expanded in response to public comments to include more details regarding the process through which operational data would be used to evaluate potential modifications to those strategies and protocols (see Appendix R2 to the Final EIS). As stated in the MAM Plan, adaptive management strategies, such as timing of freshwater influxes, are largely reliant upon data that would only be available once operations commence but may also be informed by new information gained during the preoperational period. At that time, these data would be used to evaluate potential operational actions, including timing and magnitude of freshwater influxes, that may further minimize impacts to marine mammals and dolphin reproductive success while achieving Project goals.

Third is the Marine Mammal Intervention Plan, which outlines a spectrum of response actions for dolphins affected by the operation of the diversion, ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable

habitat where any health impacts would be minimized. For more information, see Appendix R5 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63077

The Draft EIS underestimates the harm to bottlenose dolphins that would be caused during the construction of the proposed Project. More specifically, increased exposure to underwater noise due to increased vessel traffic in Barataria Bay during the construction period will in all likelihood exacerbate the dolphins' stress and health problems. There also will be a greater risk of vessel strikes during construction.

Response ID: 16597

The impacts to dolphins of increased vessel traffic in Barataria Basin were acknowledged and discussed in Chapter 4, Section 4.11.4.2 (Marine Mammals - Construction Impacts) of the Draft EIS. That

discussion concluded by noting that, while vessel traffic in the Barataria Basin would increase with construction activities, that “noise-producing construction activities [like vessel traffic] have minimal overlap with the BBES Stock range and thus are anticipated to have negligible to minor, temporary, indirect, and adverse impacts on bottlenose dolphins.” The Draft EIS also states that impacts on marine mammals from construction would be predominantly due to risks of strikes from transiting construction vessels. Because this was previously addressed in the Draft EIS, no related edits were made in the Final EIS.

Concern ID: 63078

The impact of increased freshwater inputs from the Mississippi River into coastal areas of Louisiana in 2019 caused a die-off leading to an unusual mortality event (UME). The Louisiana Department of Wildlife and Fisheries (LDWF) was winding down its involvement in the marine mammal stranding network during that time. While a group called Audubon Coastal Wildlife Network attempted to fill the void left by the LDWF, critical data were missed. It is estimated that only 33 percent of stranded animals were reported for Louisiana during the whole of the 2019 UME.

Response ID: 16598

Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS has been revised to acknowledge the limitations of data collection by the LDWF during the 2019 UME. Analysis in the Final EIS is based on additional expert opinion regarding effects on dolphins from freshwater exposure compiled for Booth & Thomas (2021) and new data reported in Thomas, et al. (2021). This additional information supported the impact conclusions in the Draft EIS. NOAA has assumed coordination of the Louisiana Marine Mammal Stranding Network. Independent of this Project, the LA TIG has funded a project to support stranding network enhancements. Further, through the Project, the LA TIG would support an additional 20 years of funding for the Louisiana Marine Mammal Stranding Network.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project,

such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63080

The Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems by obtaining a Congressionally-mandated MMPA waiver for the proposed Project. The waiver does not establish a quota for how many dolphins can be taken by the proposed Project, and it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, provided Congressional permission to break the law. It is critical for the protection of marine mammals that such a legislative waiver be a one-off occurrence.

Response ID: 16599

The U.S. Army Corps had no role in seeking a Marine Mammal Protection Act waiver for this Project from Congress, nor did any federal agencies on the LA TIG. CPRA sought the waiver.

Title II, section 20201 of the Bipartisan Budget Act of 2018 provides: "(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S. C. 1361 et seq., as amended) regarding maintaining the health and stability of the marine ecosystem, within 120 days of the enactment of this section, the Secretary of Commerce shall issue a waiver pursuant to section 101(a)(3)(A) and this section to Section 101(a) and Section 102(a) of the Act, for such projects that will remain in effect for the duration of the construction, operations and maintenance of the projects. No rulemaking, permit,

determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.”

The National Marine Fisheries Service issued the waiver in March 2018. Since that waiver in 2018, CPRA has not requested any additional waivers for coastal restoration projects. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

Concern ID: 63626

The success of the Project is uncertain, but the Project would cause dolphin deaths regardless of its success or failure.

Response ID: 16600

Chapter 4, Section 4.11.5.2 (Barataria Bay Estuarine Stock) of the Draft EIS acknowledged that the MBSD would result in mortality and severely compromised health of a significant number of individuals belonging to the Barataria Bay estuarine stock (BBES) of bottlenose dolphins. This section has been updated to incorporate research by Thomas, et al. (2021) that was completed after release of the Draft EIS. According to data published by Thomas, et al. (2021) most of the approximately 2,300 dolphins within the Barataria Basin would perish within the first 10 years of start of operations of the proposed Project (comparing the anticipated Barataria Basin 2027 dolphin population (2,307 dolphins) to the projected 2038 population under the Preferred Alternative (644 dolphins) indicates that approximately 72 percent of the dolphins would perish). These additional data built on earlier studies analyzed, and support the impact conclusions, in the Draft EIS.

The commenter’s concern that Project success is uncertain is acknowledged. The value of fresh water, sediment, and nutrients in the ecological productivity and sustainability of the Barataria Basin is discussed throughout Chapter 4 (Environmental Consequences) of the EIS. Each of the Alternatives analyzed in the EIS, except for the No Action Alternative, are expected to meet the purpose and need of the Project, and uncertainties in the overall impacts of the Project, both beneficial and adverse, are incorporated into the analyses included in Chapter 4 Environmental Consequences of the EIS. More specifically, salinity impacts of the Project are assessed using the Delft3D Basinwide Model, and this model’s projections of future conditions include uncertainties. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in

Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainties related to the Marine Mammals impact analysis are summarized in detail in Chapter 4, 4.11.3.1 (Marine Mammals, General Caveats to Impact Analysis Approach).

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not

be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

With respect to the LA TIG's Restoration Plan, the LA TIG's conclusion that the Project is likely to succeed in providing the predicted Project benefits is detailed discussed in Section 3.2.1.4 (Likelihood of Success) of the Final Restoration Plan.

Concern ID: 63627

A commenter expressed opposition to the diversion because more studies are needed on dolphins and other marine life.

Response ID: 16601

The Draft EIS included an analysis of the impacts to marine mammals, including bottlenose dolphins in Chapter 4, Section 4.11 Marine Mammals. That analysis included a review of the extensive studies of the BBES dolphin stock since the DWH oil spill as well as a comprehensive literature review of studies of the impact of low-salinity waters on dolphins that was incorporated into the Expert Elicitation described in Chapter 4, Section 4.11.3 Overview of Impact Analysis Approach. The Final EIS also incorporates additional analysis by Thomas et al. (2021), which was published after the Draft EIS was released for public comment. Based on these sources, the EIS projects that the proposed Project would have major, adverse, permanent impacts to BBES dolphins, resulting in their functional extinction except for a small number that may survive around Grand Isle.

The LA TIG notes, however, that the MAM Plan, included in Appendix R2 to the EIS, includes extensive monitoring before and during Project operations, which would help address key uncertainties, such as the optimal balance between sediment and freshwater input needed to achieve the Project purpose, and could provide information critical to informing potential operational modifications over time that could reduce negative impacts to dolphins.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for

public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63628

A commenter expressed confusion as to why NOAA would allow a diversion that would kill dolphins.

Response ID: 16602

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver.

The concerns raised by the commenters regarding the impacts to dolphins were considered in the LA TIG's Draft Restoration Plan. The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there

would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (see Section 2.0 [Restoration Planning Process] of the Restoration Plan). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin. Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats (see Section 1.1 [Background and Summary of the Settlement] in the Restoration Plan).

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

With regard to the Marine Mammal Protection Act (MMPA), the Bipartisan Budget Act of 2018, Public Law 115-123 included a requirement that the Secretary of Commerce, as delegated to the Assistant Administrator of the NMFS, issue a waiver of the MMPA moratorium and prohibition for three projects, including the proposed MBSD Project. Accordingly, NMFS issued the waiver on March 15, 2018.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section

10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63629

Operation of the MBSD will adversely affect dolphin prey species, such as spotted sea trout, as well as other important marine resources, such as submerged aquatic vegetation, benthic algae and other benthic fauna, brown shrimp, southern flounder, and eastern oyster.

Response ID: 16603

The impact of the Project on dolphin prey species was discussed and considered in detail in Chapter 4, Section 4.11.5.1 (Marine Mammals - General Impacts on Habitat and the Environment) of the Draft EIS, which notes:

Certain marine mammal prey species are more tolerant of lower salinity waters than others. Of the 10 key species analyzed in Section 4.10 Aquatic Resources that are known BBES dolphin prey (representing 75 percent of the stomach prey content), the Applicant's Preferred Alternative would result in overall minor beneficial impacts on six species (red drum, Gulf menhaden, bay anchovy, blue crab, white shrimp, and bass) and a major adverse impact on brown shrimp, minimal adverse impact of spotted seatrout, negligible to minimal adverse impact on southern flounder, and neutral impacts on Atlantic croaker. Oysters are not known to be a prey item for BBES dolphins.

Further, as discussed in Section 4.11.5.1 (General Impacts on Habitat and the Environment in Marine Mammals), initial adverse impacts on SAV would be temporary, with permanent beneficial impacts to overall coverage and biomass of SAV once the salinity regime stabilizes. Although the specific timing of these changes cannot be predicted, Section 4.10.4.1.2 in Submerged Aquatic Vegetation has been updated in the Final EIS to indicate that SAV colonized mudflats relatively quickly (within 2 years), once conditions were suitable, at Mardi Gras Pass (on the east side of the Mississippi River). The resulting increase in SAV biomass would result in increased primary productivity,

increased nursery habitat for aquatic species, and shifts in the food web would play a role in the impacts on dolphin prey species. Impacts on benthic algae would be adverse or beneficial, depending on the salinity tolerance of a given species (see Section 4.10.4.2 [Benthic Resources]).

Concern ID: 63631

A commenter questions whether the freshwater releases at Bonnet Carré Spillway led to an unusual mortality event (UME) that occurred in 2019.

Response ID: 16604

Chapter 4, Section 4.11.5.2 (Barataria Bay Estuarine Stock) of the EIS summarizes the dolphin deaths, stranding numbers, and body conditions that led to the UME declaration in 2019. After analyzing various potential causes for the increase in dolphin mortality, scientists determined that the most likely cause of this UME was exposure to low-salinity waters in 2019 from the above average freshwater discharge into the Northern Gulf of Mexico. Prolonged exposure to low-salinity water (for example, less than 10ppt) has been documented to have harmful health impacts on bottlenose dolphins, ranging from skin lesions and serum electrolyte abnormalities to death.

Concern ID: 63632

While modeling has been done to estimate the impact of changing salinities on dolphins, there are large gaps in knowledge that may result in over- or under-estimating Project impacts. The pre-construction dolphin monitoring outlined in the Draft EIS may help address these gaps and should be leveraged to explore modifications to Project operation that could reduce negative impacts to dolphins.

Response ID: 16605

The Draft EIS recognized the uncertainty inherent in the model projections used to assess impacts of the Project on various elements of the environment, including dolphins (see Chapter 4, Section 4.11 [Marine Mammals] of the Draft EIS). The LA TIG agrees that the monitoring commitments included in the MAM Plan, which include extensive pre- and post-Project operation monitoring, would help address these uncertainties and would provide information critical to potential operational modifications that could reduce negative impacts to dolphins.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement.

Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63068

It is not clear why the Draft EIS suggests that the proposed Project would result in wetland loss that would harm dolphin health and reproduction. More specifically, observations suggest that the Project is actually projected to increase wetland habitat. It is not clear how wetland creation and a decrease in wetland loss rates affect residual health and reproduction effects from the DWH spill to dolphins.

Response ID: 16591

To clarify, although the diversion is expected to increase wetland habitat, the freshwater influx that would result from diversion operations is anticipated to be the primary driver of dolphin mortality and morbidity. The projected impacts of wetland changes and freshwater flows caused by the Project on dolphins were discussed in detail in Chapter 4, Section 4.11.5 (Marine Mammals - Operational Impacts) of the Draft EIS.

Concern ID: 63630

The Project will lead to long-term benefits for marine mammals and dolphin populations by restoring the marine ecosystem and by carrying out monitoring and mitigation of the near-term impacts described by the Draft EIS and associated studies (Garrison et al., 2020).

Response ID: 16706

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11 Marine Mammals. While the analyses in the EIS suggest that some prey resources upon

which dolphins rely may benefit from the proposed Project, the analyses overall suggest that the impact of the proposed Project on dolphins would be immediate, significant, and adverse. These analyses incorporated studies from Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) and the Final EIS includes additional analyses that were complete by Thomas et al. (2021) after the Draft EIS was released for public comment.

The impact conclusion in the Draft EIS was based in large part on Garrison et al. (2020), which predicts that only a “remnant population” of dolphins would continue to exist in Barataria Basin after diversion operations commenced. That conclusion is confirmed by Thomas et al. (2021), which concludes that, after 1 year of operation of the Applicant’s Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative with an overall difference in population of 78 percent. After the planned 50 years of operation, dolphins in three out of the four strata are predicted to be extinct under the Applicant’s Preferred Alternative, with the remaining Island stratum population being 85 percent lower [95 percent CI 28-99] under the Applicant’s Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant’s Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2831-4289) predicted to inhabit Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is predicted to be 96 percent smaller (95 percent CI 80-100) under the Applicant’s Preferred Alternative than then No Action Alternative. Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al (2021).

To respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals, the LA TIG has developed a new Marine Mammal Intervention Plan to further (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is

possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

EC61100 - Threatened & Endangered Species

Concern ID: 63106

The proposed Project would kill more sea turtles than did the DWH oil spill with BP monies.

Response ID: 16204

Chapter 4, Section 4.12.2.2 Sea Turtles of the EIS, determined that the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp's ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts.

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS' Biological Opinion on the proposed Project (included in the Final EIS as Appendix O4) concludes the proposed Project is not likely to jeopardize the continued existence of sea turtles and authorizes "take" for the Project, which is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. In its Biological Opinion, the NMFS authorizes the incidental take of 783 sea turtles per year, including 370 Kemp's ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities). This can be compared to the lower-end estimate of 4,900 large juvenile/adult, 56,000 juvenile, and 35,000 hatchling sea turtles killed by the DWH oil spill (NMFS 2020).

Concern ID: 63107

The proposed Project would kill sea turtles, which commenters indicated should stop the proposed Project.

Response ID: 16205

Chapter 4, Section 4.12.2.2 Sea Turtles of the EIS, determined that the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp's ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts.

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS' Biological Opinion on the proposed Project (included in the Final EIS as Appendix O4) concludes the proposed Project is not likely to jeopardize the continued existence

of sea turtles and authorizes a “take” for the Project, which is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. In its Biological Opinion, the NMFS authorizes the incidental take of 783 sea turtles per year, including 370 Kemp’s ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities). This can be compared to the lower-end estimate of 4,900 large juvenile/adult, 56,000 juvenile, and 35,000 hatchling sea turtles killed by the DWH oil spill (NMFS 2020). Under the Endangered Species Act, NMFS can authorize the incidental take of sea turtles, but it cannot authorize a project that jeopardizes the continued existence of sea turtles in the proposed Project area.

Concern ID: 63108**Commenters questioned how many sea turtles would be killed by the proposed Project.****Response ID: 16409**

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS’ Biological Opinion on the proposed Project (included in the Final EIS as Appendix O4) concludes the proposed Project is not likely to jeopardize the continued existence of sea turtles and authorizes a “take” for the Project, which is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. In its Biological Opinion, the NMFS authorizes the incidental take of 783 sea turtles per year, including 370 Kemp’s ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities).

Concern ID: 63109**Additional studies should be conducted to determine the impacts of the proposed Project on biota (including sea turtles).****Response ID: 16206**

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS prepared a Biological Opinion on the proposed Project (Appendix O4 of the Final EIS), which authorizes the incidental take of 783 sea turtles per year, including 370 Kemp’s ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities).

In addition, Section 8.3 of the NMFS’ Biological Opinion requires that the federal action agencies ensure that the Project proponent monitor brown shrimp fishing effort in the action area; fund, implement, and

annually report on a salinity monitoring program in Barataria Bay; and funds and implements a monitoring plan targeting the distribution, health, and habitat use of sea turtles in the Barataria Basin.

Concern ID: 63110

The commenters are concerned with the impacts that this proposed Project would have on threatened and endangered species in the area and indicated that there are likely to be minor to moderate adverse effects for the Kemp's ridley, loggerhead and green sea turtles, and the pallid sturgeon in the area.

Response ID: 16253

The adverse effects on these species from the proposed Project were further evaluated by the USFWS (pallid sturgeon) and the NMFS (sea turtles in Barataria Basin waters) in their Biological Opinions; the respective Biological Opinions have been included in Appendices O3 and O4 of the Final EIS. Both agencies have determined that the construction and operation of the proposed Project would not be likely to jeopardize the continued existence of these species. NMFS has authorized a take of up to 783 Kemp's ridley, loggerhead, and green sea turtles (total) per year (including up to 57 mortalities per year). The USFWS has authorized the loss (by death or serious injury) of 48 pallid sturgeon per year.

Concern ID: 63111

The EIS indicates that there are likely to be major indirect adverse effects on bald eagles, which may be exposed to contamination as a result of this proposed Project.

Response ID: 16255

No major impact is anticipated for bald eagles due to the proposed Project. As identified in Chapter 4, Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the proposed Project is anticipated to have a negligible to moderate, permanent, indirect, and adverse impact on bald eagles, with the potential for moderate adverse impacts if contaminants are present in the diverted water, the prey become contaminated, and bald eagles consume the contaminated prey; no related edits have been made in the Final EIS.

Appendix R1 (Mitigation and Stewardship Plan) of the EIS describes CPRA's proposed monitoring measures, including CPRA's agreement to monitor for contaminants, at the request of the USFWS. As discussed in Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the EIS, CPRA has agreed to a conservation recommendation proposed by USFWS that requires CPRA implement an adaptive sampling plan to detect potential contamination that could impact bald eagles.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for

public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63119

The mass deaths of manatees this year is concerning to the commenter.

Response ID: 16268

The 2020-2021 unusual mortality event (UME) was issued for manatees along Florida's east coast. The UME is being investigated to determine the cause, but preliminary information indicates that it is related to a reduction of food availability in portions of Indian River Lagoon (USFWS 2021). Although manatees transiting through the proposed Project area would likely be Florida residents, the UME is unrelated to the proposed Project and the proposed Project is not anticipated to result in injury or mortality of a manatee.

Concern ID: 63121

The negative repercussions from the diversion are influenced by a salinity differential in the source and receiving waters, impacting threatened and endangered species by its suddenness and magnitude.

Response ID: 16272

Chapter 4, Section 4.12 Threatened and Endangered Species of the Final EIS has been revised to discuss the potential impact of an acute change in salinity on special status species, as applicable. However, because the impacts on special status species discussed in the

Biological Opinions are within the range of impact identified in the Draft EIS, no changes were warranted to the determinations provided in the Draft EIS.

Concern ID: 63122

There are five species of sea turtle that are listed as threatened or endangered in the Gulf of Mexico.

Response ID: 16273

The commenter correctly notes that five federally listed sea turtles occur in the northern Gulf of Mexico, as identified in Chapter 4, Section 4.12 Threatened and Endangered Species, Table 4.12-1 of the EIS; therefore, no related edits have been made to the Final EIS.

Concern ID: 63123

The Gulf sturgeon would be at high risk due to their diadromous spawning in the Pearl River and Pascagoula river basins.

Response ID: 16274

The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which includes the Barataria Basin and the Mississippi River birdfoot delta (particularly for biological resources), as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS. As noted in Section 3.12.1 in Threatened and Endangered Species and Figure 3.12-1 of the EIS, the Gulf sturgeon's range is outside the proposed Project area, and the species is therefore not carried forward for an evaluation of impacts from the proposed Project in Chapter 4 Environmental Consequences. Because the issue raised by the commenter was addressed in the Draft EIS, no related edits have been made in the Final EIS.

Concern ID: 63112

The EIS should exclude any conclusions regarding pallid sturgeon risk until their presence near the proposed Project is confirmed.

Response ID: 16256

As discussed in Chapter 4, Section 4.12.2.3 in Threatened and Endangered Species and Appendix O1 (Biological Assessment) of the Draft EIS, the EIS analysis recognizes that pallid sturgeon density in the Lower Mississippi River is believed to be extremely low. In accordance with NEPA and the ESA, the EIS appropriately includes an analysis and determination of impacts on the pallid sturgeon from the proposed Project, based on a range of possible local population sizes. The adverse effects on pallid sturgeon from the proposed Project were further evaluated by the USFWS in its Biological Opinion, which has been included as Appendix O3 of the Final EIS. The USFWS determined that the construction and operation of the proposed Project would not be likely to jeopardize the continued existence of the pallid sturgeon and authorized the loss (by death or serious injury) of 48 pallid sturgeon per year.

Concern ID: 63113

The Executive Summary for Threatened and Endangered Species should be supplemented to explain how the proposed Project may "increase commercial shrimping interactions" with sea turtles given the expected decline in shrimp populations in the estuary.

Response ID: 16257	The detailed assessment of impacts on sea turtles, including the potential for increased commercial shrimping interactions, was included in Chapter 4, Section 4.12.2.2 in Threatened and Endangered Species of the Draft EIS; therefore, no related edits have been made to the Final EIS. As stated in Section 4.12.2.2, changes in local shrimp populations (including a decrease in the brown shrimp population and a negligible to minor increase in the white shrimp population) may result in changes to the shrimp fishery in the proposed Project area. If these changes result in shrimp fishers focusing on locations lower in the basin or in nearshore/offshore waters (where more sea turtles would be present), it may increase the potential for interactions between fishers and sea turtles, which is a primary threat to sea turtles. Increased interactions could increase the rate of injury and mortality to sea turtles present in the proposed Project area.
Concern ID: 63114	Explain the statement in the Executive Summary for Threatened and Endangered Species that indicates the “presence of core use habitat in the Barataria Basin (Kemp’s ridley).”
Response ID: 16259	The detailed assessment of impacts on sea turtles, including a discussion of the Kemp’s ridley’s core use habitat in the Barataria Basin, was included in Chapter 4, Section 4.12.2.2 in Threatened and Endangered Species and Appendix O1 (Biological Assessment) of the Draft EIS. However, Chapter 3, Section 3.12.1.1.2.3 Kemp’s Ridley Sea Turtle of the Final EIS has been revised to clarify that “core use” habitat is a general term used to represent important foraging and migratory areas that have been identified for juvenile and post-nesting Kemp’s ridley sea turtles.
Concern ID: 63115	The Executive Summary for Threatened and Endangered Species ignores the likely positive effects of the proposed Project on Kemp’s ridley sea turtle, due to the Project’s likely positive impacts on its preferred prey, blue crabs.
Response ID: 16261	The detailed assessment of impacts on sea turtles, including the likely positive effects of increased blue crabs on Kemp’s ridley sea turtles, was included in Chapter 4, Section 4.12.2.2 in Threatened and Endangered Species in the Draft EIS; therefore, no related edits have been made to the Final EIS.
Concern ID: 63116	Commenter disagrees with the adverse conclusion for the piping plover, red knot, and black rail. The proposed Project would greatly increase mudflat and sand flat habitat in the outfall area, which would be used by these species.
Response ID: 16262	Comment noted. The EIS concludes in Chapter 4, Section 4.12.2.4 in Threatened and Endangered Species that the proposed Project is not likely to adversely affect piping plover and red knot, as any impact to those two birds or their prey would be negligible to minor adverse. As

identified in this section, sediment input would create mudflats prior to the establishment of wetland vegetation; however, this is considered a negligible benefit to the piping plover and red knot as they typically use the barrier islands for foraging. With regard to eastern black rail, which are generally believed to inhabit vegetated areas, Section 4.12.2.5 in Threatened and Endangered Species of the EIS concludes that the proposed Project would have both individually adverse and beneficial impacts on the species from changing habitats, including adverse, temporary to short-term impacts from salinity changes that may alter the presence of infaunal prey species, and positive, long-term effects from marsh creation and preservation. However, due to the low species density likely in the proposed Project area, the overall impact on the species would be negligible. The proposed Project is not anticipated to increase sandflat habitat. Because use of mudflats was discussed in the Draft EIS, no related edits have been made in the Final EIS.

Concern ID: 63117

The Executive Summary for Threatened and Endangered species should provide detailed support for the statement that bald eagles may be adversely impacted from potential contaminant uptake given the assertions elsewhere that the proposed Project would not load additional contaminants into the receiving area. There is likely some risk of localized PAH loading, but there is a lot of uncertainty. Monitoring is needed. The USEPA assessed this question for the Maurepas Diversion and determined that there was no impact on bald eagles due to contaminants.

Response ID: 16264

See Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the EIS. CPRA has agreed to a Fish and Wildlife Coordination Act conservation recommendation identified by USFWS that CPRA implement an adaptive monitoring/sampling plan for fish and shellfish in the diversion outfall area and in the Mississippi River to detect potential contamination that could impact bald eagles. Because the issues raised by the commenter were addressed in the Draft EIS, no related edits have been made in the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management

measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63120

The Draft EIS and the LA TIG's Draft Restoration Plan (Section 3.2.1.6.2) should be reconciled with respect to determinations for the saltmarsh topminnow, with the Draft EIS indicating minor to moderate benefits and the Draft Feasibility Report indicating both beneficial and adverse impact.

Response ID: 16269

The Draft EIS Chapter 4, Section 4.12.3.1 in Threatened and Endangered Species and the LA TIG's Draft Restoration Plan (Section 3.2.1.6.2 [Benefits to Water Column Resources]) consistently noted a combination of adverse and beneficial impacts on the saltmarsh topminnow, with an overall minor to moderate benefit anticipated from construction and operation of the proposed Project; therefore, no related edits have been made to the Final EIS or the LA TIG's Final Restoration Plan.

Concern ID: 63118

Commenter strongly disagrees with the adverse impact noted for the manatee as manatees like fresh water and SAV and suggests that an independent manatee expert should review the conclusion.

Response ID: 16266

Chapter 4, Section 4.12.2.1 in Threatened and Endangered Species of the Draft EIS acknowledged the potential benefits of decreased salinity and increased SAV; however, the Draft EIS also identified a potential for adverse impact from increased vessel movement and noise associated with construction and operation of the proposed Project, resulting in a negligible to minor adverse impact/not likely to adversely affect determination. Further, as noted in Appendix O3 USFWS Biological Opinion of the Final EIS, the USFWS considered the effects

of the proposed Project on the West Indian manatee and concurred with the determination in the EIS for this species.

Concern ID: 67233

It is imperative that the operational plan includes continual adaptive mitigation of unavoidable impacts to critical habitat in the Breton and Mississippi Sound areas.

Response ID: 16953

As discussed in Sections 3.12 and 4.12 (Threatened and Endangered Species) of the EIS and Appendices O3 and O4, ESA designated critical habitat for the loggerhead sea turtle and piping plover is within the Project area, as is proposed critical habitat for the red knot. However, the Project would have no effect on these designated or proposed areas of critical habitat.

EC61200 – Socioeconomics

Concern ID: 62009

The negative socioeconomic consequences would devastate southeast Louisiana, destroy people’s livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.

Response ID: 16207

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG

believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative

to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship

Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62010

Sediment transported by the diversion into the basin would cause the main waterways to have increased shoaling, become too shallow to pass through, and would require dredging in order to access personal properties. This plan should address the potential loss of access for homes, camps, and businesses due to the increased shoaling.

Response ID: 16208

The impacts raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. The EIS describes impacts on marine transportation and maintenance dredging in Chapter 4, 4.21 Navigation. This section also describes potential impacts on access due to delays when dredging. In addition, refer to Section 4.13 Socioeconomics for a discussion of socioeconomic impacts due to potential sedimentation in Barataria Basin navigation channels and canals. The proposed Project would have moderate, intermittent but permanent, adverse impacts on marine traffic efficiency and safety for shallow-draft vessels. The proposed Project would also cause minor to moderate, permanent, adverse impacts in dredging requirements for portions of the Mississippi River Navigation Channel and the birdfoot delta due to Project-induced changes to typical shoaling patterns and locations. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the proposed Project area during Project operations. In acknowledgement of commenters' concerns regarding sediment and shoaling impacting navigation, the Mitigation and Stewardship Plan in Appendix R1 in the Final EIS includes measures to mitigate impacts on navigation in the basin resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent

anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62011

Commenters are concerned about the impacts of the proposed MBSD Project operations on the coastal communities including Jean Lafitte, lower Lafitte, Barataria, Crown Point, and the island of Grand Isle.

Response ID: 16209

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics considers impacts on community populations, housing and property values, community infrastructure, as well as community cohesion and other potential socioeconomic impacts on affected communities in the proposed Project area. As described, communities near the immediate outfall area (within 10 miles north and 20 miles south) outside of flood protection are anticipated to experience increased tidal flooding and storm surge that may increase ongoing trends in outmigration and cause minor to moderate, permanent, adverse impacts on community cohesion in these areas. Long-term benefits of the proposed Project are also anticipated in communities in the west bank New Orleans area north of the diversion, where decreases in storm damages are anticipated over time due to the Project. The communities of Lafitte and Des Allemands are located in areas anticipated to experience permanent, minor to moderate beneficial impacts associated with storm hazards. The proposed Project is projected to increase surge heights by only up to 0.1 foot in the community of Grand Isle. Chapter 4, Sections 4.13 Socioeconomics, 4.14 Commercial Fisheries, and 4.15 Environmental Justice provide detailed analyses of impacts from the

proposed Project. The Socioeconomics Technical Report in Appendix H1 provides additional details.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Concern ID: 62013

The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.

Response ID: 16210

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in

Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation and stewardship measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes

from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62014	The proposed MBSD Project would reduce tax revenue for the parishes located in the impacted area and the funds to support vital services in these areas.
Response ID: 16211	The EIS considers and describes impacts on tax revenue in Chapter 4, Section 4.13.4 and 4.13.5 in Socioeconomics. There is also a discussion of Public Services and Utilities in this chapter (Section 4.13 Socioeconomics). As described, the proposed Project construction would have minor to moderate short-term benefits on sales and use taxes in local jurisdictions and the state associated with construction spending. Negligible to minor permanent adverse impacts on tax revenues from sales and use taxes, including associated with impacts on commercial fishing activities, as well as property tax collections associated with reduced property values are anticipated in Plaquemines Parish due to operation of the proposed Project. Potential adverse effects on utilities associated with reduced property taxes are also anticipated during the operations phase of the proposed Project.
Concern ID: 62015	Commenter supports implementation of the proposed MBSD Project to restore the wetlands. The Barataria Basin needs its infrastructure to return which would have a substantial economic impact, support birds and other wildlife, and also bring back jobs to this area.
Response ID: 16212	The commenters' support of the proposed Project is acknowledged. The EIS evaluates economic impacts of the proposed Project in Chapter 4.13 Socioeconomics, and Appendix H1, Socioeconomics Technical Report, including potential employment impacts. In addition, Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the proposed Project would impact recreational and sport fishing in the Barataria Basin.
Concern ID: 62016	Commenter inquired as to why CPRA is not required to adjust operations, conduct maintenance dredging, or provide alternative boat access for Myrtle Grove if Wilkinson Canal is impacted.
Response ID: 16213	The impacts on channel and canal navigation raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the proposed Project area during Project operations. In acknowledgement of the commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, CPRA has supplemented the Final Mitigation and Stewardship Plan with measures to mitigate impacts on navigation in the basin resulting from operation of the Project, including monitoring and dredging or other measures for certain federal and non-federal navigation channels including the

Barataria Waterway and Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62017

Commenter requests a supplemental EIS due to the lack of specificity concerning this proposal to the residence, parish, and fishing communities.

Response ID: 16220

The issues raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS and a supplemental EIS is not warranted. The EIS includes analysis of socioeconomic impacts, including increased flooding impacts, on affected communities. Sections 4.13 Socioeconomics, 4.14 Commercial Fisheries, 4.15 Environmental Justice, and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction provide detailed analyses of impacts from the proposed MBSD Project.

Projected increased flooding in the communities surrounding the diversion is discussed in Section 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction. The Socioeconomics section evaluates impacts on economy, employment and business activity, population, housing, taxes, public services, community cohesion and protection of children in light of the best data available to USACE and the LA TIG to evaluate the impacts over the 50-year analysis period. The EIS also contains separate analysis of impacts on commercial fisheries and on minority and low-income populations, including a table (Table 4.15-1) that summarizes individual communities and the potential impacts. In addition, the Socioeconomics Technical Report in Appendix H provides additional details. Appendix P Flood and Storm Hazards Evaluation provides additional details on the flood modeling and impacts.

Concern ID: 62018

Commenters noted inconsistencies in the property values presented in the EIS and Appendices. Specifically, comments highlighted a need to reconcile the property value of \$52 Million for Myrtle Grove in Appendix H Socioeconomics Technical Report compared to the value of \$5.9 Million for Myrtle Grove and all the other affected communities in Chapter 4, Section 4.13.5.3 in Socioeconomics of the main body of the EIS.

Response ID: 16214

The commenter's concern with the consistency of property valuation in the EIS is acknowledged. The issues raised by the commenters were considered in the Draft EIS. Appendix H1 Socioeconomics Technical Report and Chapter 4, Section 4.13.5.3 Housing and Property Values in Socioeconomics present different statistics about housing values. Specifically, Table 2-6 in Appendix H1 Socioeconomics Technical Report presents total property values based on estimated online fair market estimates in Myrtle Grove. Section 4.13.5.3 Housing and Property Values in Socioeconomics presents the assessed value of properties as reported by the Plaquemines Parish Assessor. Per the Plaquemines Parish Assessor, the assessed value is calculated as 15 percent of the fair market value for all commercial improvements, and 10 percent of the fair market value for all residential improvements and all land. For clarity, edits have been made to Section 4.13.5.3 and Appendix H1 Socioeconomics Technical Report of the Final EIS.

Concern ID: 62019

The Draft EIS fails to address extended economic and community impacts of this proposed Project. The proposed MBSD Project would not only affect localized Louisiana concerns, but would impact no less than three other Gulf Coast states including Texas, Mississippi, and Alabama.

Response ID: 16215

EIS Chapter 3, Section 3.1.1 Project Area identifies the area of analysis for the EIS which includes the Barataria Basin and portions of Mississippi River birdfoot delta. For socioeconomic impacts, the EIS

identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche, and Jefferson Parishes, Louisiana. For commercial fisheries, the proposed Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin birdfoot delta). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4 Operational Impacts in Commercial Fisheries in the Final EIS has been revised to acknowledge this.

In response to one commenter's request for supplemental environmental review to consider potential impacts of the Project on the Texas shrimp fishery, the NOAA Technical Memorandum cited in support of that request has been reviewed. The technical memo does not confirm the comment that shrimp from the Barataria Basin migrate to Texas. While that memo does report that tagged brown shrimp released in Louisiana were recovered in Texas, those recovered shrimp were released in offshore waters south of Calcasieu Lake. Tagged shrimp that were released in the Caillou Lake estuary, which is in the Terrebonne Basin (on the western side of the Barataria Basin) were not recovered in Texas.

Concern ID: 62020

The EIS is lacking in detail and particularly vague when it comes to addressing the impacts on the communities that are within a 2-mile radius of the Mid-Barataria Sediment Diversion: Ironton, Myrtle Grove, and Wood Park. An assessment should be made on how the construction of this proposed Project might impact the property value of homes in the surrounding area and that those landowners/homeowners be made aware of the impact. Efforts should be made to reduce, as much as possible, the potential negative impacts that the construction of this proposed Project would have on surrounding communities including Ironton, Myrtle Grove, and Wood Park.

Response ID: 16216

The impacts raised by the commenters were considered in the Draft EIS. The EIS includes analysis of socioeconomic impacts on affected communities. Section 4.13 Socioeconomics, 4.14 Commercial Fisheries, and 4.15 Environmental Justice provide detailed analyses of impacts from the proposed Project. In addition, the Socioeconomics Technical Report in Appendix H of the EIS provides additional details. In Chapter 4, Section 4.15.5 Environmental Justice of the Final EIS, a section has been added that provides a summary of impacts on the community of Ironton to assist understanding impacts of the proposed Project on that community.

CPRA has engaged in public outreach meetings with the communities and groups impacted by the proposed MBSD Project to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. A summary of these public outreach meetings can be found in Chapter 7 Public Involvement of the Final EIS. The Mitigation and Stewardship Plan in Appendix R1 of the EIS provides additional details about mitigation proposed by CPRA for the proposed Project, including mitigation and stewardship measures for the communities projected to be impacted.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62021

The ecological pressures created by the Mississippi River Levee System on coastal lands make properties more vulnerable to hurricane damage, as well as potentially decreasing property

Response ID: 16217	<p>values. The coastal communities and housing market is put at risk if bold action is not taken to restore the coast.</p> <p>The proposed MBSD Project is expected to reduce loss of coastal wetlands in Louisiana relative to the No Action Alternative. The EIS finds in Chapter 4, Section 4.13 Socioeconomics that the proposed Project would have minor, permanent, beneficial impacts on housing and property values as the land gained as a result of the proposed Project would decrease the risks of storm hazards, particularly in areas north of the diversion and in the west bank New Orleans area.</p>
Concern ID: 62022	<p>The Draft EIS lays out how many jobs would be created through construction and the proposed Project would also bring desperately needed jobs and economic growth. Plaquemines Parish, where the proposed Project would be constructed, and the surrounding region - including Orleans and Jefferson Parishes - would expect to see a significant economic boost.</p>
Response ID: 16218	<p>The EIS describes the jobs impact from the construction of the diversion in Chapter 4, Section 4.13.4.2 in Socioeconomics. The EIS finds that moderate to major, temporary economic benefits are anticipated from proposed Project construction.</p>
Concern ID: 62024	<p>Electricity system resilience has become an increasingly important aspect of planning, which is recognized by the Regional Transmission Organization that Louisiana is situated in. A restored coast would help provide energy security through the protection it provides by creating a buffer for extreme weather events, and lowering storm surge. A more protected power grid also means reduced costs, which should translate to lower rates for consumers.</p>
Response ID: 16219	<p>The EIS considers impacts on Public Services and Utilities in Chapter 4, Section 4.13 Socioeconomics. As described, most public services and utilities infrastructure are located inside flood protection, though a few facilities are not. Beneficial impacts on public service infrastructure and utilities are expected in areas distant from the diversion and to the north associated with decreases in storm hazards with the proposed Project as compared to the No Action Alternative.</p> <p>Additionally, the LA TIG finds that restoration of the coastal environment is intended to build resiliency, including security for infrastructure such as power providers.</p>
Concern ID: 62025	<p>Appendix H of the Draft EIS titled “Socioeconomics Technical Report” provides information relevant to the analysis of potential impacts to socioeconomic resources resulting from the proposed Project. Appendix D to Appendix H, titled “Economic Impact of the Design and Construction of the Mid-Barataria Sediment Diversion Project” includes a breakdown of the cost estimates for</p>

Response ID: 16221	the design and construction of the proposed Project. This appendix does not clearly set forth the cost/value of the borrow material that CPRA will excavate from Midway’s property and use for the proposed Project. Without this information, the Draft EIS does not accurately analyze the impacts of the proposed Project on socioeconomics.
	The commenter’s concern regarding ensuring appropriate compensation for any property owner whose property is acquired or taken as part of the proposed Project is acknowledged. As part of any property acquisition to implement the proposed Project, CPRA would compensate landowners for property used for the Project in accord with Louisiana and Federal law, including the Louisiana Constitution and the Fifth Amendment of the U.S. Constitution.
Concern ID: 62026	The proposed Project would destroy wetlands in certain areas in the beginning phases and over time proposes to create wetlands in the outfall area. The Applicant has not publicly addressed the issue of the Public Trust Doctrine and future land and mineral rights. The commenter inquires as to who would own land and mineral rights in the outfall area where land may be built and if the public would be allowed to fish, hunt, and navigate through the outfall areas which are important socioeconomic questions for local stakeholders.
Response ID: 16222	According to CPRA, due to concerns about safety of the public and security for the proposed Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA is, however, planning to provide signage and other public space near the proposed Project to educate the public regarding the purpose and functioning on the Project. CPRA also states that ownership of any lands created by operation of the proposed Project would be determined in accord with current state law, including mineral rights, pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E) and that pursuant to La. R.S. 49:214.5.5(B), the proposed Project would not create any rights to the public in or on private property.
Concern ID: 62027	The Draft EIS cites Oxfam America’s Social Vulnerability Index from 2009, but the Water Institute of the Gulf and the Louisiana Coastal Protection and Restoration Authority have developed some work in this area through their 2017 Coastal Master Plan process. This more current application could be useful in analyzing this proposed Project.
Response ID: 16223	Chapter 3, Section 3.15 Environmental Justice of the EIS cites community social vulnerability data from NOAA from 2019. While the Coastal Master Plan is a valuable and detailed document, the NOAA data used in the EIS represents the best data available to the USACE and LA TIG since it is more recent and provides community-specific

metrics for many areas near the proposed Project. The commenter is correct that the Socioeconomics Technical Report in Appendix H1 cites the older Oxfam report. For the Final EIS, Appendix H1 Socioeconomics Technical Report has been updated to be consistent with the main body of the EIS and utilize the NOAA data.

Concern ID: 62029

The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.

Response ID: 16225

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)

- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62030

Louisiana plays a vital role in the economic infrastructure of the USA. Ports carry 20 percent of waterborne commerce and provide 26 percent of the commercial fishery landings measured by weight

Response ID: 16226	<p>and 18 percent of our nation’s oil. If the proposed Project should fail, our nation’s energy economic security would be devastated.</p> <p>The EIS considers impacts on Public Services and Utilities in Chapter 4, Section 4.13 Socioeconomics. Chapter 3 also provides background information on the importance of regional mineral resources and fisheries. As described, most public services and utilities infrastructure are located inside flood protection, though a few facilities are not. Beneficial impacts on public service infrastructure and utilities are expected in areas distant from the diversion and to the north associated with decreases in storm hazards with the proposed Project as compared to the No Action Alternative. Additionally, the LA TIG finds that restoration of the coastal environment is intended to build resiliency, including security for infrastructure.</p>
Concern ID: 62034	<p>Louisiana is a valuable landscape to millions of citizens, making it a working coast for both sportsmen and the commercial fisheries industry. This Coastal Master Plan must be able to show that it will improve the reduction of economic losses from storm surge, provide sustainable coastlines for residential, public, industry and commercial fisheries.</p>
Response ID: 16228	<p>While the proposed MBSD Project is part of the Louisiana Master Plan, the focus of this EIS is the proposed Project and the not the entire Master Plan. The purpose of the proposed MBSD Project is to reconnect the Barataria Basin and the Mississippi River through the delivery of sediment, fresh water and nutrients to support the long-term viability of existing and planned coastal restoration efforts. This is necessary to help restore habitat and ecosystem services injured as a result of the DWH oil spill. CPRA is considering various coastal restoration strategies in its Coastal Master Plan.</p>
Concern ID: 64119	<p>Commenters note that building a single acre of marshland serves no direct or positive economic purpose as opposed to the historically prolific fisheries of coastal Louisiana which generate an estimated \$2.4 billion in economic benefits for the State of Louisiana and the people of south Louisiana.</p>
Response ID: 16233	<p>The EIS recognizes the value of commercial as well as recreational fisheries in Chapter 3, Section 3.14 Commercial Fisheries and Section 3.16 Recreation and Tourism and considers adverse impacts that may occur due to the proposed Project on these activities in Chapter 4, Section 4.14 Commercial Fisheries and Section 4.16 Recreation and Tourism. Wetlands also serve important functions, including attenuation of wave and storm surges (in particular, refer to Chapter 3, Section 3.6 and Chapter 4, Section 4.6, which discuss Wetland Resources and Waters of the U.S. and Chapter 3, Section 3.14 and Chapter 4, Section 4.14 which discuss Commercial Fisheries). Wetland building itself does not conflict with commercial fishing uses of the</p>

basin, as wetlands provide a diverse set of functions, which include providing habitat for finfish, shellfish, as well as other aquatic organisms.

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is neither a proponent nor an opponent of the proposed MBSD Project, and USACE was not involved in the Restoration Plan. As explained in the Restoration Plan, the LA TIG is the group responsible for restoring natural resources and services within the Louisiana Restoration Area that were injured by the DWH oil spill; therefore, response content pertaining to the LA TIG's restoration planning has been addressed solely by the LA TIG, not USACE.

As part of the LA TIG's restoration planning efforts, the LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

Concern ID: 64057

The socioeconomic impacts would affect southeast Louisiana and the area impacted by the proposed MBSD Project for generations and ensure the end to the traditions and culture of south Louisiana and its families.

Response ID: 16230

The EIS discusses impacts on the local communities and various quantitative and qualitative impacts from the proposed Project in Chapter 4, Section 4.13 Socioeconomics, including Community Cohesion (Section 4.13.5.6). Consistent with the concern of the commenter, the EIS does find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative.

Concern ID: 64060

The proposed MBSD Project would result in a financial impact on the surrounding communities that support the coastal community. More work needs to be produced to address the economic impacts for Louisiana as a whole and the locally impacted parishes from the proposed Project. This should include all of the state-wide economic issues that would result from the loss of natural resources which are heavily marketed as a basis for the

industries of tourism, hospitality, restaurants, etc. Any failure to consider the complete economic impact of the destruction of seafood is inadequate given the nature of this proposed Project and the natural resource results actually delineated in the Draft EIS.

Response ID: 16231

The Draft EIS considered the potential socioeconomic impacts of the Project; thus, no related changes have been made to the Final EIS. More specifically, the EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, restaurants, tourism, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries considers regional economic impacts and community impacts projected to result from the proposed Project on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the Basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, though potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

Concern ID: 64089

Commenters asked that the jobs that are created by construction of the proposed Project spur inclusive and equitable economic development. The Louisiana State and local economic development authorities should focus efforts through communication, recruitment, and training activities, into creating jobs for local residents, including minority residents. The same type of focused workforce development effort is likely necessary in order for these local jobs to translate into longer term economic benefits for affected communities. Work with the community to identify future needs of this workforce, including: providing adequate emergency and routine medical care for workers, facilitating the start and growth of small business to provide services to this workforce, and educating skilled workers who can later pivot to other jobs along our coast long after construction is complete.

Response ID: 16234

With respect to the award of contracts, CPRA is required to follow the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 (Public Contracts). CPRA has sought and regularly seeks engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS.

Concern ID: 64090

Commenters request assurance that their community resources like sewage, water, broadband etc. can handle construction impacts in both the short and long term.

Response ID: 16232

The EIS considers impacts to local public services and utilities within the 10-parish Project area in Chapter 4, Section 4.13.5.5 Public Services and Utilities in Socioeconomics. As described, construction of the proposed Project would not affect electric power plants or water supply or treatment facilities, as none are located in the Project construction footprint. Beneficial impacts on public service infrastructure and utilities are expected in areas distant from the diversion and to the north associated with decreases in storm hazards with the proposed Project as compared to the No Action Alternative. Additionally, the LA TIG finds in its Restoration Plan that restoration of the coastal environment is intended to build resiliency including security for infrastructure.

Concern ID: 62028

Commenters suggest integrating more current data and information before the release of the Final EIS, including and especially the 2020 Census data. This data would show important population shifts to communities in Jefferson, Lafourche, and Plaquemines Parish, as well as the major metropolitan area of greater New Orleans. However, the use of census data may not accurately identify the individuals and businesses economically reliant on the Barataria Basin resources and does not reflect long-term or more recent income levels of those directly involved in businesses or jobs related to the resources.

Response ID: 16224

The EIS uses a variety of data sources to best describe the regional economy and populations, including relatively recently released statistics from the U.S. Census Bureau American Community Survey (ACS), data from 2010 Decennial Census, as well as a variety of state and local sources. Initial data from the 2020 Decennial Census was released in fall 2021 for Congressional redistricting purposes, with the bulk of the remaining 2020 Decennial Census data projected to be released over the next few years. The Final EIS has been revised to update the 2010 Decennial Census data to 2020 Census data. This update provides the most recent population and demographic data available for the some of the very small communities described in the EIS. Data for particular industries that may be affected by the Project, such as commercial fishing, are presented using state sources or other local data as available.

Concern ID: 62031

The Draft EIS acknowledges that measuring economic and socioeconomic impacts over an extended period is an inexact science and particularly difficult to anticipate over long-time horizons. Yet, that is exactly what CPRA has done and what is captured and presented to the public in the Draft EIS. It also fails to build confidence in a project that claims to be based in such detailed and exact science.

Response ID: 16227

Pursuant to NEPA, the EIS has been prepared to evaluate the anticipated impacts on the human environment from the proposed Project and reasonable alternatives to it, including No Action. Accurate, high-quality data and scientific analysis was used in the EIS, including input from agencies' own experts. The EIS makes this information available to the public and to decision makers. Although its forecasts of economic and socioeconomic impacts are not certain, the agencies have endeavored to prepare an EIS containing full disclosure of anticipated impacts, as well as all information necessary for the decision makers to understand the environmental consequences of their decisions. Where information is unavailable or incomplete, those data gaps are disclosed in the document.

Appendix R2 in the Final EIS includes CPRA's Monitoring and Adaptive Management (MAM) Plan, which was jointly developed by CPRA and its federal partners in the LA TIG. The MAM Plan provides flexible, science-based approaches to monitor and assess Project success as well as potential adaptive management actions to minimize impacts of the proposed Project and decision points that could lead to changes in management.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of

publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62035

Important assets like historical oyster reefs should be protected. Louisiana's coastal communities depend on the health of the estuaries for economic sustenance.

Response ID: 16229

The EIS discusses impacts on the local communities and impacts on local fisheries from the proposed Project in Section 4.14 Commercial Fisheries, Section 4.15 Environmental Justice, and Section 4.13 Socioeconomics, including Community Cohesion (Section 4.13.5.6). Consistent with the concern of the commenter, the EIS does find potential major, permanent, adverse impacts on subsistence fishing for communities from the proposed Project compared to the No Action Alternative (Section 4.15.4.2). Additional details on oysters and designated oyster grounds in the Project area can be found in Section 4.10.4.5, Key Species in Aquatic Resources. The proposed Project is expected to have major, direct, permanent, adverse impacts on oysters. CPRA has developed mitigation and stewardship measures which include increased funding for creation of broodstock reefs, funding for creation of new oyster seed grounds, funding for enhancing public and private oyster reefs and increased funding to further develop alternative

oyster culture methods, including off-bottom oyster culture. These are detailed in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

EC61300 – Commercial Fisheries

Concern ID: 62071

The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy,

Response ID: 16241**abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of

these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62077

The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would

displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

Response ID: 16242

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62078

The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including

corresponding impacts on restaurants in New Orleans and southern Louisiana.**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62079

Commenters are concerned that impacts similar to those caused by the fresh water from Bonnet Carré Spillway openings would affect fisheries in the Barataria Basin with the proposed MBSD Project.

Response ID: 16244

The Project area for the MBSD EIS includes the Barataria Basin and the Mississippi River birdfoot delta. Existing operations and influences of rivers and diversions, including but not limited to the Bonnet Carré Spillway, were incorporated into the baseline conditions of the No Action Alternative and action alternatives assessed in the Draft EIS, Chapter 4 Environmental Consequences, Sections 4.2 through 4.24. Reasonably foreseeable future (but not existing) diversions, such as the Mid-Breton Diversion, were analyzed for impacts in combination with existing diversions and the proposed MBSD diversion in Chapter 4, Section 4.25 Cumulative Impacts.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS. Note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes.

Concern ID: 62083

Commenters suggested that shrimping, fishing, and oysters would disappear in the Barataria Basin because of the fresh water diluting the salinity to a level that cannot sustain breeding of these species.

Response ID: 16247

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS described impacts of the proposed Project on finfish and shrimp and oyster species. As described, impacts may include those associated with changes in salinity. As summarized in EIS Section 4.14.5 in Commercial Fisheries, as compared to the No Action Alternative moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative sometime after 2050. While abundance of shrimp and oysters would decline under the Applicant's Preferred Alternative (as compared to the No Action Alternative), the EIS impact analysis does not anticipate shrimp and oysters would disappear from the basin. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

Concern ID: 62084

Commenters believe that the proposed MBSD Project would cause economic loss annually to other Gulf Coast states. The Mississippi Gulf Coast seafood and fishing industry would be devastated.

Response ID: 16248

Chapter 3, Section 3.1.1 Project Area of the Draft EIS identifies the analysis area for the EIS. This is the area in which the Project is anticipated to have discernable effects. For socioeconomic impacts, the EIS identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche and Jefferson Parishes, Louisiana. For Commercial Fisheries, the Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Final EIS has been revised to acknowledge this. Those commercial fishermen would be eligible to

participate in the fishery mitigation programs discussed in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62085

Concerns were raised that the proposed MBSD Project would affect fishermen with smaller vessels. Fishermen would have to travel farther towards the Gulf in their boats to catch some species such as speckled trout, and brown and white shrimp. Most inshore fishing vessels are not large enough or equipped to go any further outside the basin.

Response ID: 16249

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial

fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts on brown shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential adaptive responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, as well as increasing the length of fishing trips. CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation,

stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62089

The Barataria Estuary would be more productive as a result of the increased input of carbon and the vital building blocks of life, which would mean opportunities for increased seafood harvest. The proposed MBSD Project is of critical importance for this transformation to one of our nation's most productive fisheries.

Response ID: 16250

The commenter's support of the proposed Project is acknowledged. Chapter 4, Section 4.10 Aquatic Resources in the Draft EIS describes anticipated impacts from the proposed Project on aquatic species. As described, impacts would range from adverse to beneficial, depending on the species.

Concern ID: 62091

Commenters requested that detailed information on the full cost/benefit analysis regarding commercial fisheries be provided.

Response ID: 16251

NEPA does not require that the EIS contain a cost-benefit analysis unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has done its own economic evaluation of a proposed project. The EIS evaluates potential adverse as well as

potential beneficial impacts to commercial fisheries in Chapter 4, Section 4.14 Commercial Fisheries.

Consistent with OPA regulations, in the LA TIG's Final Restoration Plan the LA TIG has evaluated a range of alternatives based on multiple criteria including the cost to carry out each alternative, the likelihood of success, the extent to which future injury would be prevented and avoid collateral injury, the extent of benefits to more than one natural resource, and the effect on public safety. This analysis can be found in Section 3 of the Restoration Plan.

Concern ID: 62098

Commenter expresses concern that the Draft EIS is biased against the Project, over emphasizing and/or over-reporting the potential negative impacts to certain fisheries (particularly brown shrimp) and understating the Project benefits and the likely outcomes if the Project is not implemented.

Response ID: 16252

The issues raised by the commenters were considered in the Draft EIS. The EIS follows NEPA guidance and presents the adverse as well as the beneficial impacts of the Project in an unbiased manner. The EIS was developed considering the best information and data available to USACE and the LA TIG at the time of writing.

In addition, the benefits of the Project are described in Section 3.2.1.6 Benefits Multiple Resources of the LA TIG's Restoration Plan.

Concern ID: 62102

Commenter suggested that USACE consider a recent study by LDWF regarding the principal commercial fisheries in Barataria Bay (An Assessment of the Principal Commercial Fisheries in Barataria Bay and Its Environs in April 2021) as part of its analysis of the Project.

Response ID: 16254

The LDWF study was not available at the time that the Draft EIS was being developed; however, LDWF provided the agencies with the preliminary data that was included in the referenced report. The data was used in development of the Draft EIS discussion of commercial fisheries. The reference to the LDWF Barataria Bay fisheries data has been revised in the Final EIS to acknowledge its relationship to the published study.

Concern ID: 62103

The Draft EIS does not fully address the anticipated destruction of multiple components of the commercial oyster fishery, including oyster habitat, off-bottom oyster farms, and the oyster hatchery at Grand Isle resulting from impacts to water quality and changes in salinity.

Response ID: 16258

Impacts of the proposed Project on eastern oysters are discussed in the Aquatic Resources section of the EIS in Chapter 4, Section 4.10.4.5, Key Species. The section identifies that most adverse impacts on oysters are anticipated at mid-basin locations, while some

beneficial impacts may occur in the lower basin, including the Grand Isle area. The off-bottom and hatchery components of the oyster fishery would not be affected by the Project, or may benefit from it. Specifically, the only significant off-bottom oyster fisheries in Barataria Basin occurs in the lower basin. As indicated in Chapter 3, Section 3.14.6, Aquaculture, the Mike Voisin Oyster Hatchery in Grand Isle is the only commercially available source of oyster larvae and seed. These areas could benefit from the Project. Final EIS Chapter 4, Section 4.14 Commercial Fishing has been revised to discuss these effects.

CPRA's Mitigation and Stewardship Plan includes measures to increase funding for the development of broodstock reefs, enhancing public and private oyster areas, creating a new public oyster seed ground and to further develop alternative oyster culture methods, including off-bottom oyster culture. See the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64171

Comments were received suggesting that the MBSD would have negative impacts on the fishing industry due to further accelerations in exits from the industry especially for older members of the workforce for whom job retraining may not be as easily undertaken and the fact that there are less young fisherman coming into the fishing industry to replace the aging fisherman. The invaluable traditional ecological knowledge that has been passed down from generations could be lost.

Response ID: 16267

Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential behavioral responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, increasing the length of fishing trips, as well as exiting the industry.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 64297

Commenters noted that Project-induced sedimentation affecting some Barataria Basin navigation channels and marine

infrastructure would result in permanent, moderate, adverse impacts on commercial fishing vessels using the affected channels and marinas if no mitigation efforts are taken to maintain channel depths.

Response ID: 16270

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS recognizes that Project-induced sedimentation affecting some Barataria Basin navigation channels and marine infrastructure would result in permanent, moderate, adverse impacts on commercial fishing vessels using the affected channels and marinas if no mitigation efforts are taken to maintain channel depths. Acknowledging concerns regarding maintenance of non-federal navigation channels and canals that could be impacted by sedimentation of the proposed diversion, CPRA's Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62081

Commenters suggested that the "catch" would move elsewhere to a place they can still be harvested.

Response ID: 16245

Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS described anticipated impacts on aquatic species from the proposed Project. As described, there would be major adverse impacts on brown shrimp populations, while impacts to white shrimp and blue crab would be negligible to minor beneficial, and impacts on finfish would range from adverse to beneficial, depending on the species. Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed potential responses of the commercial fishing industry to changes in fish abundance and catch within the basin as well as the potential for fishers to partially offset some adverse impacts by changing their fishing locations, while noting that these adjustments would likely be accompanied by increased costs.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). CPRA's Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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Concern ID: 62107

Commenters suggested that while it is understandable that residents who rely upon the current Barataria Basin fisheries have

fear and concern regarding a conversion to more freshwater oriented species in the basin, these fears of collapse would prove groundless. The commenters suggest that the government should facilitate fishers' shift into the new fisheries that evolve from the shifting species and location.

Response ID: 16263

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.14 Commercial Fisheries discusses the potential impacts on commercial fishing activities, which includes a discussion of potential behavioral changes that fishers may make in response to changes in species availability, including substitution of fish species, taking longer trips, and upgrading gear in Section 4.14.4.2 Applicant's Preferred Alternative in Commercial Fisheries. While substitution of species may occur, such changes have costs that the fishers must incur.

CPRA has developed a plan to mitigate some potential adverse Project impacts. CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined its Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies.

A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64168

Commenter questions the viability of workplace substitutions to other fishery species or industries and notes that these types of substitutions are not likely to fully offset the adverse impacts.

Response ID: 16265

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14 Commercial Fisheries of the Draft EIS discussed the potential impacts on commercial fishing activities, which includes a discussion of potential behavioral changes that fishers may

make in response to changes in species availability, including substitution of fish species, taking longer trips, and upgrading gear. While substitution of species may occur, such changes have costs that the fishers would incur.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62082

Commenters noted that the proposed MBSD Project would have multiple impacts to fisheries that commercial harvesters are dependent upon and that have not been fully evaluated or have been grossly underestimated thus far. These impacts include (A) continual sediment displacement that would smother essential oyster and shrimp habitat; (B) severe changes in water temperature that would directly affect the normal growth of a variety of juvenile marine species; (C) substantial increases in the frequency and duration of hypoxic events that would contribute to an increase in mortality of aquatic resources; and (D) the displacement of a variety of commercially important marine resources along with the fishermen whom harvest them. Overall, this proposed Project would have a devastating impact to both the culturally important marine resources and the fishing communities whom depend upon them.

Response ID: 16246

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.10.4.5 Key Species in Aquatic Resources in the Draft EIS described impacts of the proposed Project on finfish and

shrimp and oyster species. As described, impacts may result from various factors, for example, increased sedimentation, changes in salinity, increased nutrients, changes in water temperature and dissolved oxygen (hypoxia) is discussed in Section 4.10.4.4 General Impacts on Habitat and the Environment in Aquatic Resources. These impacts on species and habitat conditions inform Section 4.14 Commercial Fisheries, which discussed the impacts of the proposed Project on commercial fishing activities in detail. As described, the proposed Project is anticipated to have adverse impacts on commercial shrimp and oyster fisheries, negligible to minor beneficial effects on the blue crab fishery, and a range of impacts on finfish fisheries, depending on the species. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined its Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA

plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded. Fishers who utilize the Barataria Basin would be eligible to participate in CPRA's MBSD fisheries mitigation program regardless of state residency. Eligibility requirements for this program would include use within the Project area and may include information from trip tickets and vessel licenses.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62105

Commenters expressed concerns over the health and reproductive capacity of Louisiana's marsh estuary systems that are extremely important to commercial fisheries should the proposed MBSD Project become fully implemented. The proposed MBSD Project impact area is a primary estuary for these economically important resources such as shrimp, oysters, crabs,

and fish. Estuarine systems throughout the marsh serve as critical habitat for a variety of natural resources such as shrimp, oysters, crabs, and fish. Commercial fishermen, seafood business and seafood consumers are greatly dependent on these resources being healthy, abundant, and consistently available.

Response ID: 16260

The EIS recognizes the value of estuarine habitats as well as the value of fisheries, and evaluated proposed Project impacts on estuarine habitats that would be adverse as well as beneficial (in particular, refer to Chapter 3, Section 3.6 and Chapter 4, Section 4.6, which discuss Wetland Resources, and Chapter 3, Section 3.14 and Chapter 4, Section 4.14, which discuss Commercial Fisheries). Beneficial impacts would include increases in primary productivity and available food sources, which could benefit or adversely affect fauna, depending on the organism's place in the food chain. However, increases in nutrient loading could also produce phytoplankton blooms, including HAB's, and die-offs of these blooms could in turn lead to decreases in dissolved oxygen. In addition, refer to the Essential Fish Habitat (EFH) Assessment in Appendix N Aquatic Resources including Essential Fish Habitat Assessment of the EIS for more details on the EFH in the Project area. Wetlands provide a diverse set of functions, which include providing habitat for finfish, shellfish, as well as other organisms. As such, wetland creation and commercial fishing are not mutually exclusive. The proposed Project is anticipated to have adverse effects on commercial fishing for some species (shrimp, oyster, southern flounder, spotted seatrout), primarily related to changes in salinity in the basin, the impacts of which are discussed in Chapter 4, Section 4.14 Commercial Fishing.

EC61400 – Environmental Justice

Concern ID: 61926

Commenter inquires if there will there be any kind of history done on the African American community that may have existed there prior to the proposed Project, or if there are any impacts on the African American community.

Response ID: 16271

The Draft EIS (Chapter 2 of Appendix H1, Socioeconomics Technical Report) included information about the history of communities in the affected area, with attention to the Black and African American populations of those communities. The Draft EIS Chapter 4, Section 4.15 Environmental Justice also described potential impacts on low-income and minority populations from construction and operation of the proposed Project. In the Final EIS, Section 4.15.5.1 in Environmental Justice has been added to provide a summary of impacts on the majority-Black community of Ironton, which is the closest community to

the diversion, to assist understanding the projected impacts of the proposed Project on that community.

Concern ID: 61927

The environmental justice aspects of the Project need further review because of the increase in flood conditions that would have disproportionate impacts on low-income or minority communities, including an American Indian village, outside of federal levee protection. These disproportionate impacts include devastating impacts on community culture.

Response ID: 16276

The issues raised by the commenters were considered in the Draft EIS. The EIS Chapter 4, Section 4.15 Environmental Justice discusses potential impacts of the proposed Project on low-income and minority populations.

In addition, since the release of the Draft EIS, CPRA has engaged the public through outreach meetings with the communities projected to be impacted by the MBSD, including Grand Bayou, to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on low-income and minority populations, including cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE

currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61928

In the case of environmental justice, the No Action Alternative as presented in the Draft EIS results in the affected communities eventually being subject to the same major adverse effects from climate change as if the Project was carried out.

Response ID: 16278

As explained in Chapter 4, Section 4.15 Environmental Justice of the Draft EIS, this is correct for low-income and minority populations south of the diversion outside of flood protection. For other low-income and minority populations (for example, those residing in communities in the West Bank of New Orleans) and other resources (for example, commercial and subsistence fishing), Project impacts are projected to range from beneficial to adverse as compared to the No Action Alternative. Further details can be found in Section 4.15 Environmental Justice.

Concern ID: 61929

Commenters expressed that southeast Louisiana's fisheries-dependent residents have endured more overlapping disasters in one generation than anyone can reasonably expect of a community. They have suffered the levee breaches of Hurricane Katrina, the DWH oil spill's ongoing impacts on fish stock, the historic flood events of 2019, and COVID-19. Many of these same fishers have also survived forced refugee flight from Southeast Asia. Fishing is not just their livelihoods-it's their lives. One commenter suggested that at a very general level the Applicant's Preferred Alternative should be implemented when low-income, vulnerable fishing communities see a rebound in their profitability to a point where they can financially prepare for the proposed MBSD Project.

Response ID: 16280

As noted in the purpose and need, the proposed Project is intended to support coastal restoration projects. Such projects may reduce the impacts of tropical events such as hurricanes and associated flooding. Without the Project, adverse impacts on commercial shrimp, oyster, crab, and certain finfish fisheries are anticipated due to reduced marsh habitat and increased salinity over the long term (that is, 50 years), but more rapidly after 2050 for shrimp and oyster, as discussed in Chapter 4, Section 4.14 Commercial Fisheries. It is anticipated that as the

coastal areas, including wetlands in the Barataria Basin, continue to erode, communities would be increasingly vulnerable to environmental disasters and the economic effects of declining fisheries. While the proposed Project would not stop subsidence and sea-level rise and associated impacts in the Barataria Basin, by 2070, the proposed Project is projected to create approximately 13,400 acres of land in the Barataria Basin and result in the loss of 3,000 acres of land in the birdfoot delta as compared to the No Action Alternative.

CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 67234

Part of the purpose of the diversion is to spend money on the problem of the sinking coast and to line the pockets of politicians.

Response ID: 16954

The purpose of the proposed Project is discussed in Chapter 1, Section 1.4 Purpose and Need of the EIS. As stated in Chapter 4, Section 4.13 Socioeconomics, total construction expenditures (spending) during construction of the proposed Project were estimated in the Draft EIS to be \$1.309 billion under the Applicant's Preferred Alternative, of which 17 percent would be spent during the design phase, and 83 percent would be spent during the construction phase (2020 dollars) and would take approximately 5 years. These costs are subject to adjustment prior to the start of construction if the Project is permitted and funded. The spending that construction would generate is anticipated to benefit the region and the area. Assuming design and construction occur over a 10-year period, the proposed Project, including indirect and induced impacts, would support employment that would be equivalent to 29 percent of the workforce in Plaquemines Parish. However, although a portion of expenditures and employment would occur in the parish, much of the spending and employment supported by the proposed Project is anticipated to be distributed throughout the Project area. Regardless, the employment and expenditures on the proposed Project would be substantial and represent a major benefit.

Concern ID: 61930

The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers. Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the "greater good", particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans. Both the Draft EIS and the LA TIG's Draft Restoration Plan would benefit from

additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.

Response ID: 16281

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61931

Commenters noted that the proposed MBSD Project will provide critical storm surge protection to vulnerable communities such as Gretna, Harvey, Marrero, and Estelle. According to the CPRA Master Plan viewer social vulnerability map, which includes non-English speaking and natural resources dependent populations, there are a multitude of areas that are medium to high risk socially. These communities need to be protected where retreat is not always an option, and by building the Mid-Barataria Sediment Diversion, it can work towards those communities' long-term protection.

Response ID: 16284

The commenter's support of the Project is acknowledged. The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that low-income and minority populations in communities north of the proposed diversion and inside of federal flood protection would experience some beneficial impacts related to additional protection from storm hazards as land building reduces storm surge and wave heights. Chapter 4, Section 4.20 Public Health and Safety provides additional information about storm hazard reduction afforded by creation and maintenance of wetland habitat within the diversion outfall area.

Concern ID: 61932

Communities with environmental justice concerns, which include all communities who are vulnerable to racial, ethnic, economic, and ecological violence, should be "meaningfully involved" in "the development, implementation, and enforcement of environmental laws, regulations, and policies" during the proposed MBSD Project.

Response ID: 16285

As discussed in Chapter 1, Section 1.6 Scope of the EIS, and Chapter 4, Section 4.15 Environmental Justice, the EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and

guidance to identify the impacts that would likely occur if the proposed Project were to be approved. USACE, the LA TIG, and CPRA have engaged communities with environmental justice concerns in development of the EIS. Examples of public outreach provided by USACE for the EIS include special public notices for the permit application, the scoping process and scoping meetings, and public review of and public meetings regarding the Draft EIS. Material and information related to the Draft EIS were made available through Federal Register notices, press releases, social media, the New Orleans District website, newspapers, email/mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries and community centers.

USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities, including communities with environmental justice concerns, regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the joint virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on communities with environmental justice concerns, including low-income and minority populations, such as cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and

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Concern ID: 61933

Commenters expressed concern that the MBSD Project is going to cause a lot of problems for the community of Ironton and the neighboring communities. There is an alarming lack of detail and lack of analysis about how the MBSD Project would affect Ironton. Some specific concerns regarding Ironton include whether the MBSD Project would result in impacts on air quality, noise, traffic, emergency services, flood risks, and community cohesion.

Response ID: 16286

The Draft EIS Chapter 4, Sections 4.7 Air Quality, 4.8 Noise; 4.13 Socioeconomics; 4.15 Environmental Justice; and 4.22 Land-Based Transportation identified potential air quality, noise, transportation, and flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 (Socioeconomics Technical Report) provides contextual information about the community. Section 4.15 Environmental Justice, has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. Also, in the Final EIS, Section 4.15.5.1 Environmental Justice has been added to provide a summary of impacts on the majority-Black community of Ironton, which is the closest community to the diversion, to assist understanding the projected impacts of the proposed Project on that community.

CPRA has engaged in public outreach meetings with the communities that would be impacted by the MBSD to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the communities projected to be impacted. Outreach efforts to better understand community concerns regarding impacts, including cultural impacts, and mitigation and stewardship measures are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61936

Environmental Justice Executive Order 12898 (1994) addresses environmental justice in minority and low-income populations. The order acknowledges the disproportionate adverse impacts that federal actions have historically had on certain communities.

It also commits the federal government to promoting nondiscrimination in future federal actions that may impact environmental quality. As most of the funds that are suggested for this Project would come from the federal funding streams this issue should be addressed. The Draft EIS cites federal policies mandating that issues of environmental justice be given full consideration, in particular the long standing Executive Order (12898) on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and comparable Department of Defense directives. Attention must be paid to communities such as the Native Americans in Grand Bayou, Vietnamese fishermen, and low-income resident fishers of Plaquemines, Jefferson, and Lafourche who may be negatively impacted by this Project. In the parishes closest to the Project site, Plaquemines and Jefferson, minority populations respectively constitute 36 and 60 percent of the overall population.

Response ID: 16293

The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that disproportionately high and adverse impacts on low-income and minority populations could occur in some communities where reductions in abundance of oysters, brown shrimp, and certain fish species are anticipated as a result of the proposed Project. These impacts would depend in part on the extent to which affected populations engage in or are heavily reliant on commercial and subsistence fishing for these species. The EIS Chapter 4, Section 4.15, Environmental Justice recognizes the presence of low-income and minority populations in communities that depend on shrimp and oyster fishing in Barataria Bay, including Grand Isle, Galliano, the Lafitte area, Barataria, Belle Chasse, Live Oak, West Pointe à la Hache, Ironton, Grand Bayou, and Port Sulphur. However, as discussed in the EIS, there are insufficient data to correlate fisheries harvests with specific low-income and minority populations. Consequently, the precise extent to which impacts on shrimp and oyster fisheries would affect specific low-income and minority populations cannot be determined.

CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. CPRA's mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 61938

The EIS identifies and acknowledges that there are low-income and minority communities that might experience disproportionately high and adverse economic impacts as a result of the proposed Project, particularly as such impacts relate to commercial and subsistence fishing.

Response ID: 16296

The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that disproportionately high and adverse impacts on low-income and minority populations could occur in some communities where reductions in abundance of oysters, brown shrimp, and certain fish species are anticipated as a result of the proposed Project. These impacts would depend in part on the extent to which affected populations engage in or are heavily reliant on commercial and subsistence fishing for these species. The EIS Chapter 4, Section 4.15 Environmental Justice recognizes the presence of low-income and minority populations in communities that depend on shrimp and oyster fishing in Barataria Bay, including Grand Isle, Galliano, the Lafitte area, Barataria, Belle Chasse, Live Oak, West Pointe à la Hache, Ironton, Grand Bayou, and Port Sulphur. However, as discussed in the EIS,

there are insufficient data to correlate fisheries harvests with specific low-income and minority populations. Consequently, the precise extent to which impacts on shrimp and oyster fisheries would affect specific low-income and minority populations cannot be determined.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since issuance of the Draft EIS and LA TIG's Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61940

Commenters found it unclear whether the Draft EIS discussion of impacted fishermen, including low-income and persons of color, is limited to those living in the Barataria Basin. For example, there

may be Vietnamese fishermen or other fishers who reside outside the Barataria Basin but travel to the Barataria Basin to fish. Clearly these fishermen would be impacted by the Project. The State must clarify the inclusion of fishermen residing within and outside the Project boundary in both its impacts analysis and its discussion of potential mitigation for impacts to fisheries.

Response ID: 16299

Fishermen who travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4 Operational Impacts in Commercial Fisheries of the Final EIS has been revised to acknowledge this.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) provides a suite of mitigation and stewardship measures applicable to fishers that may be impacted by the Project. Those measures would be available to any impacted fisher who relies on fisheries in the Barataria Basin, regardless of whether or not they reside in the basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for

funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64130

Commenters suggested the Draft EIS is insufficient in terms of its definition and analysis of affected communities, particularly low-income and communities of color. The analysis would be improved by a discussion of historical context and systemic inequities to describe the existing barriers (that is, economic hardships, educational background, language barriers) these communities, particularly Ironton, must deal with.

Response ID: 16301

The issues raised by the commenters were considered in the Draft EIS. The EIS Chapter 3, Section 3.15 Environmental Justice and Chapter 2 of Appendix H1 Socioeconomics Technical Report discusses existing barriers faced by populations in the Project area affected by the proposed Project, including economic hardships, and describes specific communities with low-income and minority populations. Chapter 2 of Appendix H1 Socioeconomics Technical Report, also provides information regarding historical context and systemic inequities affecting these communities. Chapter 4, Section 4.15 in Environmental Justice describes potential impacts on low-income and minority populations from construction and operation of the proposed Project. In the Final EIS, Chapter 4 Section 4.15.5.1 Environmental Justice, a summary of impacts to the Ironton community has been added to facilitate access to that information. Information concerning additional outreach to communities with environmental justice concerns has also been added.

Concern ID: 61934

Commenters asked that the EIS provide details about the in-person meetings that CPRA held in the low-income and minority communities potentially impacted by the Project.

Response ID: 16287

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts were undertaken to better understand and address potential impacts on communities impacted by the MBSD, including those with environmental justice concerns, such as low-income and minority populations, that may be disproportionately impacted by the Project; these are discussed in Chapter 7 of the Final EIS. CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and the LA TIG Draft Restoration Plan based on community and resource agency input. The updated mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-

income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61935

Commenters noted that the MBSD Project would have positive environmental justice outcomes, as the Project goes forward, over time. The proposed MBSD Project is actually part of the larger suite of projects outlined in the Coastal Master Plan. In concert, these projects will provide very significant long-term storm surge and sustainability benefits for communities in Plaquemines and Jefferson parishes, whether within or without structural storm risk reduction systems. Each of these benefits would be particularly helpful over time to those who depend on subsistence fishing and those who live in particularly flood prone areas that, because of

Response ID: 16290**historic discriminatory settlement patterns, is made up of disproportionately poor members of minority groups.**

The EIS evaluated anticipated impacts of the action alternatives and a No Action Alternative over a 50-year analysis period. The Delft3D model production runs also projected conditions over a 50-year period. Anticipated impacts beyond that timeframe were not evaluated in the EIS.

As discussed in Chapter 4, Section 4.15 Environmental Justice, the EIS acknowledges that low-income and minority populations in areas north of the diversion and inside of federal risk reduction levees would experience some beneficial impacts related to additional protection from storm hazards due to reduced storm surge and wave heights as a result of the Project's land building. Low-income and minority populations within 10 miles to the north and 20 miles to the south of the diversion outside federal risk reduction levees would experience increased tidal flooding relative to the No Action Alternative, particularly in the first 2 decades of operations. Low-income and minority populations south of the diversion and outside federal risk reduction levees would experience increased risk of storm surge. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton.

Low-income and minority populations that depend on subsistence fishing activities may experience both beneficial and adverse impacts depending on the specific resources and areas where subsistence activities are practiced, as discussed in Chapter 4, Section 4.15.4.2. With regards to other restoration and flood risk reduction projects, Chapter 4, Section 4.25 Cumulative Impacts discusses other restoration and flood risk reduction projects in concert with the proposed Project. The operations of those reasonably foreseeable projects combined with the MBSD Project have the potential to result in minor to moderate, adverse and minor, long-term or permanent, beneficial impacts on low-income and minority communities in the Barataria Basin.

Concern ID: 61939

The EIS meets the minimum requirements of Executive Order No. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations by identifying disproportionately high and adverse human health or environmental impacts of the proposed Mid-Barataria Sediment Diversion on minority, low-income, and Tribal populations in the relevant Project area.

Response ID: 16308

Acknowledged.

Concern ID: 64152	The conclusion that the proposed Project would adversely affect subsistence fisheries fails to acknowledge that there are subsistence fisheries based on freshwater fish and shellfish, which would benefit from the proposed MBSD Project. Therefore, these conclusions are erroneous, or exaggerated.
Response ID: 16303	The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.15 Environmental Justice. For clarity, Section 4.15.4.2.5 Subsistence Fishing and Hunting in the Final EIS has been revised to acknowledge that subsistence fisheries based on certain freshwater fish and shellfish may benefit from the proposed Project.

EC61500 – Recreation/Tourism

Concern ID: 61905	Commenters expressed that residents' way of life including living off of and recreating in the water would be impacted by an influx of fresh water due to the MBSD Project.
Response ID: 16235	The issues raised by the commenters were considered in the Draft EIS. As described in the Existing Conditions in Chapter 3, Section 3.16 Recreation and Tourism, as well as Appendix H1 Socioeconomics Technical Report, the Draft EIS acknowledges the importance of recreational use in the region, describing many types of outdoor recreational activities, including fishing, hunting, boating, wildlife viewing, and general shoreline use, among others. The EIS further acknowledges that extensive estuarine and freshwater wetlands provide habitat for many kinds of fish, birds, reptiles, and mammals that are an integral component of recreation in the region. The evaluation of environmental changes in the basin under the No Action Alternative shows that the abundance of target recreational species, including spotted seatrout and red drum, would decline over time. Access to recreational boating sites would also increase from negligible impacts in the early decades to major, adverse impacts in the later decades, leading to decreases in recreational use in the southern portions of the basin even without the Project. Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe how changes in the amount of fresh water due to the MBSD Project would impact recreation and tourism. As noted, there would be adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to tidal flooding, sedimentation, and invasive plants. There would be adverse impacts on recreational fishing for spotted seatrout and beneficial impacts on recreational fishing for red drum.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA

permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61906

The MBSD Project would cause loss and detrimental impacts on the recreational and sport fishing industry in the Barataria Basin.

Response ID: 16236

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism acknowledges that the proposed Project would impact recreational and sport fishing in the Barataria Basin. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips.

Concern ID: 61907

Commenters suggested that recreational activities would need to be limited to protect the area as it is recovering. In addition, water activities can cause changes to the outflow of sediments.

Response ID: 16237

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the proposed Project would impact recreational and sport fishing in the Barataria Basin, including the potential for the Project to affect site accessibility due to sedimentation in some navigation channels. Permanent, moderate, adverse impacts on boat-based recreation may occur where sedimentation from proposed Project operations accumulates to the extent that water depths decrease and restrict access to deeper draft vessels.

Concern ID: 61908

Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly

dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana's attractiveness as a fishing area and place for swamp tours and authentic seafood.

Response ID: 16238

EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

Concern ID: 61909

The MBSD diversion structure and any newly built land should be open to the public for access and enjoyment.

Response ID: 16239

According to CPRA, due to concerns about safety of the public and security for the Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA is, however, planning to provide signage and other public space near the Project to educate the public regarding the purpose and functioning of the Project. CPRA also states that ownership of any lands created by operation of the Project will be determined in accord with current state law, including mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E) and that pursuant to La. R.S.

49:214.5.5(B), the Project will not create any rights to the public in or on private property.

Chapter 4, Section 4.16.5.2 in the EIS describes how an increase in wetland habitat from the MBSD relative to the No Action Alternative may result in increased opportunities for bird nesting and bird watching in some areas of the Barataria Basin. However, the MBSD Project would accelerate wetland loss in other areas such as the birdfoot delta.

Concern ID: 61910**The MBSD Project would help wildlife, fisherman, recreationalists, and hunters who depend on a healthy coast in the long term.****Response ID: 16240**

EIS Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe anticipated effects of the MBSD Project on wildlife viewing, recreational fishing, hunting, and other recreational activities that utilize the Project area. As compared to the No Action Alternative, long term minor to moderate adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to increased tidal flooding at access points at Lafitte, Myrtle Grove, and Grand Bayou, as well as introduction and spread of invasive species, are anticipated. The proposed Project would also cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum throughout the basin. Beneficial impacts on hunting and wildlife watching due to an increase in wetland habitat in some areas of the Barataria Basin are also anticipated.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts, including those related to recreation (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the

Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

EC61600 – Public Lands

Concern ID: 62269	The commenter stated that the Public Lands section of the Draft EIS Executive Summary did not provide details on how public lands in the proposed Project area would be impacted by the proposed Project.
Response ID: 16441	Chapter 4, Section 4.17 Public Lands in the EIS provides a detailed discussion of potential impacts on public lands in the Project area.
Concern ID: 62267	The commenter expressed concern that the proposed MBSD Project's adverse impacts on wetland loss in the birdfoot delta would cause a loss of public lands in the Delta National Wildlife Refuge (NWR) and in the Pass A Loutre Wildlife Management Area (WMA). The commenter recommended that these adverse impacts on public lands be mitigated by creating state and federal public lands in the Project outfall area.
Response ID: 16439	The commenter's concern that the proposed Project would cause a loss of wetlands in the Delta NWR and in the Pass A Loutre WMA, both of which are located in the birdfoot delta, was addressed in the Draft EIS in Chapter 4, Section 4.17.4 Operational Impacts in Public Lands. As part of its responsibilities under the Fish and Wildlife Coordination Act and as operator of the Delta NWR, the USFWS recommended the creation of crevasses to build land in the birdfoot delta to offset MBSD Project-induced wetland losses of 926 acres in the Delta NWR and 37 acres in the Pass A Loutre WMA (see Appendix T, USFWS Coordination Act Report (CAR), of the Final EIS). In response to

USFWS' CAR Recommendation, CPRA agreed that, "Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the [Pass A Loutre] PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional funding through the CWPPRA program, through additional restoration work sponsored by the LA TIG (for example, construction of the Engineering and Design work discussed in the DWH LA TIG's Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area" (Final EIS, Appendix R1 Mitigation and Stewardship Plan, Section 4.6 Fish and Wildlife Coordination Act).

This information was updated in the Final EIS, Chapter 4, Section 4.27.1 in Mitigation Summary and in the Final EIS, Section 4.17.4.2.2 Birdfoot Delta in Public Lands.

Concern ID: 62268

The Barataria Basin is home to the Delta National Wildlife Refuge and the Pass A Loutre Wildlife Management Area. The proposed MBSD Project is expected to result in the loss of 2,000 to 3,000 acres of wetlands by 2070 in these areas. The EIS should discuss the expected land loss in these wildlife areas and the effects on the wildlife that rely upon this natural habitat.

Response ID: 16440

The projected loss of wetlands in the Delta NWR and the Pass A Loutre WMA is discussed in Chapter 4, Section 4.17.4 Operational Impacts in Public Lands. Information about the effects of this loss on wildlife that rely on the wetland habitat in these public lands has been added to Section 4.17.4.2 in Public Lands in response to this comment. As part of its responsibilities under the Fish and Wildlife Coordination Act and as operator of the Delta NWR, the USFWS recommended the creation of crevasses to build land in the birdfoot delta to offset MBSD Project-induced wetland losses of 926 acres in the Delta NWR and 37 acres in the Pass A Loutre WMA (see Appendix T USFWS Coordination Act Report (CAR) of the Final EIS). In response to USFWS' CAR Recommendation, CPRA agreed that "Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the [Pass A Loutre] PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional funding through the CWPPRA program, through additional restoration work sponsored by the LA TIG (for example, construction of the Engineering and Design work discussed in the DWH LA TIG's Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta

NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area” (Final EIS, Appendix R1 Mitigation and Stewardship Plan, Section 4.6 Fish and Wildlife Coordination Act).

This information was updated in the Final EIS, Chapter 4, Section 4.27.1 in Mitigation Summary and in the Final EIS, Section 4.17.4.2.2 Birdfoot Delta in Public Lands.

Concern ID: 62271

The proposed Project would have permanent and detrimental impacts on Plaquemines Parish as a whole because it would starve the birdfoot delta, including the Delta NWR and Pass A Loutre WMA, of needed sediment.

Response ID: 16442

The commenter’s concern that the proposed Project would cause a loss of wetlands in the Delta NWR and in the Pass A Loutre WMA, both of which are located in the birdfoot delta, was addressed in the Draft EIS in Chapter 4, Section 4.17.4 Operational Impacts in Public Lands. As part of its responsibilities under the Fish and Wildlife Coordination Act and as operator of the Delta NWR, the USFWS recommended the creation of crevasses to build land in the birdfoot delta to offset MBSD Project-induced wetland losses of 926 acres in the Delta NWR and 37 acres in the Pass A Loutre WMA (see Appendix T USFWS Coordination Act Report (CAR) of the Final EIS). In response to USFWS’ CAR Recommendation, CPRA agreed that “Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the [Pass A Loutre] PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional funding through the CWPPRA program, through additional restoration work sponsored by the LA TIG (for example, construction of the Engineering and Design work discussed in the DWH LA TIG’s Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area” (Final EIS, Appendix R1 Mitigation and Stewardship Plan, Section 4.6 Fish and Wildlife Coordination Act).

This information was updated in the Final EIS, Chapter 4, Section 4.27.1 in Mitigation Summary and in the Final EIS, Section 4.17.4.2.2 Birdfoot Delta in Public Lands.

EC61700 - Land Use/Cover

Concern ID: 63129

The proposed Project would have no land gain in the first 20 years.

Response ID: 16277

Land gains and losses are discussed in Chapter 4, Section 4.2.3 in Geology and Soils of the EIS. As reported in this section, the proposed Project would introduce significant volumes of sediment into the Barataria Basin, most of which is expected to be retained. Further, as discussed, the Delft3D Basinwide Model suggests that an expected net addition of 53 mcy of sediment would be retained in the proposed Project area (Barataria Basin and birdfoot delta) by 2030 and 310 mcy by 2070, which would result in the net creation of 4,980 acres (7.8 square miles) of land by 2030, and 17,300 acres (27.0 square miles) by 2050. The Executive Summary and Section 4.2.3.2.2.1 Geology of the Final EIS have been revised to clarify ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed Project operations.

Concern ID: 63130

Commenters noted that the Draft EIS classified Midway’s property as a mix of “barren” and “pasture/hay” (see Figure 4.18-1). They believe that this classification is incorrect as Midway is currently operating a borrow site on approximately 250 acres of the property. For the remaining acreage, Midway has an application pending with the Louisiana Department of Natural Resources, Office of Coastal Management for a coastal use permit to operate this acreage as a borrow site. However, elsewhere in the Draft EIS (see Chapter 4, Section 4.2.4.1 in Geology and Soils), the Midway borrow site is referenced by name. Thus, Midway’s property should be classified and assessed as “developed” in Section 4.18 Land Use and Land Cover.

Response ID: 16279

As discussed in Chapter 3, Section 3.18.2 in Land Use and Land Cover and referenced in Chapter 4, Section 4.18 Land Use and Land Cover, Figure 4.18-1 of the EIS, the existing land use types within the construction footprint are based on the 2016 National Land Cover Dataset (NLCD) (Multi-Resolution Land Characteristics Consortium 2016). The construction footprint shown in Figure 4.18-1 includes the proposed site of the diversion structure. None of the permitted or developed borrow pits owned by Midway Cattle are located in the construction footprint of the diversion structure and therefore they are not included in the land use acreages shown in Table 4.18-1 or land use types shown in Figure 4.18-1. Note, the NLCD is based on land cover including water, vegetation, or tree canopy; therefore, it may not reflect current use of land. The Myrtle Grove USACE-approved borrow site referred to in Section 3.2.3.1 Non-Fuel Mineral Resources and in Section 4.2.3.4 in Mineral Resources of the Draft EIS is located near the proposed construction footprint. For clarity, its name has been revised to the Midway Cattle Ranch borrow pit in the Final EIS.

Concern ID: 63128

The impacts on land use and land cover should be discussed with reference to the delta cycle.

Response ID: 16275

The commenter's request regarding the evaluation of impacts on land use and land cover is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, has been added to the Final EIS in Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historic Context, and Chapter 4, Section 4.2.3.2.2.3 Geomorphology. However, it is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised in the Final EIS to include this clarification.

EC61800 - Aesthetic and Visual Resources

Concern ID: 63125

The commenter's home is on a bayou off of the Bay of St. Louis on the beautiful Mississippi Gulf Coast. According to the commenter, in 2019 when the Bonnet Carré Spillway was opened, it caused swarms of flies, algae, and disgusting odors in the beautiful community that took months to return to normal. The flies that swarmed homes, cars, and boats permanently stained anything they sat on.

Response ID: 16283

The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta, as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS; therefore, negligible to no impacts on the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project. It is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. However, a summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS and discusses

conditions that might have led to stagnant waters and/or odors after the Bonnet Carré Spillway openings.

EC61900 – Public Health & Safety/Storm Hazard Risk Reduction

Concern ID: 62220

The Project would inundate access roads and properties, some of which are newly built infrastructure projects.

Response ID: 15755

Draft EIS Chapter 4, Section 4.13.5.1 (Socioeconomics, Economy, Employment, Business, and Industrial Activity, Flooding and Storm Hazards) and 4.20.4.2 Public Health and Safety, Operational Impacts, Floodplains and Tidal Flooding discussed the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, potentially caused by the operation of the diversion. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and/or other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62221

The Project would not provide substantial protection from hurricanes or storm surge, nor would storm surge protection be provided in a timely manner. The area most likely to experience some increase in protection would be subject to increased water levels from diversion operations. The current diversion Project needs to be reengineered to create meaningful storm surge protection. The Project is a misuse of funds based on what the diversion would do versus what it purports to do, in part due to the Mississippi River not having enough sediment to build substantial land.

Response ID: 15756

While the proposed Project would impact storm surge, the purpose and need of the Project is not storm surge protection. As described in the Draft EIS in Chapter 1, Section 1.4 Purpose and Need, the purpose of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill by reestablishing deltaic processes. However, as described in the Draft EIS in Chapter 4, Section 4.20.4 Public Health and Safety, the Project

would have the ancillary benefit of storm damage risk reduction on communities north of the diversion due to the creation and maintenance of wetland habitat within the delta formation area; the increase in topography and land acreage would induce greater hydraulic friction and resistance, reducing the inland extent of storm surge and limiting wave heights in some communities north of the diversion, as compared to the No Action Alternative. The EIS acknowledges that storm surge and wave height reduction benefits for some communities north of the diversion would not be instantaneous, but that these benefits would increase over time as more land is created and maintained within the delta formation area. The EIS also acknowledges that some of the same communities that would experience storm surge reduction benefits, such as Lafitte, would experience an increase in non-storm inundation frequency due to increased water levels from diversion operations. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height.

The EIS recognizes the role of sediment load in land building. The river still carries a massive sediment load, but not as massive as it historically carried. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in Section 3.4.2.5 Sediment Transport. The Delft3D Basinwide Model used Mississippi River sediment loads when computing the sediment load that would be delivered to the Barataria Basin. This is described in detail in the EIS, Appendix E Delft3D Modeling, Section 5.2.2.

Concern ID: 62223

The alteration of Mississippi River flows and/or MRL could cause erosion or collapse of the MRL and result in catastrophic flooding.

Response ID: 15749

Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408), referred to as Section 408, authorizes the Secretary of the Army, through the Chief of Engineers, to grant permission for the alteration, occupation, or use of a USACE Civil Works project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. Because the proposed

Project has the potential to directly and/or indirectly impact the Mississippi River Levee, New Orleans to Venice Levee, and the Mississippi River Navigation Channel, which are USACE Civil Works projects, CPRA has requested Section 408 permission to construct and operate the Project. The USACE 408 Review process includes a review of the technical adequacy of the Project design, including all appropriate technical analyses, including geotechnical, structural, hydraulic and hydrologic, construction, safety and operations and maintenance requirements. A Section 408 permission would not be granted unless the proposed modifications to the civil works projects would not limit the ability of the USACE Project to function as authorized and would not compromise or change any authorized Project conditions or purposes. The USACE Section 408 review is ongoing and the findings of this review will be disclosed in the Record of Decision.

Concern ID: 62224

Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.

Response ID: 15757

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA

and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62225

Plaquemines Parish could experience flooding from the diversion similar to flooding due to the Mississippi River Gulf Outlet. Commenter asked if the diversion would be closed if it causes such flooding.

Response ID: 15758

As described in Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction levees against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events. Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts potentially caused by the operation of the diversion.

CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property

owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components

of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62226

The diversion would destroy the property in which commenters have made substantial investment.

Response ID: 15750

Draft EIS Chapter 4 Section 4.13.5.3 in Socioeconomics discussed impacts of the proposed Project on property values. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitude. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62227

The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.

Response ID: 15820

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will

possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62228

The commenter feels that the hydrology study is outdated, and the proposed diversion would have a more significant impact on the

commenter's property than projected, due to current environmental conditions.**Response ID: 15796**

The Delft3D Basinwide Model represents the best tool currently available to inform impact analysis for the EIS. Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the No Action Alternative. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62229

The storm surge could back up into the diversion and cause flooding in Plaquemines Parish.

Response ID: 15751

As described in the Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction levee to reduce risk against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events.

Concern ID: 62230

Commenter states that the EIS incorrectly characterizes an increase in water surface elevation as an increase in tidal flooding. Commenter notes that, in any case, increases in flooding are not due solely to the diversion, but instead are due to many factors.

Response ID: 15753

In the context of this EIS, the term “tidal flooding” is used to distinguish non-storm related coastal flooding from coastal flooding caused by storm surge and/or waves. The Draft EIS acknowledged that changes in water levels within the Barataria Basin are influenced by a number of factors, including winds, tides, sea-level rise, and subsidence. The Draft EIS also noted that floodplains within the Project area would continue to be subject to hydrological changes associated with relative sea-level rise, leading to increased water levels throughout the basin, regardless of the implementation of the proposed Project (see Section 4.20.4.2 Operational Impacts, Floodplains and Tidal Flooding). As described in the introduction of Chapter 4 Environmental Consequences the potential impacts of the proposed Project are projected by comparing the anticipated environmental consequences of the proposed Project to the anticipated consequences of No Action in order to isolate the potential impacts of the proposed Project. Therefore, the EIS acknowledges the role of other factors in increased water levels in the basin while recognizing the proposed Project as one of these factors.

Concern ID: 62232

Flooding risk due to operation of the diversion should be estimated based on an assumption that predictable flooding risk would result in closing of the structure temporarily, reducing such risk attributable to operation of the diversion.

Response ID: 15759

For the purposes of the impact assessment in the Draft EIS, it was assumed that the proposed Project would be operated according to CPRA’s Preliminary Operations Plan, Draft EIS Appendix F MBSD Design and Operations Information. This Plan indicates that the diversion gates would be opened fully (above base flow) when flow in the Mississippi River at Belle Chasse exceeds the “trigger” of 450,000 cfs. The Plan includes criteria for modifying or ceasing operations, including damage to the diversion structure, spills of other hazardous discharges, severe impediments to navigation, tropical storm activity, or threats to public safety. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally,

impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62233

Restoration of coastal habitat and the delta would provide protection from storm damage.

Response ID: 15752

While the intent of the proposed Project is to reestablish deltaic processes to restore resources injured by the DWH oil spill, the Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the ancillary benefit of storm damage risk reduction on communities north of the proposed diversion due to the creation and maintenance of wetland habitat and increases in topography and land acreage within the delta formation area. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height

Concern ID: 62234

There was not a hydrology report in the Draft EIS showing the impact upon the water levels.

Response ID: 15760

The EIS does not include a separate, stand-alone hydrology report; however, hydrology is one of the outputs provided by the Delft3D Basinwide Model. The results of this modeling are included in Appendix E, Delft3D Modeling. Based on these results, several sections of the Draft EIS discussed the projected impacts on water

levels throughout the basin for all Project alternatives, including in the vicinity of Myrtle Grove. These sections include Section 4.4 Surface Water and Coastal Processes and Section 4.20 Public Health and Safety. These sections are supplemented by additional information in Appendix P Flood & Storm Hazards Evaluation.

Concern ID: 62236

The commenter asserts that information provided in several sections of the Draft EIS and in presentations are inconsistent and would like to know what the actual impact to Myrtle Grove would be.

Response ID: 15822

The USACE acknowledges the commenters' concerns regarding the consistency and accuracy of the reported projections. USACE is the lead agency for development of this EIS, which contains the results from the Delft3D Basinwide Model regarding the projected effects of the Project on water levels in Barataria Basin, including areas close to the diversion outfall (within a 20-mile radius). The estimated flooding impacts in Myrtle Grove are described in Chapter 4, Sections 4.20.4.2.1.2 and 4.20.4.2.2.2 in Public Health and Safety. USACE is not familiar with other numbers that may have been reported by CPRA. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future conditions. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Concern ID: 62282

Diversion impacts, including land loss in the birdfoot delta, would make lower Plaquemines more vulnerable to storms.

Response ID: 15805

Draft EIS Chapter 4, Section 4.6.5 in Wetlands and Waters of the U.S. described the projected acceleration of wetland loss in the birdfoot delta caused by the proposed Project and Section 4.20.4.2 in Public Health and Safety acknowledged lower Plaquemines' increased vulnerability to storm hazards that would result from operation of the proposed Project. While the Draft EIS acknowledged the role that land loss plays in increased storm hazards, it did not explicitly acknowledge the role this accelerated land loss in the birdfoot delta could play in increased storm hazards. Section 4.20.4.2.2.2 in Public Health and Safety has been edited in the Final EIS to include acknowledgement that this

accelerated loss of wetlands in the birdfoot could increase storm hazard vulnerability depending on the storm path and intensity.

In the LA TIG's Draft Restoration Plan, the LA TIG recognized the potential collateral injuries associated with the Project, including potential land loss in the birdfoot delta. In selecting the Applicant's Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide what it believed to be the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the Final Restoration Plan for more information about the LA TIG's selection of the Applicant's Preferred Alternative.

Concern ID: 62284

Projections for increased water levels seem lower than what would be expected because the river water levels quoted are much lower than the river has averaged in recent years, and showing the "average" water level increases means that there would be higher peak water levels that are most damaging.

Response ID: 15812

The Delft3D Basinwide Model represents the best tool currently available to inform the impact analysis for the EIS. Draft EIS Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the No Action Alternative.

While Draft EIS Section 4.4.4.2 in Surface Water and Coastal Processes referenced average water levels to generally illustrate impacts to water levels for each alternative, Section 4.20.4.2 in Public Health and Safety used daily projected peak water surface elevations to estimate potential tidal (non-storm) flooding in communities outside federal levee systems. This analysis of daily peak water surface elevations utilized model outputs that were based on the 2011 Mississippi River Hydrograph, which was a "high flow" year when the diversion was projected to be operating at or near maximum capacity for several months.

Concern ID: 62287

Individuals who chose to invest money outside of the levee protection did so accepting responsibility for impacts from storms, but not man-made damage.

Response ID: 15809

The USACE acknowledges the commenter's concern regarding increased flooding from the proposed Project. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature

on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62289

Hurricanes could potentially delay the timeline of the Project.

Response ID: 15799

It is not clear whether the commenter is referring to a delay in the timeline for construction of the Project or in the rate of land building over 50 years, so this response addresses both. As for construction, there are contingencies built into the Project schedule to account for weather delays. In regard to the rate of land building over 50 years, the Delft3D Basinwide Model projections do not account for wetland erosion from hurricanes. However, it should be noted that if one or more hurricanes were to cause wetland loss during the 50-year

analysis period, land building from the proposed Project would still result in a greater acreage of remaining wetlands than under the No Action Alternative. Additional analysis regarding the potential impact of hurricanes and saltwater inundation on the extent of wetlands in the Project area has been added to Chapter 4, Section 4.6.5.1 Wetland Types and Extent of the Final EIS.

Concern ID: 62291

A commenter expressed concern that the amount of land building would be inefficient given increased water level and flood risk.

Response ID: 15807

One objective of the Project is the delivery of fresh water, nutrients and sediment beyond the outfall area. The ability of a large-scale diversion to deliver sufficient amounts of sediment and nutrients to sustain existing and created marsh was a factor that led to its selection as the Applicant's Preferred Alternative. The EIS's evaluation of alternatives, which includes the potential impact of sea-level rise, is discussed in Chapter 2. As part of its decision, USACE will conduct a public interest review, which weighs the probable harms that would be caused by a project against its prospective benefits.

See Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5, of the LA TIG's Restoration Plan for a discussion regarding the LA TIG's evaluation of the range of alternatives and identification of the LA TIG's Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative.

Concern ID: 62292

Ironton will be at risk from storm surge which would be made worse by the diversion.

Response ID: 15810

As described in the Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events.

Draft EIS Chapter 4, Section 4.20.4.2 in Public Health and Safety provided projected changes in storm surge elevation due to the proposed Project, including increased storm surge elevation in the vicinity of the portion of the NOV-NFL Levee system which provides risk reduction to Ironton. Depending upon the strength and path of a given storm, storm surge could overtop the NOV-NFL Levee, both with or without the proposed Project; however, as described in Section 4.20.4.2, the proposed Project would increase the risk and volume of potential overtopping.

Concern ID: 62297

The Draft EIS does not specifically quantify the storm surge increase in the Midway Cattle Ranch area and therefore does not adequately address the impacts of storm surge on Midway's property. However, it is clear that such impacts would be significant.

Response ID: 15804

While the EIS does not describe storm surge impacts at the parcel level, it does provide an analysis of impacts to storm surge elevations and wave heights in comparison to the levee heights which provide storm risk reduction to such parcels. For example, Figure 4.20-24 in Chapter 4, Section 4.20.4.2 Public Health and Safety of the Draft EIS showed projected storm surge and wave height in comparison to levee heights in the vicinity of Midway's property. As shown in the figure and described elsewhere in Section 4.20.4.2, the proposed Project would decrease storm surge elevation north of the diversion, decreasing the risk associated with overtopping of the levee in the vicinity of Midway's property. However, it should be noted that, as described in Section 4.20.4.2, some storms are projected to overtop this reach of the NOV-NFL Levee, both with or without the proposed Project.

Concern ID: 62299

The commenter asserts that they do not intend to grant a flowage easement to allow USACE to flood their property and deny them access to their property at USACE's discretion.

Response ID: 15801

The proposed Project would be a CPRA project, not a USACE project; therefore, CPRA would seek any flowage easements not USACE. Additional detail on the CPRA's proposed flowage easements, referred to as Project servitudes, can be found in Final EIS Appendix R1, Mitigation and Stewardship Plan.

CPRA plans to acquire Project servitudes in the communities south of the diversion outside of levee projection beginning at Woodpark and continuing south to Grand Bayou and Happy Jack. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project

servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62300

The diversion would cause harmful algal blooms which have unforeseen risks to human health, including Amnesic Shellfish Poisoning (ASP), Neurotoxic Shellfish Poisoning (NSP), Paralytic Shellfish Poisoning (PSP), Diarrhetic Shellfish Poisoning (DSP) and Ciguatera Fish Poisoning (CFP).

Response ID: 15813

The impacts raised by the commenters have been considered in the Draft EIS. As discussed in the EIS, Chapter 4, Sections 4.5.5.3 and 4.5.5.4 in Surface Water and Sediment Quality, increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations. Vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin than in the river and reaching the Gulf through Barataria Bay.

Section 4.10.4.4 in Aquatic Resources notes that an increased potential and frequency of phytoplankton blooms would be likely within the Project area, but whether or not these blooms would become harmful algal blooms cannot be definitely determined. A reference to Section 4.10 is included in Section 4.5.5.3 in Surface Water and Sediment Quality of the Draft EIS. A reference to Section 4.10 Aquatic Resources has been added to Section 4.5.5.4 (Phosphorus) of the Final EIS. Clarifying language has been added to Sections 4.5.5.3, 4.5.5.4, and 4.25.5.4 in Cumulative Impacts.

Section 4.14 Commercial Fisheries has been updated in the Final EIS to discuss the National Shellfish Sanitation Program and the Louisiana Department of Health's oversight of shellfish harvesting in order to prevent harvest of oysters that may contain unsuitable levels of fecal coliform or toxins harmful to human health. Additionally, Appendix R2 in the Final EIS includes a Monitoring and Adaptive Management (MAM) Plan that describes monthly fecal coliform monitoring (Section 3.7.5.1) and periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23).

Additionally, as described in Appendix R2 CPRA's MAM Plan of the EIS, Section 3.7.3.11, CPRA is proposing to monitor for Harmful Cyanobacterial/Algal Bloom Toxins in Barataria Surface Waters. Samples will be collected monthly and additional discrete sampling will be done as needed in response to observations of presence of cyanobacterial and/or eukaryotic algal species associated with harmful algal bloom. Filter feeding fish may also be analyzed for toxins in fish tissue.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62308

The Draft EIS mentions a reduction in storm surge of 0.5 to one foot north of the Project but could say more about the consequence and benefits of that decrease.

Response ID: 15803

Additional information on the consequence and benefits of decreased storm surge north of the delta formation area was provided in Draft EIS Chapter 4, Section 4.13 Socioeconomics, 4.13.5 Operational Impacts. These benefits include reduced pressure of outmigration from affected coastal communities and beneficial impacts on housing, property values, and property tax revenue.

Concern ID: 62309

Operation of the MBSD has the capacity to reduce MR flood stage, reduce the tendency of the Lower MR to re-meander through bank caving, with attendant benefits for the structural integrity of the

Response ID: 15816	<p>levee system and the navigation channel. The EIS could be improved by providing quantitative estimates of these stage reductions and attendant benefits in terms of preventing damage to the navigation and flood control levees.</p> <p>Section 4.4 Surface Water and Coastal Processes of the Final EIS has been updated to include additional information regarding the effects of the proposed Project on river stage. The average predicted water level drop at Belle Chasse, caused by operation of proposed Project, is approximately 0.7 foot, when the river was flowing at 1.00 million cfs.</p>
Concern ID: 62310	<p>The 150k Alternative would roughly double the wetland creation benefits without doubling adverse impacts such as induced flooding.</p>
Response ID: 15818	<p>CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (LA TIG's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.</p> <p>Although the 150,000 cfs Alternative would result in the greatest degree of benefits (including the most land building), it also would result in the greatest degree of adverse impacts, particularly to dolphins (see Draft EIS Chapter 4, Section 4.11.5, Operational Impacts), shrimp and oysters (see Draft EIS Section 4.10.4.5, Key Species), and public health and safety (through tidal flooding in areas closer to the immediate outfall, see Draft EIS Section 4.20.4.2, Operational Impacts).</p> <p>See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the LA TIG's Restoration Plan for a discussion regarding the LA TIG's evaluation of the range of alternatives and identification of the LA TIG's Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54 and it strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety.</p>
Concern ID: 62311	<p>Weather is a major factor in how the diversion impacts communities, and the weather cannot be predicted.</p>
Response ID: 15817	<p>The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties were incorporated into the EIS impact conclusions and are briefly summarized in the Draft EIS in Chapter 4,</p>

Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the model outputs projecting the changes that would occur for the No Action Alternative.

Concern ID: 62312	Investment in this type of resilient storm and flood protection infrastructure is critical.
Response ID: 15798	Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the potential storm and flood protection benefits to some communities in the Project area and the adverse impacts and increased risks to other communities from the proposed Project.
Concern ID: 62313	The wetlands to the south of Morgan City/Berwick are an example of where sediment contributes to storm surge protection as the Atchafalaya and Wax Lake Delta are accreting sediment.
Response ID: 15806	Wetlands south of Morgan City/Berwick are outside of the scope of this EIS, which includes the Barataria Basin and the Mississippi River birdfoot delta. However, a summary of select diversions and diversion-like features in southeastern Louisiana was developed in response to public comments regarding how various diversions and diversion-like constructed or natural features have affected their receiving environments and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.
Concern ID: 62984	Man-made decisions and actions have caused climate changes, which has increased both frequency and destruction [of storms]. The loss of wetlands has greatly reduced the coast and allowed for more intense storm surges reaching further into the state.
Response ID: 15797	Draft EIS Section 3.6 Wetland Resources and Waters of the U.S. acknowledged the role that wetlands play in attenuating waves and storm surge, noting that communities sheltered by wetlands may sustain less damage from storm surge. This section also acknowledged that threats to wetland habitat include increased storm

frequency and intensity associated with climate change. Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety acknowledged that coastal wetland loss can lead to increased storm surge.

Concern ID: 63008	The commenter states that all the communities living close to that region are suffering from loss, and the communities are dissolving into the Gulf as they are battered by hurricanes and sea-level rise.
Response ID: 15762	Draft EIS Section 3.20 Public Health and Safety recognized ongoing flooding impacts caused by the combination of multiple forces, including land loss, hurricanes, and sea-level rise, within the Project area.
Concern ID: 62294	The EIS needs to include explicit detail on the status of levees and analysis of impacts to nearby residents' home insurance and flood insurance costs.
Response ID: 15800	EIS Chapter 3, Section 3.20.3.1 Federal Risk Reduction Levees, provides information on the level of risk reduction or elevation to which each levee system was designed. EIS Chapter 4, Section 4.20.4.2 Public Health and Safety, provides an analysis of projected water levels through the 50-year analysis period as compared to the levee design heights throughout the Project area. Section 4.20.4.2 also explains that all permanent Project features such as guide levees that would be subject to storm surge and waves would be designed and built to provide a 50-year level of hurricane and storm damage risk reduction. Section 4.13.5.3 Housing and Property Values in Socioeconomics has been revised in the Final EIS to provide additional discussion of flood insurance due to MBSD impacts.
Concern ID: 62301	The commenter asked what the impacts to the base flood elevations would be for Plaquemines Parish West Bank residents. The commenter also asked how such changes would impact flood insurance rates, home elevation programs, and existing homes elevated in the past 10 years.
Response ID: 15814	Because both the existing level of drainage and federal flood risk reduction would be maintained, there would be no anticipated change to the FEMA FIRM designation or base flood elevations due to the construction of the diversion. Chapter 4, Section 4.13.5.3 Housing and Property Values in Socioeconomics has been revised in the Final EIS to provide additional discussion of the provision of flood insurance and other programs due to MBSD impacts.
Concern ID: 62302	The diversion would cause land loss, then create freshwater marshes which are more susceptible to saltwater impacts of storm surge and increasing future storm surge impacts.
Response ID: 15815	Additional analysis regarding the potential impacts of conversion from saline marsh and brackish marsh to fresh and intermediate marsh and on susceptibility to hurricanes and saltwater inundation in the Project

area during operations has been added to Chapter 4, Section 4.6.5.1 Wetland Types and Extent of the Final EIS.

Concern ID: 62303

The commenter asked what the impacts to the Plaquemines Parish’s forced drainage pump stations on the West Bank of the Mississippi River would be.

Response ID: 15819

As described in Draft EIS Section 4.4.5 Stormwater Management and Drainage, impacts on stormwater management and drainage between the MR&T- Levee and NOV-NFL Levee would be negligible. The proposed conveyance channel would bisect the existing drainage area served by the Wilkinson Canal Pump Station. To address this, the proposed Project would connect the bisected area by a siphon routed beneath the proposed conveyance channel. To maintain siphon flow, water levels within drainage canals within this drainage area south of the proposed diversion, including Timber Canal, would need to be lowered through operation of the Wilkinson Canal Pump Station.

USACE will consider whether this alteration of the Wilkinson Canal Pump Station operations meet 33 U.S.C. Section 408 standards as part of its Section 408 evaluation.

Concern ID: 62304

Computer modeling from various studies looking at predicted increases in water levels caused by diversion operations have shown wildly varying results.

Response ID: 15802

USACE and the LA TIG acknowledge that various modeling efforts may produce different water level projections in the Barataria Basin depending on the model boundary conditions (for example, diversion discharge, tide and sea level) and geometric data (bathymetry/topography and boundaries); however, we are not aware of any unexplainable large differences in water level predictions among the other various models used. Production-level models, such the Delft3D used for the Draft EIS, produce very similar projections when using the same boundary conditions and geometric data.

Concern ID: 62305

The threat of community flooding obviously increases with diversion discharge and proximity to the area of outfall. Additionally, some models suggest that outfall areas would be more prone to flooding in the early years of operations, and would need time for channels to evolve in order to expand capacity.

Response ID: 15824

Water level impacts in the basin were projected by the Delft3D Basinwide Model, as explained in Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis and Section 4.4.4.2 Surface Water and Coastal Processes, Operational Impacts, Water Levels of the Draft EIS. Draft EIS Sections 4.4.4.2 Surface Water and Coastal Processes and Section 4.20.4.2 Public Health and Safety, Operational Impacts, Floodplains and Tidal Flooding both acknowledged that higher water levels and the risk of community

flooding increase with proximity to the diversion outfall. As stated in Section 4.4.4.2, maximum monthly average water levels nearest to the diversion outfall are projected to be highest in the first three modeled decades as compared to the No Action Alternative in the first three modeled decades. Additionally, in Section 4.2.3.2 Geomorphology in Geology and Soils, the Draft EIS discussed previous studies and modeling which indicate development of channel networks early (within 5 to 10 years) have occurred for other diversions in south Louisiana. These other diversions have both similarities and differences with the proposed MBSD Project but help inform potential impacts of the Project on geomorphology. MBSD Project diversion operations may result in a different land building and morphologic evolution than these examples.

Concern ID: 62307

Operating the diversion in the spring could cause increased water levels in the Terrebonne Basin through the GIWW, directly conflicting with flood fight efforts in Terrebonne. Real-time monitoring would be necessary.

Response ID: 15808

The Terrebonne Basin was not included in the Project area because no impacts are anticipated in that basin from the Project operations. As a result, Delft3D Basinwide Model water level projections were not modeled for this area. However, as shown in Figure 4.4-11 in Section 4.4 Surface Water and Coastal Processes of the Draft EIS, water levels were projected to increase less than one foot in the GIWW during spring operation of the proposed Project. As part of CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS), the existing USGS water level gage near Larose would be used for monitoring of water levels during diversion operation. However, the MAM Plan explains that this monitoring data would be used to inform Project partners as to whether, and to what extent, Project operations result in marsh inundation patterns that could potentially cause inundation stress on wetland vegetation. The MAM Plan does not include real-time monitoring for water levels within the GIWW for the purpose of diversion operational adjustments.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such

measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63002

The commenter states that residents of southeast Louisiana had 40 years between Hurricane Betsy in 1965 and Hurricane Katrina in 2005 to learn how to live with nature on a disappearing coast, and have squandered those 40 years, increasing the area's vulnerability and the number of people exposed to danger by expanding the footprint of development and doubling down on levees and pumps, paying the price as storm after storm devastates community after community.

Response ID: 15754

Comment noted. EIS Section 3.20 (Public Health and Safety, Including Flood and Storm Hazard Risk Reduction) provides the historical context of storm surge impacts.

Concern ID: 63006

The commenter suggests that southerly winds begin in spring and often last through fall, causing higher water levels and coastal flooding issues regardless of river stage. The commenter asserts that it will be difficult, from both a physical standpoint of high basin-side water levels as well as a sociopolitical standpoint of the perception of flood risk, to operate large-scale diversions during these months, noting that real-time monitoring will be a necessity.

Response ID: 15763

The Delft3D Basinwide Model simulations, which were used in the Draft EIS to project flood risk, included wind as one input as described in the EIS Appendix E Delft3D Modeling, Section 3.2.2 Atmospheric Forcing and summarized in Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis. Meteorological data recorded throughout 2014, including windspeed and direction recorded at 6-hour intervals in the basin over the course of the year, was used in the

model. That data reflects the seasonal variation in wind speed and direction that occurred in the basin in 2014 and was factored into model outputs with respect to water levels. Appendix E Delft3D Modeling, Section 3.2.2 Atmospheric Forcing has been edited in the Final EIS to clarify this. Further, as part of CPRA's proposed Monitoring and Adaptive Management (MAM) Plan, Appendix R2 to the Final EIS, real-time monitoring of water levels during diversion operation would be collected at stations in the Mississippi River and Barataria Basin. However, the MAM Plan explains that this monitoring data would be used to inform Project partners as to whether, and to what extent, Project operations result in marsh inundation patterns that could potentially cause inundation stress on wetland vegetation. The MAM Plan does not include real-time monitoring for water levels for the purpose of diversion operational adjustments. CPRA's operation of the diversion based on Mississippi River flows is described in Chapter 2, Section 2.8.1.4 Project Operations of the EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for

funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64508

The proposed Project would introduce contamination that could potentially make fish and shellfish more harmful for public consumption.

Response ID: 15825

Chapter 4, Sections 4.5.5.3 through 4.5.5.9 of the EIS discuss anticipated changes in chemical concentrations in the Barataria Basin due to the proposed Project. The general impacts of these chemical compounds/nutrients on aquatic resources are discussed in Section 4.10.4.4 General Impacts on Habitat and the Environment. Potential contaminants, including sulfate, atrazine, and fecal coliform were also modeled and discussed in Sections 4.5.5.7 Sulfate and 4.5.5.9 Atrazine. The Delft3D Basinwide Model projects that the proposed Project would result in beneficial decreases in sulfate and would have negligible impacts on atrazine levels and they are therefore not specifically discussed in Section 4.10. A discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS; however, it is not harmful to fish and shellfish themselves. Chapter 4, Section 4.10.4.4 General Impacts on Habitat and the Environment has also been supplemented in the Final EIS to discuss the potential for bioaccumulation of river water contaminants in biota of the Barataria Basin.

Section 4.14.4.2.3 in Commercial Fisheries has been updated in the Final EIS to discuss the National Shellfish Sanitation Program and the Louisiana Department of Health's oversight of shellfish harvesting in order to prevent harvest of oysters that may contain unsuitable levels of fecal coliform or toxins harmful to human health. Additionally, Appendix R2 in the Final EIS includes CPRA's Monitoring and Adaptive Management (MAM) Plan that describes monthly fecal coliform monitoring (Section 3.7.5.1) and periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23).

Concern ID: 64507

The assertion that the proposed Project impacts "tidal flooding" is an improper use of the term. Additionally, effects of increased surface water elevation can be minimized by proper operation of the diversion, such as by closing the structure when tropical storms are predicted, or when wind speeds and directions conducive to higher water surface elevations are predicted.

Response ID: 15827

In the context of this EIS, the term "tidal flooding" is used to distinguish non-storm related coastal flooding from coastal flooding caused by storm surge and/or waves. For the purposes of the impact assessment in the Draft EIS, it was assumed that the proposed Project would be operated according to CPRA's Preliminary Operations (Water Control) Plan (see Draft EIS Appendix F MBSD Design and Operations

Information). This Plan indicates that the diversion gates would be opened fully (above base flow) when flow in the Mississippi River at Belle Chasse exceeds the “trigger” of 450,000 cfs. The Plan includes criteria for modifying or ceasing diversion operations, including threats to public safety. The Plan also requires closure of the diversion gates and cessation of all diversion flows when tropical depressions or named storms are forecasted to impact the Barataria and Mississippi River Basins.

Concern ID: 62298

Flood management decisions throughout the basin are piecemeal by varied agencies.

Response ID: 15811

Draft EIS Section 3.20 Public Health and Safety acknowledged the varied entities responsible for federal and non-federal storm and flood risk reduction infrastructure, as well as state and local government roles in emergency response and evacuations, and local land use decisions (such as zoning) that affect flooding risks faced by homeowners and businesses.

EC62000 – Navigation

Concern ID: 61765

Keep the Port of New Orleans open and navigable.

Response ID: 16443

The issue raised by the commenter was considered in the development of the Draft EIS. The construction and operation of the proposed Project would have negligible impacts on the Port of New Orleans, including, but not limited to, negligible impacts on dredging and operations at the Port. Chapter 4, Section 4.21.4.1.2.1 Maintenance Dredging has been updated in the Final EIS to include a discussion of negligible impacts on the Port of New Orleans as a result of construction and operation of the proposed Project. Impacts to navigation are also discussed in that section.

Concern ID: 61766

The commenter expressed concern that a lack of a strong consistent flow in the Mississippi River has made the river more treacherous due to silting. Diverting more water from the river via the proposed MBSD diversion during low-water periods would further reduce the flow/velocity despite what the Draft EIS states, thereby eventually making the river too shallow to pass.

Response ID: 16444

The commenter’s concern about the proposed Project’s impacts on the safety and efficiency of vessel traffic was addressed in the Draft EIS. Operation of the proposed Project above 5,000 cfs would be limited to periods of higher flows in the river, as stated in Draft EIS Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis, when water depth and vessel clearance is less of an issue. However, the EIS recognizes that changes to sedimentation rates might

persist into the low-water season, as the commenter correctly notes. The several modeling efforts described in the EIS Chapter 4, Section 4.4 Surface Water and Coastal Processes and 4.21 Navigation, as well as in Appendix E Delft3D Modeling and in Appendix Q Navigation/Dredging Analysis, include projections of channel sedimentation impacts resulting from operation of the proposed diversion. The conclusion stated in those sections is that operation of the Applicant's Preferred Alternative is projected to cause "moderate, permanent, adverse impacts on dredging operations from Venice to the Gulf of Mexico."

Concern ID: 62283

The commenter questioned who would be responsible for maintaining/dredging the navigation channels in the areas impacted by proposed diversion operations.

Response ID: 16445

As stated in the Draft EIS in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations. Other non-federal channels and facilities (for example, marinas, anchorages) near these channels would be expected to also experience increased sedimentation (see Section 4.21.5.2 in Navigation).

CPRA plans to mitigate the effects of the Project on boat access from Myrtle Grove and Woodpark to the basin as explained in Appendix R1 Mitigation & Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA

permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62286

The commenter requested that the sediment delivery function of the Mississippi River be separated from the navigation function of the Mississippi River and requested that the USACE review the article:

Harley S. Winer, 2007. A New Paradigm for Managing the Lower Mississippi River, Coastal Engineering 2006, World Scientific Publishing Co., Inc. Hackensack, NJ. pp. 2000-2011.

Response ID: 16446

The USACE has reviewed the Winer (2007) article and agrees that reengineering the Mississippi River's water and sediment delivery system to allow more land and marsh building in Atchafalaya Bay is an innovative concept. However, the proposed Project would not have more than negligible impacts on the Atchafalaya Bay, and the EIS analysis is centered on the Project area (where more than negligible impacts of the Project would occur), particularly on the Barataria Basin and the birdfoot delta, as described in Chapter 1, Purpose and Need of the EIS. Therefore, the recommendation in the article is outside the scope of the MBSD Project. No related edits have been made to the Final EIS.

Concern ID: 62290

The commenter expressed concern that if multiple diversions are to be operated simultaneously, or if the river experiences a period of very low stages, sufficient draft for shipping could be threatened. The Port of Baton Rouge, Port of New Orleans, and the Port of South Louisiana are three of the ten largest shipping ports in the nation. These shipping and associated transportation industries could be impacted unless careful planning assures that critical water volumes and navigation channels are maintained.

Response ID: 16447

The Draft EIS considered the commenter's concern about the importance of the safety and efficiency of vessel traffic. Operation of the proposed diversion above 5,000 cfs would be limited to periods of higher flows in the river, as stated in Draft EIS Chapter 2, Section 2.8.1.4 Project Operations, when water levels, water depth, and vessel clearance are less of an issue. However, the EIS recognizes that

changes to sedimentation rates might persist into the low-water season, as the commenter correctly notes. The several modeling efforts described in the EIS Chapter 4, Section 4.4 Surface Water and Coastal Processes and 4.21 Navigation, as well as in Appendix E Delft3D Modeling and Appendix Q Navigation/Dredging Analysis, include projections of water levels, adequate navigation draft, and channel sedimentation impacts resulting from operation of the proposed diversion. The models showed no navigation draft impacts from Venice to New Orleans and above, including at the Port of Baton Rouge, the Port of South Louisiana, and the Port of New Orleans. The conclusion stated in those sections is that operation of the Applicant's Preferred Alternative is projected to cause "moderate, permanent, adverse impacts on dredging operations from Venice to the Gulf of Mexico."

Potential future projects, including the Mid-Breton Sediment Diversion and other diversions, considered for Cumulative Impacts, were modeled and are listed in the Draft EIS Table 4.25.1-1. Cumulative effects on navigation are discussed in Section 4.25.21 Cumulative Impacts - Navigation. The conclusion is that there will be no navigation draft impacts from Venice to New Orleans and above, but "The combined cumulative impacts on dredging ... in the Mississippi River from Venice to the Gulf will be moderate to major, adverse and permanent."

Concern ID: 62293

The commenter noted that the vessel simulation model in the Draft EIS Appendix Q Navigation/Dredging Analysis includes pilot cards that are inconsistent with vessel drafts listed for the vessel simulations.

Response ID: 16448

Suezmax, Panamax, and VLCC vessels were used in the navigation simulations as described in the Draft EIS, Appendix Q2 Navigation Study Reports were correctly identified in the text. "Suezmax" and "Panamax" are dimension classifications and "VLCC" is a tonnage classification. The ship simulator operator, Maritime Institute of Technology & Graduate Studies (MITAGS) indicated that what was listed as a "pilot card" was actually a filename for the model simulation, which was meant for internal use. To avoid confusion, the USACE has added the following note to page 25 of Appendix A of Appendix Q2 Navigation Study Reports of the Final EIS: "NOTE: The 'Ship Name' on the following Pilot Cards is an internal file name to the ship simulation computer and does not necessarily correspond to the vessel nomenclature used in the descriptive text. In all cases, the main body text description of vessel characteristics is correct."

Concern ID: 63407

The MBSD Project would cause sediment deposition in the ship channel and, unlike the West Bay Diversion, it is not in an area where the USACE performs channel maintenance dredging. Therefore, any shoaling in the channel and within the Wills Point

Anchorage should be removed by the Applicant (the Coastal Protection and Restoration Authority). Commenter requests that the USACE lead an effort to properly model the impact of the hydrology changes and shoaling in the vicinity of the proposed diversion structure before approving the permit application. According to recent surveys of the Pilottown Anchorage done by the USACE and CPRA, there are over 60 million cubic yards of material within the Pilottown Anchorage.

Response ID: 16450

The issue raised by the commenter was considered in the Draft EIS in Chapter 4, Section 4.4.3 Hydrology and in Appendix Q1 Dredging Analysis, Section 5.1. With regard to the Wills Point Anchorage Area, about 6 miles above the proposed diversion, it is in the area of which paragraph 5.1 of the Draft EIS Appendix Q1 Dredging Analysis says, "... the models agree ... may experience negligible net erosion." Therefore, the USACE believes no deposition would occur and no further detailed modeling of that area is required. While increased deposition below the diversion is anticipated, HEC-6T modeling predicts that accumulation would primarily occur in the lateral bars. Because the navigation channel (above Venice) is naturally much deeper than navigation depth, any increased deposition within the channel would not threaten the authorized navigation depth and no dredging would be needed to maintain the navigation channel.

With regard to the channel below Venice, including the Pilottown Anchorage, paragraph 5.4 of the Draft EIS Appendix Q1 Dredging Analysis notes that the HEC-6T model, considered the most reliable of those applied to the Mississippi River above Head of Passes, showed a small decrease in channel dredging between Venice and Head of Passes for the first 44 years of the proposed Project with a small increase possible after that time. The AdH model showed that the presence of multiple upstream sediment diversions resulted in a net reduction in sediment deposition, and an upstream shift in the location of deposition in the vicinity of Head of Passes (similar to the No Action Alternative). The modeling indicated a risk of some additional deposition at or upstream of Venice, but did not indicate such a risk for the Pilottown Anchorage. These results are consistent with the 1D HEC-6T model results. The USACE considers these results for the channel to be applicable to the adjacent anchorages and channels. No additional modeling for this issue has been conducted for the Final EIS.

USACE acknowledges that the West Bay Diversion increased the amount of shoaling that was occurring in the Pilottown Anchorage. However, the applicability of the West Bay Diversion to the MBSD Project is limited since the West Bay Diversion was essentially adjacent to the dredged area instead of approximately 60 miles upstream.

Concern ID: 63408

Additional ship modeling should be required because the ship simulation in the Draft EIS, Appendix Q Navigation/Dredging Analysis was based on 15-percent design. The details and information should also be peer reviewed with navigation industry representatives and the USACE.

Response ID: 16449

The USACE's independent team of reviewers reviewed the ship simulation in Appendix Q Navigation/Dredging Analysis and determined it is sufficient for USACE's evaluation of impacts for the EIS. CPRA's 60 percent designs for the proposed Project have decreased the extent to which the Project's intake structure (including the temporary construction cofferdam and the permanent protection cells) would extend into the Mississippi River. Therefore, although the simulation was based on 15 percent designs, those designs represent a worse-case scenario of potential impacts on vessels transiting past the diversion when it is in operation. . No related revisions were made to the Final EIS.

EC62100 – Land-based Transportation

Concern ID: 65169

The commenter expressed concern that construction of the proposed Project would impact the construction of the Belle Chasse Bridge. Commenter questioned whether and how the proposed MBSD Project would impact transportation systems, for example traffic counts, tolling, etc.

Response ID: 16493

The impacts on area traffic from the proposed Project were considered in the Draft EIS. During the 5-year construction period of the Project, CPRA estimates that construction truck deliveries would generate up to 100,100 roundtrips to the diversion complex via LA 23 during the construction period, with the majority of truck deliveries (approximately 94,000) occurring during the first 42 months (3.5 years) of proposed Project construction. This equates to an estimated 515 truck deliveries per week over this duration, or about 103 roundtrips each day based on a 5-day workweek. This would represent less than a 2 percent increase in the existing daily traffic of 9,300 vehicles. Much of the truck traffic may travel across the Belle Chasse Bridge en route to the proposed MBSD Project site on LA 23. Because proposed MBSD Project-induced increased traffic would only increase LA 23 traffic by 2 percent above existing traffic levels on LA 23, the proposed Project is not expected to cause more than a minor increase in traffic on the bridge, and therefore is not expected to impact the construction timeframe or future tolling system of the Belle Chasse Bridge. Chapter 4, Section 4.22 (Land-Based Transportation) and Section 4.25.22 Cumulative Impacts, Land-Based Transportation provide more details

on traffic studies and traffic impact analyses conducted for the proposed MBSD Project.

EC62200 – Cultural Resources

Concern ID: 62493

The proposed Project operations will flood two cemeteries in the towns of Lake Hermitage and Deer Range, Louisiana.

Response ID: 16451

The potential flooding impacts raised by the commenters were considered in the Draft EIS. According to the Louisiana State Historic Preservation Office (LA SHPO) database, the Lake Hermitage cemetery is identified as the Bieber Cemetery and the Deer Range Cemetery in Suzy Bayou is identified as the Deer Range Cemetery. As compared to the No Action Alternative, operation of the proposed Project would increase tidal flooding and storm surge in communities outside of federal levees within 20 miles of the outfall area, including the towns of Lake Hermitage and Suzie Bayou South (Deer Range) in which these cemeteries are located. Such events may result in sediment deposition (burial) and/or erosion of soils at each of these cemeteries. Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes and Section 4.13.3.1 in Socioeconomics detail these impacts.

Concern ID: 62494

The commenter expressed concern that the undetermined National Register of Historic Places (NRHP) eligibility of some sites in the Project area is being equated with ineligibility. For example, 21 of the 31 sites, or 2/3, are presumed to be inundated or destroyed and are consequently ineligible.

Response ID: 16452

As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, the National Register eligibility of all identified historic properties within the Operational Area of Potential Effects (APE) was considered by the USACE with comments from the LA SHPO. The USACE determined that the intensity and duration of potential Project-induced impacts on submerged archaeological sites in the Operational Impacts APE cannot be separated from ongoing sea-level rise, subsidence, and other processes not caused by the proposed Project. The USACE, LA SHPO, ACHP, CPRA, and other consulting parties have developed a Programmatic Agreement (PA) for the long-term monitoring and management of cultural resources in the Operational Impacts APE. The PA is available in Appendix K Cultural Resources Information of the Draft EIS.

Concern ID: 62495

The commenter expressed concern that the lack of archaeological integrity makes individual sites ineligible, but overlooks the fact that sites regarded as ineligible together might contribute

information from a regional programmatic approach. The piecemeal approach used is not the right way to approach a regional-scale project.

Response ID: 16453

As indicated in Section 4.24 Cultural Resources of the Draft EIS, all archival research regarding potential sites containing historic properties and completed field surveys were reviewed by the Section 106 Consulting Parties. To address the potential for adverse effects of the proposed Project on cultural resources, including archaeological sites, within the Operational Impacts APE, the USACE, LA SHPO, and other consulting parties developed an alternative mitigation plan for the proposed Project that includes an ethnohistoric overview regarding Tribal Nations in the Barataria Basin and larger Mississippi River Delta region.

In addition, unrelated to the proposed Project, the National Park Service's Mississippi River Delta Archaeological Mitigation Project (MRDAM) is collecting data from archaeological sites in the Mississippi River Delta region, including the Barataria Basin and birdfoot delta, to develop a database of sites under threat from sea-level rise and subsidence in Louisiana's coastal zone.

Concern ID: 62496

The commenters requested that state and federal officials work with residents of Ironton for Project impacts on the St. Rosalie cemeteries. These are sacred sites to the people of Ironton because the graves of their ancestors are buried there. The Final EIS should include a discussion about the fact that the proposed MBSD Project would impact community visitation to these sacred sites at St. Rosalie by creating a large physical separation between the community of Ironton and the St. Rosalie sites.

Response ID: 16454

As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, with input from the Section 106 consulting parties, the USACE and LA SHPO have determined that the St. Rosalie Plantation Cemetery (identified as Site 16PL280) and Ironton Cemetery would not be impacted by construction or operation of the proposed MBSD Project. The cemeteries are currently and would continue to be on private property. Residents of Ironton currently have access to the cemeteries via LA 23 and would continue to have access to the St. Rosalie cemeteries via LA 23 during and after the proposed Project is constructed. During the 5-year construction phase of the proposed Project, two-way traffic on LA 23 would be maintained. Northbound traffic would utilize the two existing southbound lanes, maintaining the existing two-lane capacity. Southbound traffic would utilize the shoulder, reducing southbound roadway capacity from two lanes to one. This reduction in capacity may cause delays for southbound traffic over a 1.5-year period during the duration of construction (see the Draft EIS, Chapter 4, Section 4.22.3.1 Construction Impacts).

To clarify potential impacts on Ironton, Section 4.15 Environmental Justice has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. For a summary of public outreach efforts related to the EIS refer to Chapter 7 of the Final EIS and for restoration planning see Section 1.8 of the LA TIG's Draft Restoration Plan.

CPRA held a public meeting in the community of Ironton. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a Section 10/404 permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62498

The commenter owns waterfront property near Port Sulphur and has a family cemetery that is an historic landmark. The commenter has owned and enjoyed this property for many generations and planned to have future generations enjoy this as well. The commenter wants to know what impacts the Project would have on the family cemetery that is an historic landmark.

Response ID: 16456

The potential impacts raised by the commenter were considered in the Draft EIS. According to the LA SHPO database of historic sites, the Lake Hermitage cemetery located near the address provided by the commenter is identified as the Bieber Cemetery. As compared to the No Action Alternative, operation of the proposed Project would increase tidal flooding and storm surge in communities outside of federal levees within 20 miles of the outfall area, including the town of Lake Hermitage in which this cemetery is located. Such events may result in impacts from sediment deposition (burial) and/or erosion. Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes and Section 4.13.3.1 in Socioeconomics detail these impacts.

Concern ID: 62499

Several Indigenous Peoples of the State of Louisiana are already experiencing losses of important cultural sites and historic territories due to erosion. They should have been consulted. The commenter understands there is no legal obligation, but state-recognized Tribal Nations like the United Houma Nation, Pointe Aux Chien Indians, and the Isle de Jean Charles Band of the Biloxi-Chitimacha-Choctaw-Muskogee Creek Indians would be MOST affected by this sediment diversion; so it stands to reason that there is an ethical obligation to invite and collaborate with their council. The fact that the state has recognized many of these Native Nations even if the federal government does not implies an obligation to consult with all Indigenous Peoples in an area that would be impacted by a state-sponsored project.

Response ID: 16457

The USACE acknowledges the commenter's concern about ensuring that all potentially affected Tribal Nations be invited to participate in the Section 106 consultation process. As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, cultural resources consultations have been conducted in accordance with Section 106 of the NHPA. Appendix K Cultural Resources Information of the EIS includes the PA negotiated between the Section 106 consulting parties regarding the proposed Project. The PA explains the outreach conducted by the USACE to Tribal communities, identifies the Tribal Nations that decided to participate in the Section 106 Process, and explains that the USACE has and would continue to consult with any interested Tribal Nation who may have not yet requested to consult.

Concern ID: 62497

The commenters request that state and federal officials work with the residents of Ironton to respect the rights of these people to make decisions about what happens to sacred places (like St. Rosalie cemeteries) and how to best preserve and protect this local black community that is an important part of black history.

Response ID: 16455

Information regarding the effects of the Project on the St. Rosalie cemetery has been added to the Executive Summary and to Chapter 4, Section 4.24.2.2 Applicant's Preferred Alternative in Cultural Resources of the Final EIS. To clarify potential impacts on Ironton, Section 4.15 Environmental Justice has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. For a summary of public outreach efforts related to the EIS and the Draft Restoration Plan, including outreach to Ironton residents, refer to Chapter 7 of the Final EIS. Similar information specific to the restoration planning is included in Section 1.8 of the LA TIG's Draft Restoration Plan.

CPRA held a public meeting in the community of Ironton. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA

permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

EC62300 – HTRW Assessment

Concern ID: 61864

USACE and the Project sponsors have a responsibility to do a formal, limited Phase I Assessment of the Hazardous, Toxic, and Radioactive Waste risk. Firm conclusions must only be provided when a formal, appropriately detailed assessment stand behind them.

Response ID: 15931

The issues raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. As indicated in EIS Chapter 3, Section 3.23 Hazardous, Toxic, and Radioactive Waste, a Phase I Environmental Site Assessment was conducted in January 2020 to identify any potential recognized environmental conditions (RECs) located in or adjacent to the Project area that have, or may have in the past, adversely impacted environmental conditions. The conclusions in Chapter 4 of the EIS are based on this assessment.

Concern ID: 62953

Many or most of the ongoing environmental harms to the Barataria Basin are not mentioned in the Draft EIS. Pipelines and wells present a significant present risk to the natural resources of Barataria Basin. Ongoing releases do indeed impact the health of the natural resources of the Barataria Basin, including marine mammals, fisheries, and endangered species. The Draft EIS discusses these releases in the context of its discussion of the potential impact of the continuing releases on the affected environment or in terms of their potential impact on the proposed MBSD Project.

Response ID: 15930

The issues raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. The EIS notes in Chapter 3, Sections 3.2 Geology and Soils and 3.23 Hazardous, Toxic, and Radioactive Waste and Chapter 4, Sections 4.2

and 4.23, the existing presence of oil and gas pipelines and wells within the Project area. The EIS determined that increased water flow and sedimentation due to operation of the proposed Project could potentially create exposure to existing contaminated sites and inadvertent releases of contaminants resulting in minor to major, short to long term, adverse impacts over time. However, as noted in Section 4.2 Geology and Soils, burial of pipelines due to sedimentation from the proposed Project may be beneficial in that it would reduce the exposure of these pipelines to wave energy or collision damage and resulting risk of petroleum spills.

ES70000 – Cumulative Impacts

Concern ID: 61846

The commenter requested that the Final EIS, Chapter 4, Section 4.25 Cumulative Impacts be updated to include recent information about IGP Methanol, LLC, Venture Global/Gator Express, Pointe LNG, Castleton Commodities Incorporated, and Formosa Plastics moving forward with construction in the proposed Project area.

Response ID: 16460

Each of these projects was considered in the cumulative impacts analysis of the Draft EIS (Chapter 4, Section 4.25) with the exception of the Formosa Plastics project, which was not included in the cumulative impacts analysis because that project would be located in St. James Parish, far north of the Mid-Barataria Sediment Diversion Project impact area. In Section 4.25 Cumulative Impacts, the Castleton Commodities Inc. project is called “Braithwaite Methanol Plant/CCI Port Nickel LLC.”

Reasonably foreseeable projects and information about them was based on the stage of development that the actions and facilities had reached at the time the Draft EIS was being prepared. The cumulative impacts analysis in the Draft EIS was based on the status of projects in May 2020. No related edits have been made for the Final EIS for these facilities.

In May 2022 after publication of the Draft EIS, the USACE conducted a search to identify any new/additional reasonably foreseeable projects that, cumulatively with the proposed MBSD Project, have the potential to significantly alter the environmental landscape from what was assessed in the Draft EIS. After identifying new, reasonably foreseeable projects, USACE evaluated those projects for their potential to significantly affect the environmental landscape that was presented in the Draft EIS and concluded that none would significantly change the MBSD cumulative impacts as described in the Draft EIS. Nevertheless, USACE determined that five newly-identified projects would have more than negligible cumulative impacts. To provide a

complete picture of MBSD cumulative effects to the decision maker(s) and the public, these five projects have been added to the Final EIS in Chapter 4, Section 4.25.25 Cumulative Impacts Analysis 2022 Update.

Concern ID: 61847

The commenter requested that the Draft EIS include analyses of several river diversions that are included in CPRA's Master Plan that would have impacts on proposed Project-area resources associated with reduced salinity and lower water turbidity, including the Lower Breton Diversion (50,000 cfs), Central Wetlands Diversion (5,000 cfs), East Maurepas Diversion (2,000 cfs), Manchac Landbridge Diversion (2,000 cfs), Union Freshwater Diversion (25,000 cfs), Mid-Breton Sound Diversion (35,000 cfs), and Mid-Barataria Diversion (75,000 cfs).

Response ID: 16461

Although the Lower Breton Diversion (50,000 cfs), Central Wetlands Diversion (5,000 cfs), Manchac Landbridge Diversion (2,000 cfs), and Union Freshwater Diversion (25,000 cfs) are included in CPRA's 2017 Master Plan, they are not included in the cumulative impacts analysis of the EIS because they do not meet the definition of reasonably foreseeable as defined and agreed to by the consulting agencies in Section 4.25.1 Methodology for Assessing Cumulative Impacts. This section states, "Projects that would require a Department of the Army permit application, including but not limited to projects proposed for the Project area in CPRA's 2017 Coastal Master Plan, were considered reasonably foreseeable if a permit application had been submitted to the USACE by May 2020." Additionally, as further stated in that section, the cumulative impacts analysis was restricted to projects and actions that would contribute impacts on resources within the same geographic area as the Mid-Barataria Sediment Diversion Project. That geographic area is illustrated in Chapter 3, Section 3.1.1 Project Area.

The proposed Maurepas Diversion is being studied by USACE and a Draft EIS for that project will be published in 2022. Due to its small scale (2,000 cfs) and its location outside of the Mid-Barataria Sediment Diversion Project area of impact, anticipated cumulative effects with that diversion in place would be negligible.

Concern ID: 61848

Commenters expressed the opinion that the Mid-Barataria Sediment Diversion Project would help support and enhance the lifespan of other coastal restoration and protection projects.

Response ID: 16462

The commenters correctly note that, as discussed in Chapter 4, Section 4.25.6 Cumulative Impacts, Wetland Resources and Waters of the U.S., "Cumulative impacts on wetland accretion from operation of the reasonably foreseeable future projects combined with operation of the MBSD Project action alternatives would likely result in fewer losses in wetlands in both the Barataria Basin and birdfoot delta, but most notably in the Barataria Basin, where implementation of the MBSD

Project action alternatives would prevent the loss of an additional 26,000 acres.”

Concern ID: 61849

The commenter questioned to what degree the proposed MBSD Project would adversely impact Mississippi Sound aquatic life and commercial fisheries. The commenter expressed concern that these resources are already adversely impacted by Bonnet Carré Spillway openings.

Response ID: 16463

The commenter’s concerns about freshwater impacts on Mississippi Sound aquatic life and fisheries are acknowledged. However, the proposed Project is not anticipated to have more than negligible impacts on aquatic life outside of the proposed Project area, particularly in the Barataria Basin and the Mississippi River birdfoot delta, as defined in Chapter 3, Section 3.1.1 (Project Area) of the EIS; therefore, negligible to no impacts on aquatic life in the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project.

Concern ID: 61850

Commenters expressed concern that reasonably foreseeable industrial facilities like the Plaquemines Liquids Terminal and pipelines that may be built near the proposed MBSD Project structure or in the Barataria Basin would cause adverse impacts on the marsh ecosystem restored by the MBSD Project operations. One commenter expressed the opinion that industrial facilities that may be constructed near the proposed MBSD Project should be denied permit because they would be inconsistent with the objectives of the proposed MBSD Project.

Response ID: 16464

The commenters’ concern about the potential impact of future industrial development and activity on the habitat that would be created by the proposed Project was considered in Chapter 4, Sections 4.25.4 and 4.25.6 in the Cumulative Impacts section of the Draft EIS. These sections explain that reasonably foreseeable industrial facilities and infrastructure that may be constructed in the proposed MBSD Project area are expected to have negligible impacts on proposed Project-area resources because the facilities would be required to adhere to permit conditions imposed by regulating agencies such as wetland mitigation, SWPPP, and SPCC plans in order to be constructed and operated.

Furthermore, CPRA entered into a Memorandum of Understanding with the Plaquemines Port Harbor & Terminal District (PPHTD) and the Plaquemines Liquid Terminal, LLC (PLT) requiring PPHTD and PLT to perform sediment transport modeling and a navigation study to determine the impact, if any, that the PLT Project may have on the proposed MBSD Project, and to agree to certain terms and conditions, as needed, to ensure that the PLT, once constructed and operated, does not have unreasonable adverse impacts on the design, construction, or operation of the proposed MBSD Project. These steps

would help ensure that the PLT Project remains consistent with the Louisiana Coastal Master Plan.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

Concern ID: 62437

Commenters expressed concerns about potential increases in carbon dioxide emissions of the reasonably foreseeable industrial facilities that may be constructed and operated in the Project area of the proposed MBSD Project. One commenter requested that the Final EIS include an analysis of the scale of carbon dioxide emissions of reasonably foreseeable petrochemical facilities and their associated infrastructure in the proposed Project area.

Response ID: 16465

The commenters' concerns about the air quality impacts of reasonably foreseeable petrochemical facilities in the Project area were considered in the air quality cumulative impacts analysis (see Section 4.25.7 Cumulative Impacts, Air quality).

Chapter 4, Section 4.25.7 Cumulative Impacts, Air Quality of the EIS addresses the air quality impacts of reasonably foreseeable future petrochemical facilities in the Project area. As noted in Section 4.25.1.1 Cumulative Impacts, air quality would only be negligibly impacted by operation of the MBSD Project action alternatives and therefore none would measurably contribute to cumulative air quality effects. While petrochemical and industrial facilities in the Project area may result in more than negligible individual or cumulative impacts on air quality during their operations, the Project alternatives would not contribute measurable impacts. Further, other petrochemical and industrial facilities in the Project area would be required to comply with applicable regulations and permitting requirements pertaining to air quality. Finally, the Project would result in permanent, indirect, minor, beneficial impacts on carbon sequestration and atmospheric GHG concentrations due to wetland creation and restoration within the Barataria Basin (see Chapter 4, Section 4.7.4.2 in Air Quality of the EIS).

Concern ID: 62440

The commenter expressed concern that in the Draft EIS, Chapter 4, Section 4.25.5.4 Cumulative Impacts - Surface Water and Sediment Quality, the PLT facility is among three reasonably foreseeable industrial projects (along with NOLA Oil Terminal and Plaquemines LNG/Gator Express Pipeline) with potential impacts

that were not considered in the Delft3D Basinwide Modeling for the EIS. However, this EIS section acknowledges that the PLT facility would have the potential for oil spills that could enter the MBSD intake and be conveyed into Barataria Basin sediments, waters, and wetlands.

Response ID: 16466

The commenter's concern about oil spills potentially contaminating water diverted into the basin by the proposed Project was considered in the Draft EIS in Chapter 2, Section 2.8.1.4 (Project Operations) and Appendix F (MBSD Design and Operations Information). This section and appendix explain that in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. Information regarding closing the diversion structure in the event of hazardous spills has been added to the Cumulative Impacts section, Chapter 4, Section 4.25.5.4 in the Final EIS.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

Concern ID: 62442

Commenters requested that additional information about the reasonably foreseeable Plaquemines Liquids Terminal be added to the Final EIS, Chapter 4, Section 4.25 (Cumulative Impacts), such as the potential for the project to affect sediment transport capabilities of the proposed MBSD Project.

Response ID: 16467

Furthermore, CPRA entered into a Memorandum of Understanding with the Plaquemines Port Harbor & Terminal District (PPHTD) and the Plaquemines Liquid Terminal, LLC (PLT) requiring PPHTD and PLT to perform sediment transport modeling and a navigation study to determine the impact, if any, that the PLT Project may have on the proposed MBSD Project, and to agree to certain terms and conditions, as needed, to ensure that the PLT, once constructed and operated, does not have unreasonable adverse impacts on the design, construction, or operation of the proposed MBSD Project. These steps would help ensure that the PLT Project remains consistent with the Louisiana Coastal Master Plan.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and

terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

Concern ID: 62449

The commenter expressed concern that the Draft EIS Section 4.25.4.4 Cumulative Impacts - Surface Water and Coastal Processes, does not disclose the potential impacts of projected flooding in the “Polder B” area on Midway’s property, which is a developed borrow site.

Response ID: 16468

The potential impacts of flooding in “Polder B” were considered in the Draft EIS in Chapter 4, Section 4.25.4.4 Cumulative Impacts - Surface Water and Coastal Processes. In response to this comment, Section 4.25.13.4 Cumulative Impacts - Socioeconomics of the Final EIS has been revised to include a statement about the potential socioeconomic impact on the Polder B area and the Midway property due to the flooding associated with the reasonably foreseeable NOV-NF-W-05a.1 Project.

Concern ID: 62450

The commenter expressed concern about potential combined adverse impacts from both the raising of the proposed NOV-NFL Federal levee near the Myrtle Grove Marina Estates and construction and operation of the proposed MBSD Project.

Response ID: 16469

The commenter’s concern about the combined impacts of the reasonably foreseeable NOV-NFL Levee project near Myrtle Grove and the proposed MBSD Project was considered in the Draft EIS in Chapter 4, Section 4.25.4.4 Cumulative Impacts - Stormwater Management and Drainage.

CPRA has developed a Mitigation and Stewardship Plan with measures to minimize and/or offset some impacts of the proposed MBSD Project on the communities outside of flood protection. This plan, which was included in the Draft EIS Appendix R (Mitigation and Stewardship Plan and the Monitoring and Adaptive Management [MAM] Plan), has been revised in the Final EIS in response to public input. For Myrtle Grove, the Final Mitigation and Stewardship Plan includes improvements to the bulkhead around the Myrtle Grove Marina Estates Subdivision, docks, and boat houses, as well as other infrastructure improvements (sewer system). See Appendix R1 of the Final EIS for details regarding this plan.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan were not included in CPRA’s MBSD DA permit application and are not part of the currently-proposed MBSD Project. Many of these structural measures would require USACE and other permits prior to installation. Such permits are not

guaranteed and would take time for USACE and other regulating agencies to process.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62460

The commenter expressed concern that with the possible storage of 20 million barrels on the reasonably foreseeable Plaquemines Liquids Terminal and the transfer of that oil through pipelines regularly connected and disconnected from large, river-borne vessels would cause frequent oil spillage into the proposed MBSD diversion, as well as potentially catastrophic impacts resulting from accidents or hurricanes. Any of those could have serious impacts on the operation of the proposed MBSD Project.

Response ID: 16470

Potential impacts of the reasonably foreseeable Plaquemines Liquids Terminal were considered in the Draft EIS in the Sediment Transport

subsection of Chapter 4, Section 4.25.4.4 Cumulative Impacts. Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

Potential oil spills from the terminal were also assessed in the Permitted Discharges Section of 4.25.5.4 Cumulative Impacts of the Draft EIS. As described in the Draft EIS in Chapter 2, Section 2.8.1.4 Project Operations and in Appendix F MBSD Design and Operations Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. Information regarding closing the structure in the event of hazardous spills has been added to the Cumulative Impacts section, Section 4.25.5.4 of the Final EIS.

Concern ID: 62461

The commenter identified a number of facilities applying for new or renewed LPDES permits in Louisiana during the years 2020 to 2021.

Response ID: 16471

The potential impacts of the proposed projects noted by the commenter were considered in the Draft EIS in Chapter 4, Section 4.25 Cumulative Impacts with the exception of those projects the commenter listed that are outside of the proposed MBSD Project impact area as described in the Draft EIS Chapter 4, Section 4.25.1.3 Cumulative Impacts, Step 3: Identify the Projects and Actions to be Considered. Reasonably foreseeable projects and information about them was based on the stage of development that the actions and facilities had reached at the time the Draft EIS was being prepared. To be considered a "reasonably foreseeable project" to be included in the evaluation of cumulative effects in the EIS, a proposed project needed to be sufficiently advanced in the planning process that it was no longer speculative. In this case, proposed projects that had been submitted to relevant agencies for permitting (including USACE) by May 2020 were considered reasonably foreseeable and were included in the cumulative impacts analysis. No related edits have been made for the Final EIS.

In May 2022 after publication of the Draft EIS, the USACE conducted a search to identify any new/additional reasonably foreseeable projects that, cumulatively with the proposed MBSD Project, have the potential to significantly alter the environmental landscape from what was assessed in the Draft EIS. After identifying new, reasonably

foreseeable projects, USACE evaluated those projects for their potential to significantly affect the environmental landscape that was presented in the Draft EIS and concluded that none would significantly change the MBSD cumulative impacts as described in the Draft EIS. Nevertheless, USACE determined that five newly-identified projects would have more than negligible cumulative impacts. To provide a complete picture of MBSD cumulative effects to the decision maker(s) and the public, these five projects have been added to the Final EIS in Chapter 4, Section 4.25.25 Cumulative Impacts Analysis 2022 Update.

Concern ID: 62463

The commenter stated concern that because Ironton is the closest community to the MBSD Project site and to the proposed Plaquemines Port Harbor & Terminal District/Plaquemines Liquids Terminal (PPHTD/PLT) site and the existing Alliance Refinery, Ironton would be particularly vulnerable to impacts from all three in terms of potential flood and/or health effects.

Response ID: 16472

The concerns raised by the commenters were considered in the Draft EIS in Chapter 3, Section 3.7.2 Air Quality, Existing Conditions; and Chapter 4, Sections 4.8 Noise, 4.13 Socioeconomics, 4.15 Environmental Justice, 4.22 Land-Based Transportation and 4.25 Cumulative Impacts. Chapter 3, Section 3.7.2 Air Quality - Existing Conditions identifies the existing air quality in the proposed Project area and provides that Plaquemines Parish is designated as "unclassifiable/in attainment" for all criteria pollutants. The resource sections in Chapter 4 address potential air quality, noise, transportation, and flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 Socioeconomics Technical Report to the EIS provides contextual information about the Ironton community. As stated in the EIS in Chapter 4, Section 4.15 Environmental Justice, populations in Ironton would experience minor to moderate, temporary adverse, impacts due to increased noise levels, dust, and transportation delays during the approximately 5-year construction period. However, as previously described in the Land-Based Transportation section of Section 4.25.22 Cumulative Impacts of the Draft EIS, cumulative impacts on traffic from construction of the reasonably foreseeable future actions combined with construction of the proposed MBSD Project action alternatives would likely be major, adverse, and temporary and could cause substantial traffic delays on LA 23. Ironton would experience these major, adverse impacts because of its proximity to LA 23 and the proposed MBSD Project. To make this clearer, Section 4.25.22.3 in Cumulative Impacts of the Final EIS has been revised to state that Ironton would experience major, adverse impacts during the 5-year construction period of the proposed Project due to cumulative impacts of the proposed MBSD Project and reasonably foreseeable projects on LA 23 traffic volumes and congestion.

Beyond the near-term impacts of construction, operation of the Applicant's Preferred Alternative may have impacts on Ironton. Because it is within the New Orleans to Venice (NOV) Non-Federal Levee (NFL) W-05a.1 (La Reussite to Myrtle Grove levee reach) levee system, Ironton is not expected to be impacted by increases in frequency and duration of tidal flooding due to Project operations (see Section 4.15.4.2.2 Storm Hazards and 4.20.4.2 Public Health and Safety). However, negligible to minor increases in risk of overtopping of the NOV-NFL Levee south of the immediate outfall area following the delta formation in the outfall area that may affect storm surge during certain 1 percent storms may impact low-income and minority populations within Ironton.

Also, in the Final EIS, Section 4.15.5.1 Environmental Justice has been added to provide a summary of impacts on the majority-Black community of Ironton, which is the closest community to the diversion, to assist understanding the projected impacts of the proposed Project on that community.

Concern ID: 62469

The commenter stated concern that the assessment in the Draft EIS of potential impacts of the reasonably foreseeable project Plaquemines Port Harbor & Terminal District/Plaquemines Liquids Terminal (PPHTD/PLT) on the proposed MBSD Project operations cannot be accurate without including results of the previously conducted assessment of PPHTD/PLT's potential impact on sediment capture of the proposed MBSD Project intake structure.

Response ID: 16474

The Sediment Transport section in Chapter 4, Section 4.25.4.4 Cumulative Impacts in the Draft EIS acknowledged that, based on a sediment transport study conducted by AECOM (2019), the reasonably foreseeable PPHTD/PLT facility may have moderate, adverse, permanent impacts on the sediment transport capability of the proposed MBSD Project. Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

Concern ID: 63241

The commenter questioned what other projects are in place to help retain land created by the proposed MBSD Project.

Response ID: 16475

Other reasonably foreseeable projects that would retain the land created by the proposed MBSD Project include, but would not be limited to, the Large-Scale Marsh Creation and Component E- Planning Project, the Grand Bayou Ridge and Marsh Restoration Project, the

Bayou L'Ours Marsh Terracing Project, and others. These projects were considered in the Draft EIS in Chapter 4, Sections 4.25.2 and 4.25.6 in Cumulative Impacts, which discusses the beneficial and adverse impacts of other projects in the proposed MBSD Project area on sustaining wetlands and retaining land created by the proposed MBSD Project. While the restoration projects described in these sections are not specifically designed to retain the land created by the proposed MBSD Project, these restoration projects would contribute to land retention.

Concern ID: 62464

The commenter expressed concern that models have not yet examined the cumulative impacts on flooding from multiple proposed diversions operating simultaneously.

Response ID: 16473

The Draft EIS considered the potential flooding impacts of multiple proposed diversions operating simultaneously. Potential flooding impacts of the proposed MBSD Project combined with impacts of *existing* Mississippi River diversions on the west bank including the Davis Pond Freshwater Diversion, and the West Pointe A La Hache Siphon and on the east bank (Bonnet Carré Spillway, Caernarvon Freshwater Diversion, and Mardi Gras Pass) were projected by the Delft3D Basinwide Model baseline conditions and 50-year projections for the MBSD No Action and action alternatives for hydrology, flooding, hydrodynamics, water quality, vegetation/wetlands, and other resources in the Project area. The added impacts of the MBSD Project action alternatives in combination with these existing freshwater influences are discussed by resource topic in Chapter 4, Sections 4.2 through 4.24.

The added flooding impacts of the proposed MBSD Project action alternatives on existing diversion operations were qualitatively or quantitatively analyzed and discussed in the Draft EIS in Chapter 4, Section 4.4.3 in Surface Water and Coastal Processes, Section 4.13 Socioeconomics, and Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction. The Draft EIS Section 4.20.4 Storm Surge and Flooding concluded that in conjunction with the operation of existing diversions, the proposed Project would have negligible impacts on flooding in Project area communities within federal levee systems and minor to major, adverse, long-term impacts on flooding in Barataria Basin communities not protected by federal levees (for example, Lafitte, Myrtle Grove, and Grand Bayou).

Operational impacts, including risk for increased flooding, of reasonably foreseeable future projects including diversions such as the Mid-Breton Sediment Diversion combined with proposed MBSD Project operations were assessed by the Delft3D Basinwide Model and discussed in Section 4.25.1 Methodology for Assessing Cumulative Impacts and in Section 4.25.20 Cumulative Impacts - Public Health and Safety, Including Flood and Storm Hazard Risk Reduction. As described in

Section 4.25.20, Delft 3D Basinwide modeling projected that the reasonable foreseeable projects modeled would have a negligible impact on water levels during non-storm conditions in the birdfoot delta and Barataria Basin. Also see EIS, Appendix E Delft3D Modeling for information on the setup of the Delft 3D Basinwide Modeling for the impact analysis of the EIS alternatives. No related edits have been made to the Final EIS.

ES81000 – Delft3D Modeling

Concern ID: 61829

The Delft3D Basinwide Modeling conducted for the Draft EIS is flawed because its validation process was based on the West Bay Sediment Diversion, which is not a valid comparison because the footprint of that project received several lifts via sediment dredged and pumped from the Mississippi River, which would not occur for the proposed MBSD Project.

Response ID: 16476

Validating the Delft3D Basinwide Model to a large sediment diversion in the Barataria Basin would have been ideal; however, there are no other large-scale sediment diversions on the landscape at this time. Because the other existing diversions (Davis Pond and Caernarvon Diversions) are freshwater diversions designed to extract water from the top of the river and discharge primarily water, not sediment, they are not applicable for validating the Delft3D Model for the MBSD Project. The West Bay Sediment Diversion, in contrast, is useful for validating the physical processes of erosion and deposition of sediment because although some dredging occurs for that project, it, like the proposed MBSD Project, is a sediment diversion that extracts sediment from deeper in the river. The modelers used standard professional practice by validating the Delft3D Basinwide Model (a well-proved, public-domain, physics-based model) with the West Bay Sediment Diversion to properly reproduce the primary physical processes of sediment erosion and deposition. In that manner, the modelers were able to examine how diversion flows would affect the process of sediment erosion and deposition separate from dredged material disposal.

As part of developing the Draft EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Concern ID: 61830

The commenter stated that information regarding how the proposed Project would impact the velocity of the Mississippi River upstream of the proposed diversion is not clear in Appendix E (Delft3D Modeling) and Appendix F (MBSD Design and Operations Information).

Response ID: 16477

The Project's impacts on the velocity of the Mississippi River upstream of the diversion intake was considered in the Draft EIS in Appendix E Delft3D Modeling, Attachment B (Velocity Contour Maps and Velocity Direction Figures), Figures VEL 1 - VEL 6 (No Action Alternative) and Figures VEL 25 - VEL 30 (Applicant's Preferred Alternative). These figures display no discernable differences in velocity contours in the Mississippi River upstream of the proposed diversion structure. In Chapter 4 of the Draft EIS, Section 4.4 (Surface Water and Coastal Processes), Figure 4.4-37 shows that cross-channel velocities immediately adjacent to the diversion structure would increase by up to 0.3 m/sec (1 foot per second) and by less than 0.03 m/sec (0.1 foot per second) a short distance away. Although these model data are not high-resolution, the USACE concludes that river velocities upstream of the diversion would change by less than 1 foot per second. For greater clarity, a sentence summarizing this has been added to the Final EIS in Section 4.4.4.2.3.2 Applicant's Preferred Alternative in Surface Water and Coastal Processes and in Appendix E Delft 3D Modeling, Section 7.2 Water Velocity Outputs.

Concern ID: 61831

The commenter questioned the level of certainty of land-loss estimates under the No Action Alternative over the 50-year period of analysis. Commenter further questioned how that level of certainty compares to the level of certainty of some of the adverse impacts that are projected to occur from the proposed Project.

Response ID: 16478

It is correct that the Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties were incorporated into the Draft EIS impact conclusions and are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Hurricanes were not modeled as part of the Delft3D Basinwide Model; they were, however, modeled as part of the ADCIRC modeling conducted for the Draft EIS, Chapter 4, Section 4.20 Public Health and Safety, Including Storm and Flooding Risk Reduction. The rationale for that omission and explanation of how it was accounted for are provided in Appendix E Delft3D Modeling, Section 8.1. The land-change uncertainty bounds were not included in the summary in Section 4.1.3.3. In response to this comment, a summary of land-change uncertainty has been added to that section in the Final EIS. The USACE and LA TIG agree that the model uncertainties should be clearly stated in the EIS with respect to the Model's quantitative results. A footnote has been added to the

Executive Summary and to Table 4.2-6 in Section 4.2 Geology and Soils of the Final EIS providing the uncertainty bounds for land-change projections. Uncertainties related to the Marine Mammals impact analysis are summarized in detail in Chapter 4, 4.11.3.1 (Marine Mammals, General Caveats to Impact Analysis Approach).

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Concern ID: 61832

Commenters expressed concern that the uncertainties of the model were not quantified or identified in the model results. For example, with respect to the projections of land change, the ranges of potential acres to be created/lost along with a confidence level that each range is accurate were not provided. Commenters noted that the model predicted a net land gain of only 2 - 4 percent of the total land area within the Project area over the 50-year analysis period and questioned whether the model is sensitive enough and accurate enough to predict such a slight change.

Response ID: 16479

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties. The land-change uncertainty bounds were not included in the summary in Section 4.1.3.3. In response to this comment, the USACE has added a summary of land-change uncertainty to that section in the Final EIS. Where the model's quantitative results are presented, the EIS identified the model uncertainties. A footnote has been added to the Executive Summary and to Table 4.2-6 in Section 4.2 Geology and Soils of the Final EIS providing the uncertainty bounds for land-change projections.

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Concern ID: 61842

Commenter is concerned about the accuracy of the sea-level rise projections used in the Delft3D Basinwide Model to predict land changes. In particular, the commenter suggests that if updated

sea-level rise rates (as provided in Sweet et al. 2017 and Church et al. 2014) were applied, the modeling would project no land-gain benefits from the diversion.

Response ID: 16480

Large variability in projected relative sea-level rise does introduce corresponding uncertainty into land-loss and land-gain projections. The literature provided by the commenters has been reviewed. Measured and projected relative sea-level rise rates vary substantially by location, and using projections at a station in Florida, such as Cedar Key, are not useful for projections in the central Gulf Coast. Citing the USACE and NOAA sea-level projection tool (USACE 2019d), the MBSD Project Modeling Work Group chose a sea-level rise scenario based on the 2017 Coastal Master Plan “moderate” scenario, which is slightly higher than the USACE’s “Intermediate” rate for the Barataria Basin water level station at Grand Isle, LA, as shown in Chapter 4, Figure 4.1.3 of the Draft EIS. The USACE rate reflects sea-level rise data collected at Grand Isle over the period 1947 to 2007. The MBSD Project Modeling Work Group determined that the use of that 2017 Coastal Master Plan Intermediate Sea-Level Rise curve was an appropriate choice at the time the modeling was conducted in 2019.

The sea-level rise value used in the Delft3D Basinwide Model simulation for the Draft EIS considered “intermediate” at the time of the modeling, is close to the low projection (0.3 m Global Mean Sea Level) given by Sweet et al. (2017) for Grande Isle. The commenter’s suggestion of the Church et al. 2014 reference, which provides useful information, has been added as a reference in the Final EIS in Chapter 4, Section 4.1.3.2 Sea-Level Rise. Use of a different sea-level rise rate would affect the impact projections of all the alternatives considered in the EIS, including the No Action Alternative. If the relative sea-level rise rate used in the model is an underestimate, the effect on model results was mitigated, but not eliminated, by the use of a “No Action Alternative compared to Action Alternatives” comparison method. (In other words, if sea-level rise was underestimated, it was underestimated for all alternatives, including No Action Alternative. The impacts of the proposed Project presented in the Draft EIS are the net difference in impact magnitude between the No Action Alternative and the proposed Action Alternatives). Chapter 4, Section 4.1.3.2 Sea-level Rise states that higher sea-level rise rates would reduce anticipated land creation. However, in light of the commenters’ concern, the USACE has amended the last sentence of the next to last paragraph of that section in the Final EIS to say, “If actual sea-level rise is higher (as is predicted by Sweet et al. 2017) than the value used in the Delft3D Basinwide Model, water levels would be higher and loss rates and land gains would be different than what the Delft3D Basinwide Model projects.”

Concern ID: 61843

The Delft3D Basinwide Model results are flawed because the model was not calibrated to data from the Fort St. Philip, Davis Pond, and Caernarvon Diversions. Instead the model was calibrated to the unsuccessful West Bay Diversion, which has not produced any land in 20 years of operation (other than that created by the deposit of dredged material). Calibration to West Bay is not appropriate because the West Bay Diversion outfall area is comprised of deeper water and mineral soils, while the outfall area of the proposed MBSD Project diversion is comprised of shallow water covered with emergent vegetation inhabiting organic soils.

Response ID: 16481

The Delft3D Basinwide Model was not calibrated to Fort St. Philip because it is a naturally-occurring crevasse rather than an engineered diversion. The Davis Pond and Caernarvon Diversions are freshwater diversions intended to reduce salinity through the introduction of fresh water and were not designed to channel sediments from deep in the river.

The West Bay Sediment Diversion is a large, uncontrolled diversion with a discharge of 20,000 to 50,000 cfs. Constructed in 2003, the goals for the project included: 1) increase land:water ratio; 2) increase mean elevation in the wetland; and 3) promote marsh habitat. To date, the restoration actions have successfully restored a portion of the land and habitat previously present in West Bay. (McQueen et al., 2020). Because the modelers considered the West Bay Sediment Diversion to be a reasonable analog to the proposed Project and in accordance with professional standards, they validated the Delft3D Basinwide Model to the West Bay Sediment Diversion. The accretion rate of inorganic sediment was also validated using data from the Big Mar Lake adjacent to the Caernarvon Diversion. The Delft3D Basinwide Model is a public-domain, physics-based model in which water depth and consolidation of underlying soils are accounted for by appropriate equations. The consolidation feature of the model is described in the below reference, which was included in Chapter 10 (References) and cited in Chapter 2 (Alternatives) of the Draft EIS. Therefore, differences in water depth and underlying soils are accounted for in the model's physics-based calculations.

Uncertainties associated with the validation using West Bay were assessed using sensitivity tests and were considered in the analysis by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in Appendix E (Delft3D Modeling) and incorporated into the Draft EIS conclusions throughout Chapter 4 Environmental Consequences.

CPRA. 2011. Myrtle Grove Delta Building Diversion Modeling Effort in Support of the LCA Medium Diversion at Myrtle Grove with Dedicated

Dredging Project: Data Collection, Preliminary Design, and Modeling Initiative. Available online at:
<https://www.lacoast.gov/reports/project/4900753~1.pdf>.

As part of developing the EIS, the USACE, together with the members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Concern ID: 61844

The Delft3D Basinwide Modeling used for the EIS is flawed because it was not calibrated against empirical results from three diversions that, like the proposed MBSD Project diversion, include an outfall area comprised of shallow water with organic soils: Fort St. Philip natural crevasse, Davis Pond Diversion, Caernarvon Diversion (see Zedler 2017, Suir 2012, and Turner 2017). Further, there is no evidence of a net land gain or conservation within those sites after the diversions began. There was sometimes a dramatic land loss after diversion implementation/start that has not reversed (Couvillion 2017, USACE 2004, Suir et al. 2014, Kearney et al. 2011, Underwood 1994).

Response ID: 16482

The Delft3D Basinwide Model was not calibrated to Fort St. Philip because that is a naturally-occurring crevasse rather than an engineered diversion. The Davis Pond and Caernarvon Diversions were designed to primarily divert fresh water in order to lower salinities in the receiving basins. Unlike the MBSD, they were not designed to divert sand-sized sediment, which is needed to build land.

The West Bay Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation." (Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, Estuarine, Coastal and Shelf Science, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005>).

The Zedler (2017) reference cited by the commenter is useful. Zedler wrote approvingly of the application of integrated habitat and hydrodynamic models in an adaptive management framework for restoration of coastal Louisiana. That is the same approach described in the Draft EIS in Chapter 4, Section 4.27 Mitigation Summary.

The Turner (2017) reference about using a correct mineral sediment supply baseline for coastal restoration is also useful. The Delft3D Basinwide Model results used in the EIS confirm the conclusion in Turner (2017) that Mississippi River diversions upstream of the birdfoot delta increase deterioration of the birdfoot delta, as noted in Chapter 4, Section 4.2.3.3 in Geology and Soils of the Draft EIS.

The references provided by the commenter were considered and incorporated into the EIS. Couvillion et al. 2017 is included in Chapter 3, Section 3.2 Geology and Soils and Section 3.6 Wetlands and Waters of the U.S., Kearney et al. 2011 is cited in Chapter 2, Section 2.4.1.3.3 Lower Barataria Basin, and Underwood 1994 is cited in Appendix R2 Monitoring and Adaptive Management Plan of the EIS Suir et al. 2014 was added to Chapter 2 Alternatives, Table 2.3-1of the Final EIS.

Couvillion, B.R., H. Beck, D. Schoolmaster, and M. Fischer. 2017. Land area change in coastal Louisiana 1932 to 2016: U.S. Geological Survey Scientific Investigations Map 3381, 16 p. pamphlet. Available online at: <https://doi.org/10.3133/sim3381>.

Kearney, MS, JCA Riter, and RE Turner. 2011. Freshwater river diversions for marsh restoration in Louisiana: Twenty-six years of changing vegetative cover and marsh area. Geophysical Research Letters, Vol. 38, L16405, doi:10.1029/2011GL047847m August 26, 2011.

Suir, GM, WR Jones, AL Garber, JA Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Geomorphology and Potamology Program, MRG&P Report 2. U.S. Army Corps of Engineers, Mississippi Valley Division, Vicksburg, Mississippi.

Underwood, AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. Ecological Applications 4: 3–15.

As part of developing the EIS, the USACE, together with the members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. No related edits have been made to the Final EIS.

Concern ID: 61845

The Delft3D Basinwide Modeling for the EIS projects positive results when existing evidence from nearby sites in Louisiana show the opposite results. Commenter stated that the model does not incorporate important biological drivers such as the effects of

flooding, nutrients, and resistance to erosion, and consequently questioned the accuracy of the model.**Response ID: 16483**

Comparing observed effects of various diversions has limited value, since diversions and receiving environments often exhibit unique attributes or behaviors that correlations do not account for. For that reason, the Delft3D Basinwide Model, even with its limitations and uncertainties, is a better predictor than anecdotal comparison to Fort St. Phillip or other sites where diversions were designed to divert primarily water, not land-building sediment.

The Delft3D modeling did incorporate flooding, nutrients, and resistance to erosion in its results. Flooding, nutrients, and resistance to erosion are described in Appendix E Delft3D Modeling. See generally Figure 5-1 regarding model module interaction, Section 5.2 Morphodynamics Module and 5.4 Vegetation Module in Appendix E Delft3D Modeling for additional information.

Uncertainties associated with the validation using West Bay were assessed using sensitivity tests and were considered in the analysis by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in Appendix E Delft3D Modeling and incorporated into the Draft EIS conclusions throughout Chapter 4 Environmental Consequences.

The references provided by the commenter were considered and incorporated into the EIS. Couvillion et al. 2017 is included in Chapter 3, Section 3.2 Geology and Soils and Section 3.6 Wetlands and Waters of the U.S., Kearney et al. 2011 is cited in Chapter 2, Section 2.4.1.3.3 Lower Barataria Basin, and Underwood 1994 is cited in Appendix R2 Monitoring and Adaptive Management Plan of the EIS Suir et al. 2014 was added to Chapter 2 Alternatives, Table 2.3-1 of the Final EIS.

Couvillion, B.R., H. Beck, D. Schoolmaster, and M. Fischer. 2017. Land area change in coastal Louisiana 1932 to 2016: U.S. Geological Survey Scientific Investigations Map 3381, 16 p. pamphlet. Available online at: <https://doi.org/10.3133/sim3381>.

Kearney, MS, JCA Riter, and RE Turner. 2011. Freshwater river diversions for marsh restoration in Louisiana: Twenty-six years of changing vegetative cover and marsh area. *Geophysical Research Letters*, Vol. 38, L16405, doi:10.1029/2011GL047847m August 26, 2011.

Suir, GM, WR Jones, AL Garber, JA Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Geomorphology and Potamology Program, MRG&P Report 2. U.S. Army Corps of Engineers, Mississippi Valley Division, Vicksburg, Mississippi

Underwood, AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Applications* 4: 3–15

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Concern ID: 62277

Many of the impacts of the proposed Project are more dramatic in the first decade of the proposed Project operations; after 2030, the discussion of benefits and impacts in the Draft EIS is based largely on a few model years. However, those model years do not acknowledge the increasing rainfall and river flooding of the past few years that can be expected to increase due to climate change. For example, it is foreseeable that a flood year like 2019 could become more normal over the next decade.

Response ID: 16484

Climate change has altered rainfall and river flow patterns and may further do so in the future. Uncertainties regarding future conditions were summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainties regarding climate change were considered and incorporated into the Draft EIS conclusions throughout Chapter 4 Environmental Consequences. No related edits have been made to the Final EIS.

The USACE, together with the members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Concern ID: 62278

Models have not taken into account the influence of wind, which is a significant driver of water levels in the estuary. In winter, storm fronts generally move north to south and water levels in the basins are typically lower, providing an opportunity for seasonal diversion operations. This is particularly true in the Barataria Basin, where backwater flooding from a high river has not been a significant concern.

Response ID: 16485

Wind is an important factor in the estuary. The Delft3D Basinwide Model simulations included wind as described in the Draft EIS

Appendix E (Delft3D Modeling, Section 3.2.2 Atmospheric Forcing) and summarized in Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis. Meteorological data recorded throughout 2014, including wind speed and direction recorded at 6-hour intervals in the basin over the course of the year, was used in the model. That data reflects the seasonal variation in wind speed and direction that occurred in the basin in 2014 and was factored into model outputs with respect to water levels. Appendix E Delft3D Modeling, Section 3.2.2 Atmospheric Forcing has been edited in the Final EIS to clarify this.

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Concern ID: 62280

The Draft EIS outlines uncertainties in the modeling that tend to underestimate salinity by 1ppt, water level by 0.1 m, and temperature by 1.5°C. The level of uncertainty reported in the Draft EIS varies spatially throughout the basin. Section 8.0 (Model Limitations and Uncertainties) of Appendix E (Delft3D Modeling) mentions that the dilution factor is uncertain as well as the effect of barrier islands on tidal exchange over time. The Draft EIS also describes uncertainty around other restoration efforts. For instance, the model assumes that the barrier islands are drowned by relative sea-level rise. However, the State of Louisiana has been committed to maintaining these important features, and that commitment is likely to continue, therefore reducing salinity increases. The Mississippi River birdfoot delta passes, however, are likely to deepen, enlarge, and increase salinity influences. Taken all together, these factors may underestimate salinity enough that the biological impacts forecasted may be a worst-case scenario for saltwater species, such as oysters and dolphins.

Response ID: 16486

The Delft3D Basinwide Model results should be interpreted in light of the uncertainties discussed in the EIS. As discussed in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties, those uncertainties were examined through sensitivity tests and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method and incorporated into the Draft EIS conclusions throughout Chapter 4 (Environmental Consequences). No related edits have been made to the Final EIS.

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

ES82000 – ADCIRC Modeling

Concern ID: 62181	The commenter believes the units on the storm hydrographs in Draft EIS Appendix P are incorrect.
Response ID: 15764	Figures 3-24 through 3-39 and 3-62 through 3-77 in Draft EIS Appendix P1 Surge and Wave Conditions Report (ADCIRC Model) are correctly plotted in feet. No changes were made to the Final EIS.

GEN1000 - General Support for Project/RP

Concern ID: 63332	A large number of commenters expressed general support for the proposed Project.
Response ID: 16288	The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.
Concern ID: 63333	Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.
Response ID: 16289	The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA

evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63334	The proposed MBSD Project would maintain and restore coastal lands and should move forward.
Response ID: 16291	The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.
Concern ID: 63336	This proposed Project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.
Response ID: 16292	The commenter's support for the proposed Project is noted. The proposed Project, by reestablishing deltaic processes, is intended to build coastal resiliency and protection for the coastal communities behind Barataria Basin. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries. See Sections 3.2.1.6 (Benefits Multiple Resources) and 3.2.1.7 (Public Health and Safety) of the LA TIG's Restoration Plan for a detailed discussion of the proposed Project's potential benefits and public health and safety impacts, respectively.
Concern ID: 63337	A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.
Response ID: 16294	The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of

the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63338	The proposed Project would bring back vital habitat along the Gulf Coast, including wetlands that would support a huge variety of birds and other wildlife.
Response ID: 16295	The commenter's support for the proposed Project is noted. Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS explained the beneficial (and adverse) impacts of the proposed Project on various avian and terrestrial species. As also explained in the LA TIG's Restoration Plan in Section 3.2.1.6, the proposed Project is intended to improve habitat for birds and other coastal and living marine resources.
Concern ID: 63339	The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.
Response ID: 16297	The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.
Concern ID: 63340	The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.
Response ID: 16298	The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

Concern ID: 63340a	Coastal preservation and restoration activities are essential in order to continue providing habitat for fish and wildlife, to protect communities, and to provide a source of recreation to residents and visitors.
Response ID: 16298a	The commenter's support for coastal restoration is noted. As discussed in Chapter 1, Section 1.4 Purpose and Need, the purpose of the proposed Project is to implement a large-scale diversion that would provide and support the long-term viability of existing and planned coastal restoration efforts. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need. The impacts (both beneficial and adverse) of the proposed Project on the extent of wetlands (including as fish and wildlife habitat), protection from storm events, and the economy, depending on the wetland area, community, and industry are considered in the EIS; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.9 Terrestrial Wildlife and Habitat, 4.10 Aquatic Resources, 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.
Concern ID: 63341	The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).
Response ID: 16300	The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.
Concern ID: 63342	Other natural or man-made diversions have successfully built land, such that the proposed MBSD Project would also be expected to build land.
Response ID: 16302	The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils

indicates that the proposed Project is anticipated to build land in the Barataria Basin (with smaller amounts of land loss projected in the birdfoot delta). To facilitate comparisons between the proposed Project and other natural or man-made diversions, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Concern ID: 63343

The diversion would result in a return to a more natural state in which a delta existed in the Barataria Basin and the saltier waters required by many important fishery species were naturally further south.

Response ID: 16304

The concerns raised by the commenter related to the proposed Project's role in connecting the Barataria Basin to the Mississippi River were considered in the Draft EIS. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources, the proposed Project would impact salinity in the Barataria Basin, with salinity impacts benefiting some fishery species, such as bass and Gulf menhaden, and adversely impacting others, such as oysters and brown shrimp. Section 4.2 in Geology and Soils of the Draft EIS discussed the proposed Project's impacts on creating a delta in the basin. As identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification. In addition, Chapter 3, Sections 3.1.4.2 and 3.2.1.1 Historical Content, have been supplemented in the Final EIS to further discuss historic conditions and the role that the diversion may play in the Mississippi River Delta cycle.

Concern ID: 63345

Local communities are being afforded the opportunity to capitalize on well over \$1 billion in economic impact through the construction of the proposed Project, adding hundreds of higher wage jobs to their communities. These jobs also would allow these communities to build a workforce pipeline of talent to continue to perform civil construction, earthworks, environmental restoration, and surveying work in complex and challenging environments, each of which would provide stable, lucrative incomes for workers and their families and that benefit would flow

Response ID: 16306	to the vibrant communities and add a stable tax base for local governments.
	The commenter's support for the proposed Project is noted. The comment is consistent with the content of Chapter 4, Section 4.13.4.2 in Socioeconomics of the Draft EIS, which identified up to major economic benefits within the proposed Project area during construction of the proposed Project.
Concern ID: 63346	Through a long history of coastal restoration, it has become clear that funding sources will deplete, and dredged sediments pumped and shaped into land subside often within a few decades; however, the river will continue to flow for generations and the sediments, nutrients, and fresh water will continue to build land as long as it is allowed it to flow.
Response ID: 16307	The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils of the Draft EIS discussed the long-term and sustained source of sediment that would be provided by the proposed Project for the replenishment and restoration of lands (including wetlands) within the outfall area.
Concern ID: 63347	The commenter strongly urges that the proposed Project be approved without delay, and that CPRA continue to work in collaboration with communities, residents, and impacted commercial and charter fishermen to develop additional granularity around mitigation and stewardship measures proposed.
Response ID: 16309	The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions. CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. In response to comments, CPRA

has expanded and refined the Final Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated proposed Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63348

The proposed MBSD Project is not a panacea for all of Louisiana's land loss, but it is a first step in using the full suite of tools on hand, including the most important tool, the Mississippi River, which actually built this landscape.

Response ID: 16310

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the Draft EIS explained how the proposed Project is designed to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. This is also

discussed in Chapter 3, Section 3.2.1.1 in Geology and Soils of the LA TIG's Restoration Plan.

Concern ID: 63349

Commenters noted that it is clear that only nature can build a delta, and that nature should be allowed to begin to replace the one that was allowed to die. In order for that to happen without massive dislocation of human communities, some combination of a diversion the approximate size of the Wax Lake Outlet, combined with some level of control at the point of outflow, would be necessary.

Response ID: 16311

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the Draft EIS explained how the proposed Project is designed to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. Although the proposed Project is not designed to divert the maximum capacity of water diverted by the Wax Lake Outlet (about 440,000 cfs), its operation is projected to build maximum of 17,300 acres of land in the Barataria Basin by 2050, as discussed in Chapter 4, Section 4.2.3.2 in Geology and Soils. The capacity and operational triggers considered for the proposed Project are discussed in Chapter 2, Section 2.4 Step 2: Evaluation of Operational Alternatives - Location, Operational Triggers, Capacity, and Base Flow. The purpose of the proposed Project is also discussed in Chapter 3, Section 3.2.1.1 (Alternative 1 Description) of the LA TIG's Restoration Plan.

Concern ID: 63351

Before the river was engineered in response to the 1927 flood, Louisiana used to grow every spring and New Orleans enjoyed an immense buffer protecting it from storms. Restoring this wetland buffer is key to the city's survival. Southeast Louisiana is already an engineered space, but one that is not working for us. Let us engineer it for longevity. Please approve this diversion.

Response ID: 16313

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 Define Project Objectives of the Draft EIS explained that the proposed Project is intended to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. This is also discussed in Chapter 3, Section 3.2.1.1 (Alternative 1 Description) of the LA TIG's Restoration Plan.

Concern ID: 63352

The Mid-Barataria Sediment Diversion is the cornerstone of Louisiana's Coastal Master Plan and would help support and enhance the lifespan of other coastal restoration and protection projects. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the DWH oil spill.

Response ID: 16314 The commenter's support for the proposed Project is noted. The cumulative impacts of the proposed Project and other restoration projects were discussed in Chapter 4, Section 4.25.6.4 in Cumulative Impacts of the Draft EIS. This section identified that, although sea-level rise and saltwater intrusion would generally offset the wetland gains of individual projects by 2070, there would be substantial interim benefits of these other past, present, and reasonably foreseeable restoration projects in the Barataria Basin, including benefits related to fisheries production and storm surge risk.

Concern ID: 63353 **The commenter strongly supports the Applicant's Preferred Alternative, but would prefer something larger. The commenter further notes that south Louisiana cannot afford to wait longer or accept lesser solutions because the coastline is sinking and local fisheries and wildlife habitat is washing into the Gulf. Fortunately, the Mississippi River offers a chance at salvation if the river is used correctly.**

Response ID: 16315 The commenter's support for the proposed Project is noted. The relative impacts, both beneficial and adverse, for the various capacity alternatives is explained throughout Chapter 4 Environmental Consequences of the EIS. Although the 150,000 cfs Alternative would result in the greatest degree of benefits (including the most land building), it also would result in the greatest degree of adverse impacts, particularly to marine mammals (see Section 4.11.5 in Marine Mammals), shrimp and oysters (see Section 4.10.4.5 in Aquatic Resources), and public health and safety (through increased water levels and inundation in areas closer to the immediate outfall, see Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). The USACE has supplemented Section 4.10.4.5.3 in the Final EIS to further discuss the impacts of the 150,000 cfs Alternative to brown shrimp and oysters. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG's Restoration Plan evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. While 150,000 cfs diversion would be expected to deliver more ecological benefits in terms of land creation and marsh building than the LA TIG's Preferred Alternative, it would also incur more collateral injuries and pose a greater risk to human health and safety; thus, it was not selected as the LA TIG's Preferred Alternative. See Section 3.2.4 (Overall OPA Evaluation Conclusions) of the Final Restoration Plan for a discussion

of how the LA TIG came to its decision. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63354

The proposed MBSD Project is the most cost-effective way to address the current problems in a sustainable way.

Response ID: 16316

The USACE and LA TIG acknowledge the commenter's support for the proposed Project. The LA TIG further notes that it strove to identify a preferred alternative that meets OPA's cost criteria and achieves the LA TIG's goals of comprehensive, integrated ecosystem restoration, through the creation of deltaic processes that supports an ecosystem that would be sustained over decades even in the face of rising sea levels and coastal erosion.

Concern ID: 63355

The proposed Project needs to be built, but in the meantime, there is also a need to dredge and pump river sediment to build marsh, then put rocks around to maintain those results.

Response ID: 16317

The commenter's support for the proposed Project is noted. The action being considered in the EIS is described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Sections 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives and 2.8 Action Alternatives Carried Forward for Detailed Analysis. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS. Other coastal restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan and the LA TIG through NRDA restoration planning.

Concern ID: 63357

The commenter indicates that the proposed Project would represent a major economic development project for the region and urges that this Project be approved and constructed with all urgency given the land-loss emergency along the Louisiana coast.

Response ID: 16319

The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.13 Socioeconomics of the Draft EIS indicated that construction of the proposed Project would result in a major economic benefit within the Project area. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63358

The commenter supports constructing the Mid-Barataria Sediment Diversion before more Louisiana heritage is lost, and references a recent notice about native Indians who are being relocated by the government because their land is going to be under water.

Response ID: 16320

The commenter's support for the proposed Project is noted. Chapter 4, Sections 4.2 Geology and Soils and 4.6 Wetland Resources and Waters of the U.S. of the Draft EIS discussed the land building/marsh creation projected to result from the proposed Project, and Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discussed the projected impacts of the Project on flooding and storm hazards in Barataria Basin. Any ongoing actions regarding the relocation of Tribal Nations in coastal Louisiana is not associated with the proposed MBSD Project.

As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, historic resources consultations have been conducted in accordance with Section 106 of the NHPA. Appendix K Cultural Resources Information of the Final EIS includes the PA negotiated between the NHPA Section 106 consulting parties regarding the proposed Project. The PA explains the outreach conducted by the CEMVN to Tribal communities, identifies the Tribal Nations that decided to participate in the Section 106 Process, and explains that the CEMVN has and would continue to consult with any interested Tribal Nation who may have not yet requested to consult.

Concern ID: 63359

More diversions (size notwithstanding) are needed up and down the Mississippi River to build more marsh.

Response ID: 16321

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.3.7 in Step 1: Evaluation of Functional Alternatives of the EIS includes an analysis of multiple, smaller (5,000-10,000 cfs) diversions up and down the Mississippi River; this discussion indicated that the smaller-scale diversions would not reestablish sustainable deltaic processes because the appropriate volume and range of sediment needed to meet Project objectives would not be captured and/or transported into the basin. Further, assessment of locational alternatives for the larger-sized project indicated that locations in the upper and lower basins would not meet the purpose and need of the proposed Project, and that other locations in the middle basin would not be as effective in meeting the purpose and need (see Section 2.4.1 in Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow). However, the Louisiana Coastal Master Plan contemplates additional sediment diversions to help restore the marsh and estuaries; those diversions that are reasonably foreseeable are discussed in Chapter 4, Section 4.25 Cumulative Impacts of the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS. Other projects

outside Barataria Basin or that are not yet reasonably foreseeable (as defined in Section 4.25.1.3 in Cumulative Impacts) are beyond the scope of this EIS.

Concern ID: 63360	The USACE is not naive enough to believe that the use of fossil fuels is not directly or indirectly ruining the habitat of local wildlife and notes that USACE has it in its power to protect what cannot be replaced.
Response ID: 16322	The commenter's input is noted. Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the Draft EIS discussed the direct and indirect causes of wetland loss in the Barataria Basin, including wetland loss related to exploration, production and use of fossil fuels.
Concern ID: 63362	This is a necessary step toward correcting environmental damage done to Louisiana by artificially directing water down the Mississippi River. Information about the necessity of healthy coastal marsh systems wasn't available when those decisions were made. It is especially necessary that the coastline is restored in preparation for climate change, which would hit Louisiana harder than most states.
Response ID: 16324	The commenter's support for the proposed Project is noted. The impacts of climate change and sea-level rise in Louisiana were discussed in Chapter 3, Sections 3.1.3 in Introduction and 3.4.1.1 in Surface Water and Coastal Processes of the Draft EIS and were factored into the Delft3D Basinwide model results discussed throughout Chapter 4 Environmental Consequences. Impacts to marsh and to flood risk for various communities are discussed for both the No Action Alternative and the Applicant's Preferred Alternative.
Concern ID: 63363	The commenter expressed support for the thorough analysis in the EIS, with the acknowledgement that modifications would be present in the Final EIS to account for ongoing communications about the proposed Project.
Response ID: 16325	The commenter's support for the proposed Project is noted. Revisions have been made to the Final EIS based on public comments received on the Draft EIS, input from cooperating agencies, and continued Project evaluation. Changes between Draft and Final EIS are identified through markings along the margins on the applicable pages, as described in Chapter 1, Section 1.7 Public Involvement Summary.
Concern ID: 63365	The proposed Project is necessary to stop land loss and mitigate storm impacts; however, impacts on the local populations should be mitigated.
Response ID: 16327	The commenter's support for the proposed Project is noted. CPRA expanded and refined its Mitigation and Stewardship Plan (Appendix R1) for the Final EIS in response to community and resource agency

input. If the proposed Project is approved and funded, CPRA states that it would implement the mitigation and stewardship measures as set forth in Appendix R1. CPRA's coordination with the affected communities and industries is described in Chapter 7 Public Involvement and Appendix R1, both of which have been revised for the Final EIS, in response to public comments.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63366

The commenter supports centering community needs in planned mitigation and stewardship efforts.

Response ID: 16328

CPRA has conducted meetings in communities that would be affected by the proposed Project. CPRA's coordination with the affected communities and industries is described in Chapter 7 Public Involvement and Appendix R1 (Mitigation and Stewardship Plan) of the

EIS, which have been revised in response to public comments in the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63367

Commenters noted that there is criticism from impacted communities and industries; however, the proposed Project proponent addresses these criticisms and has mechanisms to mitigate the impacts.

Response ID: 16329

CPRA's coordination with the affected communities and industries is described in Chapter 7 Public Involvement and Appendix R1 (Mitigation and Stewardship Plan) of the EIS, which have been revised in response to public comments in the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were

submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63368

CPRA has used the best available information and data to plan and design the proposed Project, and has committed to careful adaptive management and funding for mitigation to aide in the transition for the most impacted stakeholders.

Response ID: 16330

The commenter's support for the proposed Project is noted, including support for the analysis that has been undertaken to understand the potential impacts of the Project. Appendix R1 (Mitigation and Stewardship Plan) of the EIS describes CPRA's mitigation and stewardship measures and Appendix R2 (Monitoring and Adaptive Management [MAM] Plan), describes CPRA's proposed monitoring metrics to adaptively manage operations to meet Project objectives; both of these documents have been revised for the Final EIS in response to public comments.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63369

The commenter indicates that the Mid-Barataria Sediment Diversion presents the best chance to combat the impacts of climate change on Louisiana's communities and culture, with the best possible information and data backing it. However, the commenter notes that there is no such thing as a perfect model and even in the easiest to measure hydrological systems, models are the first point of failure and mistakes get made. Therefore, the commenter urges that the planning process involve the communities who have the deepest levels of experience, including the people who live close to the diversion, directly in the design, measuring, monitoring, evaluation, and stewardship of the proposed Project.

Response ID: 16332

The commenter's support for the proposed Project is noted, including the substantial analysis that has been undertaken regarding the Project. CPRA's coordination with the affected communities and industries is described in Chapter 7 Public Involvement and Appendix R1 (Mitigation and Stewardship Plan), which have been revised for the Final EIS in response to public comments.

The Delft3D Basinwide Model projections of future conditions include uncertainties, as detailed in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties of the Draft EIS. As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan of the Final EIS includes details regarding operational and adaptive management governance for the proposed Project. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations

discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63370

The commenter indicated that, with or without the diversion, the coastal situation is not encouraging, and action must be taken.

Response ID: 16333

The commenter's input is noted. The impacts of both the action alternatives and the No Action Alternative were discussed throughout Chapter 4 Environmental Consequences of the Draft EIS.

Concern ID: 63371

Some of the proposed Project impacts (in particular to oysters) could be minimized with proper management of the diversion. It is a sediment diversion and therefore should only be operated when sediment content is high in the river and in the water column, which just happens to be in the springtime when the water temperatures are low and oysters can handle the increase in the fresh water.

Response ID: 16334

As discussed in Chapter 2, Sections 2.2.1 Define Project Objectives and 2.4.3.2 Application of Additional Considerations to Capacity Alternatives of the EIS, the intake channel was modeled and designed to divert a relatively high sediment-to-water ratio (SWR) (greater than 1.0 on average) to be as efficient as possible in transporting sediment to reestablish deltaic processes; an SWR greater than 1.0 indicates that the proposed Project would divert more sediment per unit volume of diverted fresh water than concentrations in the Mississippi River. As identified in Chapter 4, Table 4.1-3, intermediate to maximum flows through the diversion structure are projected to occur predominantly in winter, spring, and early summer months. However, as discussed in

Chapter 4, Section 4.10.4.5 in Aquatic Species of the EIS, operation of the proposed Project would result in a permanent, major adverse impact on oysters, due in large part to decreases in salinity.

CPRA plans to operate the proposed MBSD Project in accordance with the Operations Plan which can be found in Appendix F (MBSD Design and Operations Information) of the EIS. CPRA would adaptively manage the diversion for performance (see Monitoring and Adaptive Management [MAM] Plan in EIS, Appendix R2), if the Project is approved and funded. The MAM Plan does not currently include a requirement to adjust operations based on SWR; however, it does include the parameters that will be monitored to evaluate Project objectives, including SWR, observations that will trigger consideration of adaptive management, and examples of potential adaptive management actions related to SWR (see Section 4.1.1 and Table 4.1-1). Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for

funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63372

New Orleans and Louisiana are high in the list of at-risk cities/states for sea-level rise and hurricanes, and New Orleans has already seen too much devastation. The commenter urged for quick action to protect the country and its citizens.

Response ID: 16335

The commenter's support for the proposed Project is noted. The impacts of climate change and sea-level rise in Louisiana were discussed in Chapter 3, Sections 3.1.3 in Introduction and 3.4.1.1 in Surface Water and Coastal Processes of the Draft EIS.

Concern ID: 63373

The commenter supports one of the alternative action plans of the Mid-Barataria Sediment Diversion proposal and the use of DWH settlement/ restoration monies for implementing the plan.

Response ID: 16336

The USACE and LA TIG acknowledge the commenter's support for the proposed Project. The LA TIG further acknowledges the commenter's support for using DWH restoration dollars to fund construction of the Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement and determined by the LA TIG. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63374

Construction of the Mid-Barataria Sediment Diversion Project would have a massive positive economic impact, bringing thousands of jobs and billions of dollars in regional economic sales.

Response ID: 16337

The commenter's support for the proposed Project is noted. Chapter 4, Section 4.13.4.2 in Socioeconomics of the Draft EIS discussed major economic benefits projected to occur within the Project area during construction of the proposed Project from increased jobs and regional sales.

Concern ID: 63376

The State of Louisiana does not have the funding to implement its Coastal Master Plan in full. The State must utilize its best natural asset (the Mississippi River) to protect its communities, infrastructure, and natural resources, to compete for federal restoration funds in the future.

Response ID: 16339 The commenter's input is noted. Implementation of Louisiana's Coastal Master Plan in full is outside of the scope of this EIS and the LA TIG's Restoration Plan.

Concern ID: 63378 **The diversion would result in a return to a more natural state in which a delta existed in the Barataria Basin and the saltier waters required by many important fishery species were naturally further south.**

Response ID: 16304 The concerns raised by the commenter related to the proposed Project's role in connecting the Barataria Basin to the Mississippi River were considered in the Draft EIS. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources, the proposed Project would impact salinity in the Barataria Basin, with salinity impacts benefiting some fishery species, such as bass and Gulf menhaden, and adversely impacting others, such as oysters and brown shrimp. Section 4.2 in Geology and Soils of the Draft EIS discussed the proposed Project's impacts on creating a delta in the basin. As identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification. In addition, Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Content have been supplemented in the Final EIS to further discuss historic conditions and the role that the diversion may play in the Mississippi River Delta cycle.

Concern ID: 63379 **After many years of study, with great investment of resources, it is time to implement the Mid-Barataria Sediment Diversion. Comments from opponents, primarily in St. Bernard and Plaquemines Parishes, are worthy of consideration but insufficient to delay further action on this keystone project of the Coastal Master Plan.**

Response ID: 16341 The commenter's statement of support is noted. The evaluation of the impacts of the Project in the EIS was developed using the best information and data available to USACE and the LA TIG. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. Revisions have been made to the Final EIS based on public comments received on the Draft EIS, input from cooperating agencies, and continued Project communications. Changes between the Draft and Final EIS are

identified through markings along the margins on the applicable pages, as described in Chapter 1, Section 1.7 Public Involvement Summary. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63380

Though there might be a less hard, more green diversion channel one could design, the time has already been expended and the permit has almost been granted, such that now is time to move forward with the Mid-Barataria Sediment Diversion.

Response ID: 16342

The commenter's support for the proposed Project is noted. USACE is neither a proponent nor an opponent of the proposed Project and has not made any decision with respect to the proposed Project.

Several design alternatives were considered as discussed in Chapter 2, Section 2.4.4 in Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow of the Draft EIS. The proposed design, with the hardened, open diversion channel, was designed as the most effective structure to meet the purpose and need of the action. As noted in Chapter 7, Section 7.6 Record of Decision of the EIS, the Final EIS is not a decision document. The USACE will issue its Record of Decision for the proposed Project after the close of the Final EIS public review period. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63381

The proposed Project would have fewer detrimental effects than those opposed to it understandably believe it would.

Response ID: 16343

The commenter's input is noted. The beneficial and adverse impacts of the proposed Project were explained throughout Chapter 4 Environmental Consequences of the Draft EIS. The LA TIG's Restoration Plan evaluated the proposed Project against a variety of factors, including those outlined in 15 CFR §990.54, and strove to identify an alternative that would provide what the LA TIG believes is the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. See Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG came to its decision on the proposed Project.

Concern ID: 63382

The Mid-Barataria Sediment Diversion is a linchpin project from the plan that is critical to building a more climate resilient future for Louisiana. For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this proposed Project, and projects like it, are the best long-term

solution and necessary to match the challenges faced from land loss due to sea-level rise and other climate change impacts. The proposed Project would build and maintain thousands of acres of vital wetlands to protect people from flooding from more intense hurricanes and sea-level rise. Without action, some communities would see increased vulnerability to floods, continued loss of wetlands, and a collapse of key fisheries. Finally, the proposed Project would work in concert with nearby marsh creation projects and would extend the lifespan of the millions of dollars that have been invested in nearby marsh creation projects.

Response ID: 16344

The commenter's support for the proposed Project is noted. The No Action and proposed Project alternatives' impacts on flooding potentials, wetland extent, and key fisheries were discussed in Chapter 4, Sections 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk, 4.6 Wetland Resources and Waters of the U.S., and 4.10 Aquatic Resources of the Draft EIS, respectively. Similarly, the cumulative impacts of the proposed Project and other restoration projects were discussed in Section 4.25 Cumulative Impacts of the Draft EIS, as applicable.

Concern ID: 63383

The commenter is a firm believer in the power of adaptive management and looks forward to seeing the development and implementation of a robust and inclusive adaptive management plan. Done well, the commenter notes that a plan of this nature would build trust and gain knowledge to share this innovative technology with deltas all over the world.

Response ID: 16345

The commenter's input is noted. Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) of the EIS reflects CPRA's proposed adaptive management strategies, which were refined for the Final EIS based on public input received during the Draft EIS comment period.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would

be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63384

Orleans Parish is on the frontlines of climate change and has a vested interest in the implementation of large-scale coastal restoration projects such as the proposed MBSD Project, and particularly those that mimic or restore the Mississippi River's natural processes. The City of New Orleans supports the "multiple lines of defense" approach to risk reduction across coastal Louisiana. While projects like dredging for marsh creation and barrier island creation are vital components of that approach, they do not possess the land-building power that the proposed MBSD Project does and are unable to keep pace with sea-level rise.

Response ID: 16346

The commenter's support for the proposed Project is noted. The commenter correctly notes that the proposed Project is intended to reestablish the Mississippi River's natural deltaic processes, and that many alternatives considered in Chapter 2 Alternatives of the Draft EIS (such as marsh or barrier island creation) would not reestablish those processes. If approved, the proposed Project, in conjunction with the range of restoration projects across the Louisiana coastline, would reflect a multiple lines of defense approach to protecting Louisiana's resources, including New Orleans and Orleans Parish. Also, Chapter 4, Section 4.25 Cumulative Impacts considers other past, present and reasonably foreseeable projects together with the action alternatives, including the proposed Project.

Concern ID: 63385

A commenter noted that some opposed to the proposed Project compare it to freshwater diversions, like the Caernarvon Diversion, which introduce fresh water to combat rising salinity levels due to saltwater intrusion. The proposed MBSD Project is a sediment diversion, which is designed to shunt sediment from the

Response ID: 16347	river into a desired area, much like the river is designed to do by nature.
	The commenter is correct that a sediment diversion would have different goals and impacts from freshwater diversion projects that have been previously implemented. A summary of select natural and man-made diversions in southeastern Louisiana, including the Caernarvon Diversion, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.
Concern ID: 63386	LA Highway 1 (LA 1) is the only roadway supporting Port Fourchon and the significant industry that it supports, and is the sole evacuation route for area residents. The highway also provides access to seafood production areas, eco-tourism destinations, coastal marshes for restoration and protection projects, and a critical route for oil spill response. The proposed Project would help deliver the sediment and fresh water to protect our basin, furthering the protection of LA 1, and those who travel on it, from storms.
Response ID: 16348	The commenter's support for the proposed Project is noted. The effects of the proposed Project on weather and storm surge events, including the areas in which the impacts of storm events are projected to decrease, were discussed in Chapter 4, Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS. As discussed, storm surge in the western and middle basin would increase up to 0.2 feet by 2040 under the Applicant's Preferred Alternative. Although the wetlands projected to be created or maintained by the proposed Project would not directly benefit LA 1, the cumulative impacts of the proposed Project and other restoration projects, as discussed in Chapter 4, Section 4.25.6.4 in Cumulative Impacts, would allow for substantial interim (before 2070) benefits of these other past, present, and reasonably foreseeable restoration projects in the Barataria Basin, including those related to storm surge risk.
Concern ID: 63387	The central purpose of the proposed MBSD Project based on its Natural Resource Damage funding source is to offset damage caused to the Barataria Basin as a result of the DWH oil spill in 2010. However, the Draft EIS also noted that an associated purpose is building and protecting wetlands with a view to restoration of parts of the basin. A central goal of the CWA, the Section 404 regulations, and NEPA is the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters, including the Barataria Basin. The MMPA

states as a key policy that the primary objective of the management of marine mammal species should be to maintain the health and stability of the marine ecosystem. The proposed MBSD Project is designed to further these goals.

Response ID: 16349

The commenter's support for the proposed Project is noted. The burden to comply with NEPA is on the federal decision-making agencies, not on the project itself. USACE will evaluate the proposed Project for its compliance with the CWA Section 404(b)(1) guidelines; that evaluation is underway and is not complete. The LA TIG also intends to rely on the Draft EIS to inform its decision under OPA and to fulfill the requirements of the federal Trustees under NEPA. A discussion of the MMPA can be found in Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS.

As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the proposed MBSD Project is to restore for injuries caused by the DWH oil spill and to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

Concern ID: 63388

Commenters noted that the time for planning and studying has run out and the river must be put to work. The Mid-Barataria Sediment Diversion would do just that. It would work in concert with nearby marsh creation projects to extend their longevity, which optimizes our investments. In addition, there would be a massive economic boon coming from the construction and sales related to the development of the proposed Project.

Response ID: 16350

The commenter's support for the proposed Project is noted. The cumulative impacts of the proposed Project and other restoration projects were discussed in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS, as applicable. Further, the comment is consistent with Chapter 4, Section 4.13.4.2 in Socioeconomics of the Draft EIS, which identified major economic benefits within the Project area during construction of the proposed Project.

Concern ID: 63390

The proposed Project would be beneficial as long it is run as designed and is not altered by special interests, and would help maintain wetlands that would minimize flood risks to the commenter's generational home, outside the levee system.

Response ID: 16352

The commenter's support for the proposed Project is noted. Chapter 4, Section 4.6 Wetlands and Waters of the U.S. of the EIS discusses the extent of wetland maintenance and restoration that would be expected from the proposed Project, although Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction

acknowledges the increased potential for flooding impacts outside of federal levee systems. Recognizing the potential for these impacts, CPRA has developed a number of mitigation and stewardship measures for infrastructure impacts, such as elevating public roadways. These measures, which have been revised in response to public comments since the release of the Draft EIS, are described in Appendix R1 (Mitigation and Stewardship Plan) of the Final EIS.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if the permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the D EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 (Mitigation Summary) of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63392

The proposed Project would also enhance and extend the life span of other nearby restoration projects, maximizing our coastal restoration efforts and limited funding.

Response ID: 16354

The commenter's input is noted. The cumulative impacts of the proposed Project and other restoration projects were discussed in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS, as applicable.

Concern ID: 63394

The Mid-Barataria Sediment Diversion would rebuild wetlands, protect the coast, and help reduce the Gulf of Mexico Dead Zone through diversion of nutrients into the Barataria Basin to increase area productivity.

Response ID: 16356

The commenter correctly notes that the proposed Project would build and maintain wetlands within the Barataria Basin that would provide some storm surge reduction to some portions of the basin, as discussed in Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S. and 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As discussed in Section 4.10.4.4 in Aquatic Resources, nutrient load would increase in the Barataria Basin from the input of water from the Mississippi River; however, the birdfoot delta is projected to have negligible changes in nutrient loads. Section 4.25.5.4.4 and 4.25.5.4.5 in Cumulative Impacts, Surface Water and Sediment Quality of the Final EIS has been revised to discuss the Gulf Hypoxia Action Plan, which highlights the important role that river diversions could play in reducing nutrient loads; however, the Gulf hypoxic zone is not expected to be impacted by operation of the proposed Project.

Concern ID: 63396

There is an opportunity in Louisiana to invest in restoration to build a more climate resilient future for Louisiana's coast. With annual inputs of sediment and fresh water, river deltas can continue to provide valuable habitats and other benefits in the face of environmental changes. However, human activity has altered many deltas around the world and the Mississippi River Delta is no exception as levees and canals have caused a series of other direct and indirect impacts. The idea of a river diversion at Myrtle Grove is not new and has undergone extensive study since it was first explored more than 35 years ago in a 1984 feasibility study by the USACE. With the diversion there would be changes in

the basin; changes in water levels, sediment accumulation, and the distribution of salinity and some species of fish and wildlife. Efforts to mitigate for these changes should be as transparent and inclusive as possible. But without the diversion, major changes are also expected to occur and the ecosystem would continue to degrade with continued sea-level rise and wetland loss.

Response ID: 16358

The commenter's support for the proposed Project is noted. The analyses in the EIS were developed using the best information and data available to USACE and the LA TIG at the time of writing. The impacts of both the proposed Project and the No Action Alternative are discussed throughout Chapter 4 Environmental Consequences. Appendix R of the Final EIS reflects CPRA's mitigation and stewardship strategies, which were refined based on public input received during the Draft EIS comment period.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63350

The Mid-Barataria Sediment Diversion is the first project-level attempt at systemic ecosystem restoration to one of the world's treasures, the Mississippi River Delta. The future of the Gulf Coast depends on the modeling and permitting decisions in projects like the proposed Project.

Response ID: 16312

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the Draft EIS explained how the proposed Project is designed to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The purpose of the proposed Project is also discussed in Chapter 3, Section 3.2.1.1 (Alternative 1 Description) of the LA TIG's Restoration Plan. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63356

All the amazing natural habitats that exist today are because they were protected by citizens and conservation organizations who stopped the USACE's plans to drain and ditch. The USACE should change its focus to conservation and restoration.

Response ID: 16318

The commenter's input is noted. The mission of the USACE is outside the scope of this EIS.

Concern ID: 63344

The proposed Project must be moved forward to naturally reverse the impacts of levees and oil and gas activities, as well as to combat sea-level rise and climate change.

Response ID: 16305

The commenter's support for the proposed Project is noted. The comment is consistent with Chapter 4, Section 4.2.3.2 in Geology and Soils of the Draft EIS, which identified the projected land gains over time from operation of the proposed Project; these land gains take into account anticipated sea-level rise.

Concern ID: 63361

Move this proposed Project forward and prohibit the oil companies from endangering the local people and their way of life.

Response ID: 16323

The commenter's support for the proposed Project is noted. The regulation of oil companies and their activities is outside the scope of the EIS, as described in Chapter 1, Section 1.6 of the EIS; however, past, present, and reasonably foreseeable activities in the Project area

(including oil and gas activities) are included in the Cumulative Impacts assessment (Chapter 4, Section 4.25 Cumulative Impacts of the EIS), where their contribution to impacts on resources within the proposed Project area are considered. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

GEN2000 - General Critique of Project/RP

Concern ID: 62777

Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).

Response ID: 16359

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent

anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62778

Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.

Response ID: 16360

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is

projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62779

Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.

Response ID: 16361

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and

specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62780

Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.

Response ID: 16362

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation,

stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62781

Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.

Response ID: 16363

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS,

consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62782

A large number of commenters expressed general opposition to the proposed Project.

Response ID: 16364

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62783

Commenters noted that the cost of designing and building the proposed MBSD Project is too high for the small amount of land anticipated to be built.

Response ID: 16365

The commenter's opposition to the cost of the proposed Project is noted. Under NEPA, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that the permit applicant has conducted its own economic evaluation of a proposed project. Consequently, a cost-benefit analysis is not relevant to USACE's permitting decisions. As part of evaluating the proposed Project, the LA TIG considered the costs associated with developing, constructing, and managing the Applicant's Preferred Alternative consistent with the Restoration Plan alternatives evaluation criteria in 15 CFR §990.54. This discussion is in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

Concern ID: 62784

Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.

Response ID: 16366

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS. The Maurepas

Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

Concern ID: 62785

This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).

Response ID: 16367

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these

diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62786

Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.

Response ID: 16368

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

Concern ID: 62788

The proposed Project would result in quick or immediate adverse impacts on resources in order to produce potential benefits in the future.

Response ID: 16369

As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would cause both beneficial and adverse impacts on the assessed resources upon commencement of operation, as well as both beneficial and adverse impacts on the assessed resources in the future. For example, the decrease in salinity that would occur upon initial operation of the proposed Project would result in major adverse impacts on various species (oysters, brown shrimp, bottlenose dolphins) over a relatively short period of time; however, the accumulating fresh water and sediments would create or maintain wetlands over long term or permanent basis, (that is, extending through the remainder of the 50-year period of analysis) which would benefit other commercially or recreationally important aquatic species, such as white shrimp, blue crab, and Gulf menhaden, and would increase storm protection for communities north of the immediate outfall area the Delft3D Basinwide Model projects these benefits to increase over time and to be greatest in the 2060s (see Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S., 4.10.4.5 in Aquatic Resources, 4.11.5.2 in Marine Mammals, and 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54,

consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62789

The cost of designing and building the proposed MBSD Project is too high for a project that has undependable results.

Response ID: 16370

The commenter's opposition to the proposed Project is noted. With respect to the dependability of the future benefits of the proposed Project, the Draft EIS acknowledged that the Delft3D Basinwide Model projections of future conditions includes uncertainties, which are incorporated into the EIS impact conclusions. These uncertainties are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties. However, in addition to the modeled data, Chapter 4 - Environmental Consequences -includes analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in preparing the EIS. As part of developing the EIS, the USACE, together with the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the EIS impacts analysis of the alternatives.

Consistent with OPA regulations (15 CFR §990.54), the LA TIG's Restoration Plan evaluated multiple alternatives based on a number of criteria, including the cost of the alternative. For more information see Section 3 of the LA TIG's Final Restoration Plan. The costs associated with developing, constructing, and managing the Applicant's Preferred Alternative are discussed in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

Concern ID: 62790

Diversion of polluted and nutrient-laden waters into the Barataria Basin would result in harmful algal blooms (HABs) and expansion of the dead zone.

Response ID: 16371

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a

variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-hf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section has been added to Sections 4.5.5.3.2 and 4.5.5.4.2 of the Final EIS. Finally, the EIS acknowledges the potential for up to major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62791	Thus far, CPRA has not done anything to lower storm surge or slow the rate of wetland loss.
Response ID: 16372	CPRA was formed in 2005 to address Louisiana’s coastal crisis by implementing projects for a sustainable coast and reducing hurricane surge risks for its residents. Since 2007, CPRA has partnered on the implementation of hundreds of miles of levees to protect residents, visitors, and property; created tens of thousands of acres of marshes; and rebuilt Louisiana’s barrier island system. Louisiana’s Coastal Master Plan for a Sustainable Coast provides the roadmap for coastal restoration and every year the public can review the CPRA Annual Plan to understand the progress. Several of these past and current projects were considered as part of the cumulative impact analysis in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS. CPRA’s actions to address storm surge and wetland loss outside of the proposed Project area (defined in Chapter 3 Affected Environment to include the Barataria Basin and the Mississippi River birdfoot delta), are outside the scope of this EIS.
Concern ID: 62792	CPRA is using soundbites and marketing to convince the Louisiana public and legislature to allow them to dole out contracts for over \$2 billion in limited coastal restoration dollars on these projects. In reality, Barataria Bay is already connected to the river with existing diversions at Davis Pond, West Pointe á la Hache, and Naomi.
Response ID: 16373	<p>The commenter’s opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, the Draft EIS assesses the environmental and socioeconomic impacts of the proposed Project. To the extent construction spending would serve as an economic driver, those anticipated impacts are discussed in Chapter 4, Section 4.13.4.2 Economy, Employment, Business, and Industrial Activity. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.</p> <p>The Delft3D Basinwide Model, which was used in developing the proposed MBSD Project EIS, accounts for the existing diversions at Davis Pond, West Pointe a la Hache, and Naomi (see Appendix E [Delft3D Modeling], Section 5.1.1 of the EIS).</p> <p>The USACE is neither a proponent nor an opponent of the proposed Project. It will make its decisions regarding the proposed Project based</p>

on the evaluations in the EIS and considering public comments and its determinations with respect to the public interest review, compliance with the CWA Section 404(b)(1) guidelines, compliance with other laws and Executive Orders, whether the Project would affect the ability of Corps projects to meet their authorized purposes and whether the project is injurious to the public interest. USACE's decisions will not be based in any respect on CPRA's public communications regarding the proposed Project.

Concern ID: 62793

The proposed Project is only being built to save New Orleans from being waterfront property.

Response ID: 16374

The commenter's opposition to the proposed Project is noted. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the proposed Project is to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. As discussed throughout Chapter 4 Environmental Consequences of the EIS, operation of the proposed Project would have various beneficial (and adverse) impacts throughout the Barataria Basin that would not be restricted to those experienced by the greater New Orleans area. Fifty years after the start of operations, the proposed Project is projected to have built or maintained 20.9 square miles of land in the vicinity of Myrtle Grove and Ironton. Communities to the north of that area are projected to benefit from reduced hurricane and storm surge. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62794

This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.

Response ID: 16375

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as

described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

Concern ID: 62803

The proposed Project provides essentially zero benefit to anything in the Barataria Basin south of Lafitte.

Response ID: 16377

There would be both adverse and beneficial impacts on the wider Barataria Basin, including beneficial impacts on areas south of Lafitte, Louisiana. These adverse and beneficial impacts are discussed throughout Chapter 4 Environmental Consequences. Although the EIS recognizes the specific adverse impacts in the Lafitte area from increased tidal flooding (see Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction), the benefits south of Lafitte include (but are not limited to) regional economic benefits from the job creation and expenditures associated with construction of the diversion (see Section 4.13.4 in Socioeconomics), as well as the maintenance or restoration of wetlands in the immediate outfall area (see Figures 4.6-9 through 4.6-14 in Wetland Resources and Waters of the U.S.), which would result in benefits to various aquatic species in the Barataria Basin (such as white shrimp, blue crab, and red drum; see Table 4.10-6 in Aquatic Resources). Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62805

Great questions have been raised at the public meetings; however not many good responses were provided.

Response ID: 16379

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. The USACE and LA TIG undertook a coordinated and concurrent public review process for the Draft EIS and the LA TIG's Draft Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration

Plan and the Draft EIS in its decision-making process. All public questions and comments received during the comment period are addressed in this Response to Comment Appendix. Revisions have been made to the Final EIS based on public comments received on the Draft EIS, input from the cooperating agencies, and continued Project evaluation. Changes between the Draft and Final EIS are identified through markings along the margins on the applicable pages, as described in Chapter 1, Section 1.7 Public Involvement Summary of the Final EIS. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

For a summary of public outreach efforts related to the Draft EIS refer to Chapter 7 Public Involvement of the Final EIS and for restoration planning see Section 1.8 of the LA TIG's Final Restoration Plan.

Independent of the joint Draft EIS and Draft Restoration Plan public meetings, CPRA held additional meetings with communities potentially affected to receive their input on how best to mitigate Project effects on water levels. Based in part on that feedback, CPRA updated the Mitigation and Stewardship Plan (Appendix R1, revised for the Final EIS) to specify the measures that would be implemented to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This mitigation includes a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures (for example, Project servitudes). The mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if the permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation,

stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62806

Some commenters suggested that the data used for the proposed Project are flawed.

Response ID: 16380

The EIS was developed considering the best information and data available to USACE and the LA TIG at the time of writing. Where commenters have identified specific data used in the EIS as being potentially flawed, those concerns have been assessed and responded to. In addition, additional data and publications recommended for review by the public during the Draft EIS comment period have been reviewed and incorporated into the Final EIS where appropriate.

Concern ID: 62807

The local population is not being kept up-to-date on the mitigation that would be done for their communities.

Response ID: 16381

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area over the past several years. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the

proposed MBSD Project to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures, which were informed by CPRA's public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62809

If CPRA were truly interested in preserving the integrity of the land and water, it would employ some of the real science applied by Viktor Schauberger to revolutionize the field of hydrodynamics, reduce coastal erosion, and increase the efficiency of vessel transport.

Response ID: 16382

Although the ideas of Viktor Schauberger (and the books later developed from his ideas) were not reviewed during the development of

the EIS, the EIS analysis was developed using the best information and data available to USACE and the LA TIG at the time of writing and the EIS considers the beneficial and adverse impacts of the proposed Project. As noted in Chapter 2, Section 2.2 Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS, the proposed Project was identified in the 2017 Coastal Master Plan.

According to CPRA, the Coastal Master Plan used best information, data, and engineering available to it to work to achieve long-term sustainability of Louisiana's coast and ecosystem, relying where possible on natural processes and cycles. The projects identified in the Coastal Master Plan were the result of extensive public input, review, and vetting. The EIS and Coastal Master Plan generally incorporated more recent studies and publications than those ideas developed Viktor Schauburger during his life (1885-1958); therefore, no related edits to the Final EIS have been made.

Concern ID: 62810

The Draft EIS exhibited bias by listing negative impacts in a scientifically sound manner, then softening the negative information through use of semantics or alternative information that is always highlighted by the Applicant in its public statements and meetings about the proposed Project. This is totally unacceptable and would require extreme diligence on the part of the reviewing lead agency.

Response ID: 16383

The analyses in the Draft EIS acknowledged the potential impacts of the proposed Project and indicated the anticipated overall results based on a given analysis. The USACE has developed the EIS, together with the members of the LA TIG (including cooperating agencies and CPRA), considering the best information and data available to them and based on best professional judgment with respect to the potential impacts of the proposed Project. Additionally, the third-party contractor supporting preparation of the EIS was required to execute an Organizational Conflict of Interest Certification specifying that the contractor does not have financial or other interest in the outcome of the permit application process.

With specific regard to the concerns regarding former CPRA Board Chairman Johnny Bradberry, who is now President of Gulf Engineers and Consultants ("GEC"), the third-party contractor supporting preparation of the EIS, the Louisiana Board of Ethics, in an opinion dated February 18, 2019, Docket No. 2019-136, recognized the Conflict Mitigation Plan GEC has in place to avoid any conflict of interests, including prohibiting Mr. Bradberry from any involvement in the preparation of this EIS or in deriving any compensation from the preparation of the EIS. The prohibitions in that Conflict Mitigation Plan have been adhered to by GEC throughout this process.

Concern ID: 62811

CPRA is sacrificing the economic and environmental welfare of Plaquemines Parish citizens and resources for the implementation of the proposed Project. The commenter suggests that trucking in sediment to build up land, while expensive, is an option. The commenter questions at what cost the government would be responsible for the damage caused to the region.

Response ID: 16384

As discussed in Chapter 1, Section 1.4 Purpose and Need of the EIS, the proposed Project is intended to reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the input of sediment, fresh water, and nutrients, which would create wetlands, sustain existing wetlands, and support the long-term viability of existing and planned coastal restoration efforts, including dredging projects being built now and in the future. One such project is the Large-scale Marsh Creation and Component E Planning discussed in Chapter 4, Section 4.25 Cumulative Impacts of the EIS. This is all with the goal to provide for the long-term sustainability of the Barataria Basin (including Plaquemines Parish), not at its expense. However, the potential socioeconomic impacts of the proposed Project are described in 4.13 Socioeconomics of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Mitigation and Stewardship Plan (Appendix R1), revised for the Final EIS in response to public comment, includes mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project, including impacts on fisheries and on water levels in the communities south of the outfall outside of levee protection. For fisheries related impacts, the Plan includes job training, vessel and dock improvements, fisheries innovation support (for example, alternative oyster culture), and marketing support. For increased water levels and tidal flooding in communities south of the diversion outside federal levee protection, the Plan includes structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures. See Appendix R1 to the Final EIS for more details.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if the permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will

possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62812

The permit application notes the proposed Project would destroy or alter 7,530 acres of essential fish habitat. The commenter expressed concern that this acreage excludes oyster habitat, as well as crab, shrimp, and sport fishing habitats which, in total, is several times larger than 7,530 acres.

Response ID: 16385

As discussed in Appendix N2 Essential Fish Habitat Assessment of the EIS, operation of the proposed Project is projected to convert EFH from one EFH habitat type to another, rather than result in habitat loss of EFH. The habitat conversion generally would result in a conversion of the more ubiquitous soft bottom habitats (19,545 acres) to more structured habitats (see the Executive Summary, Table ES-1). The

adverse (and beneficial, as applicable) impacts on the habitats for specific species, including blue crab, brown and white shrimp, oysters, and select sport fish, are discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62816

BTNEP has long supported the idea of sediment diversion, but the scale of the diversions continues to grow and correspondingly, the scale of adverse impacts grows with it; it must be acknowledged that besides the benefit this diversion may bring, there are numerous potentially important adverse impacts that must be considered throughout the planning and evaluation process.

Response ID: 16389

The commenter's input is noted. As discussed throughout Chapter 4 Environmental Consequences, there are both beneficial and adverse effects of each of the alternatives carried forward, which include 50,000, 75,000, and 150,000 cfs alternatives (with and without terraces). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62817

One commenter requested an individual discussion.

Response ID: 16390

USACE NEPA practice is to respond to public comments in writing. However, the USACE was able to discuss the commenter's concern, which was based on impacts of the MRGO rock closure on salinity in Lake Pontchartrain, and pass those concerns on to the appropriate USACE staff. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the MRGO is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

Concern ID: 62818

The people of Plaquemines Parish, Lafitte, and Grand Isle will certainly be opposing the diversions and will be requesting more and immediate storm surge protection for their families, which could be provided by dredging projects.

Response ID: 16391

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 2 Alternatives of the EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed

action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. As discussed in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation, without periodic maintenance, dredging to create large-scale marsh in the Barataria Basin would not be expected to have long-lasting results. After 50 years without nourishment through additional dredge events, approximately half of the dredged material placed for one of these projects in the basin would be lost by the end of a 50-year Project life. The EIS does evaluate reasonably foreseeable large-scale marsh creation projects working in tandem with the sediment diversion alternatives in the cumulative impacts section of the EIS (see Chapter 4, Section 4.25 Cumulative Impacts). Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62819

A commenter expressed that the State of Louisiana collected money for every dead dolphin and pelican but now has a "so-called waiver from the laws of the land (NEPA and the MMPA) to kill three times as many Barataria Bay dolphins that would cause their functional extinction". The State of Louisiana would far surpass the rate of dead wildlife by another unproven type of project.

Response ID: 16392

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver.

The MMPA waiver does not alter USACE's or the LA TIG's NEPA responsibility to evaluate anticipated impacts of the proposed Project on marine mammals. The EIS analyzes and discloses the environmental and economic impacts of the proposed Project, including anticipated effects on marine mammals. (See Chapter 4, Section 4.11 Marine Mammals).

Section 2020(1)(b) of the Bipartisan Budget Act of 2018 also requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project, to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

Concern ID: 62823

The commenter notes that the State got a waiver from the MMPA, which normally prohibits an operation that will kill marine mammals.

Response ID: 16393

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

Concern ID: 62850

The commenter questions how the government can pick and choose which communities they decide no longer need to exist and indicates that is what the government would be doing to the citizens of Myrtle Grove Estates, as well as other communities, if the proposed Project were approved.

Response ID: 16396

The commenter's concern regarding the projected effect of the proposed Project on several communities near the diversion outfall outside of flood protection is noted. The EIS analysis considers the beneficial and adverse impacts of the proposed Project. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Independent of the joint Draft EIS and Draft Restoration Plan public meetings, CPRA held meetings with communities potentially affected to receive their input on how best to mitigate Project effects on water levels. Based in part on that feedback, the revised Mitigation and Stewardship Plan (Appendix R1 of the Final EIS) includes mitigation to partially offset some of the the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This mitigation includes a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures (for example, Project servitudes). The mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if the permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62851

Destroying an ecosystem or place in order to sustain another is not only unfair and unjust but morally wrong.

Response ID: 16397

Comment noted. Chapter 4 Environmental Consequences of the Draft EIS acknowledged the range of potential adverse and beneficial impacts on the assessed resources, including transition of portions of the ecosystem to different salinity regimes (see Chapter 4, Section 4.10 Aquatic Resources) and changes in the potential for tidal flooding in certain areas (see Chapter 4, Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction).

Concern ID: 64183

The stated purpose and need for the proposed Project is to restore for injuries caused by the DWH oil spill; however, if the damages this proposed Project would cause, as outlined by the Draft EIS and stakeholders scoping comments opposing the

Project, are compared to the damages caused by the DWH oil spill, the impacts are utterly alike, to include the devastation of shrimp, oysters, and dolphins and the destruction of the brackish/saline habitat that is naturally occurring in the Barataria Basin.

Response ID: 16400

As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the proposed Project is to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. As described throughout Chapter 4, Section 4.10 Aquatic Resources of the EIS, operation of the proposed Project would affect the existing flora and fauna of the Barataria Basin in both beneficial and adverse ways, with the overall impacts to a given species being dependent on that species habitat preferences and tolerances. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

The LA TIG's Restoration Plan discusses how the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources injured by the spill. See Executive Summary and Chapter 3, Section 3.2.1.5 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan. The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin. The proposed Project will not stop all of that marsh loss; however, it is projected to create and maintain approximately

9,800 acres more than the No Action Alternative at year 2070 (see Table 4.6-4 of the EIS).

For its Restoration Plan decision, the LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Chapter 3, Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG has found that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem. The LA TIG selected the proposed Project because the LA TIG has found it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (March 2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the LA TIG's Final Restoration Plan, the LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Chapter 3, Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of stewardship measures

in recognition of the collateral injury that is anticipated to result from the implementation of the proposed Project. See Section 3.2.1.1.5 (Associated Stewardship Measures) of the LA TIG's Restoration Plan, and Appendix R1 (Mitigation and Stewardship Plan) of the Final EIS. The LA TIG is also committed to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64184

Commenter is concerned with the planning and construction of another big diversion on the east bank of the Mississippi River before there is proof that the proposed MBSD Project would work.

Response ID: 16401

The concern regarding the future success of the proposed Project is noted. The likelihood of success of the proposed Project was

discussed in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the LA TIG's Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) address the likelihood of success of the proposed Project and other action alternatives considered by the LA TIG in its Restoration Plan. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating a diversion in the vicinity of the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the LA TIG's Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS). The Mid-Breton Sediment Diversion Project is not the focus of this EIS; however, the potential cumulative impacts of the two diversions are addressed in Chapter 4, Section 4.25 Cumulative Impacts of the EIS and no related edits to the Final EIS have been made.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62804

Restoration funds are often misused by state and federal entities in a manner that does not protect or restore the environment.

Response ID: 16378

The restoration effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences of the Draft EIS. USACE does not oversee how NDRA restoration funds are expended.

The LA TIG assessed the reasonableness of costs associated with the proposed Project, as discussed in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan. The LA TIG established Standard Operating Procedures that apply to both restoration planning and project costs to ensure that funds are spent appropriately on restoration. This includes regular reporting on spending, as well as audit requirements. For more information on these procedures see

<https://www.gulfspillrestoration.noaa.gov/sites/default/files/wp-content/uploads/DWH-SOPs.pdf>.

Concern ID: 62813

The waters of the Barataria Basin would be so full of contamination that no one would be able to live there.

Response ID: 16386

As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the EIS, the Mississippi River water quality subsegment LA070301_00 at the diversion intake structure location fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. The LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the Mississippi River location of the intake structure. Language has been added to Chapter 4, Section 4.5.5.11 Hazardous Spills in the Mississippi River in Surface Water and Sediment Quality of the Final EIS to clarify this.

Concern ID: 62814

Strongly held concerns regarding the proposed Project are well documented by scientific studies including the USACE's own body of work such as Pictorial Account and Landscape Evolution of the Crevasses near Fort St. Philip Louisiana and USACE Perspective on Mississippi River Sediment Diversions. The USACE and other scientific studies by Howes and others, which are based on empirical data and not conjecture, show that this

proposed Project would most likely negatively impact the environment and residents who depend on it.

Response ID: 16387

The EIS evaluates both beneficial and adverse impacts of the proposed Project and includes a full and fair discussion of significant environmental impacts. In preparing the EIS, USACE utilized both its own high-quality information and information from other sources and ensured the professional and scientific integrity of the analyses. Of the references identified by the commenter, no specific study for Howes was provided for consideration. In addition, the “USACE Perspective on Mississippi River Sediment Diversions” was a presentation developed by the USACE during early Project planning. While the presentation was not used as a specific reference for the Draft EIS, multiple references used to create the presentation were. While the report discussing the Fort St. Philip crevasses (Suir et al., 2014) was not referenced in the Draft EIS, it has been reviewed and incorporated into the Final EIS, as part of the new Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana, described below.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS and includes an assessment of the crevasses near Fort St. Philip.

Concern ID: 62815

Some commenters believe that CPRA has not listened to the experienced oyster community regarding the adverse impacts of the proposed Project and have presented very limited Project options to the people of Louisiana and to the USACE.

Response ID: 16388

The Project’s impacts on oysters and oyster habitat are evaluated in the Draft EIS in Chapter 4, Section 4.10.4.5 Key Species. The Project’s impacts on oyster fishing are evaluated in Section 4.14.4.2 in Commercial Fisheries. Alternatives to the proposed Project are discussed in Chapter 2 Alternatives.

According to the LA TIG, CPRA and LDWF worked together with numerous oyster fishers as part of Louisiana Sea Grant’s Seafood Futures Initiative to develop mitigation and stewardship measures aimed at maintaining a sustainable oyster fishery. In addition, CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7

Public Involvement of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62824

A commenter asked for an explanation of why the State of Louisiana encouraged Congress to exempt the proposed MBSD Project and the Mid-Breton Diversion from the MMPA. Further, the commenter was not sure how the proposed Project could be funded by the DWH restoration settlement if those funds are to be allocated to address damage inflicted on Louisiana's fisheries and resources (including dolphins).

Response ID: 16394

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine

Mammal Protection Act waiver that was issued for the proposed Project.

USACE does not have information on the reasons for the State of Louisiana's support for legislation related to the MMPA waiver. As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is neither a proponent nor an opponent of the proposed Project. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not a member of the LA TIG and is not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, or NRDA processes have been addressed solely by the LA TIG and represents the views only of the LA TIG, not USACE.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources injured by the spill. See Executive Summary and Chapter 3, Section 3.2.1.5 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan. The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin." The proposed Project will not stop all of that marsh loss; however, it is projected to create and maintain approximately 9,800 acres more than the No Action Alternative at year 2070 (see Table 4.6-4 of the EIS).

For its Restoration Plan decision, the LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Chapter 3, Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG has found that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as

red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem. The LA TIG selected the proposed Project because the LA TIG has found it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (March 2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR, §990.54. In the LA TIG's Final Restoration Plan, the LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Chapter 3, Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of stewardship measures in recognition of the collateral injury that is anticipated to result from the implementation of the proposed Project. See Section 3.2.1.1.5 (Associated Stewardship Measures) of the LA TIG's Restoration Plan, and Appendix R1 (Mitigation and Stewardship Plan) of the Final EIS. The LA TIG is also committed to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to

implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62852

CPRA's mitigation proposal is inadequate and the commenters implore the USACE to consider the complete cost of the negative impacts as part of the total cost of the proposed Project before allowing this plan to advance.

Response ID: 16398

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. NEPA does not require that a cost-benefit analysis be included in the EIS unless it is relevant to an agency's decision. USACE generally assumes that a permit applicant has performed its own economic evaluation of the proposed project and therefore does not consider a financial justification analysis for its permit decisions. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

CPRA expanded and refined its Final Mitigation and Stewardship Plan (Appendix R1 of the Final EIS) in response to community and resource agency input. Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship

Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64180

The Draft EIS treated likely damage from implementation and operation of this massive freshwater flood project as “collateral” and just another cost of doing business, well worth the proposed Project’s \$2 billion price tag.

Response ID: 16399

As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance to identify the direct and indirect impacts that would likely occur if the proposed Project were to be approved. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is neither a proponent nor an opponent of the proposed Project. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not a member of the LA TIG and is not evaluating the proposed Project for compliance with OPA and is not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes have been addressed solely by the LA TIG and reflect only the views of the LA TIG, not USACE.

With respect to the Restoration Plan, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR, §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems, and necessarily entails re-introducing freshwater flows that had historically characterized the Barataria Basin before the construction of levees.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the LA TIG's Preferred Alternative.

GEN3000 – Misc. Topics – General Comments

Concern ID: 62316	Growers in the Midwest need solutions to their crop fertility needs that do not require as much nitrogen and phosphorus fertilizer.
Response ID: 15770	Comment noted, but is outside the scope of this EIS. This EIS is focused on CPRA's proposed Mid-Barataria Sediment Diversion Project. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta in Louisiana.
Concern ID: 62317	Commenter was unable to access online document
Response ID: 15771	Commenter was contacted and notified that online link to the appendix requested was corrected.
Concern ID: 62318	CPRA, with assistance of Attorney General and federal agencies, should hold E&P companies accountable for failure to maintain coastal zone structures that has led to coastal marsh loss. Louisiana should hold profit making companies accountable for the damages they cause.
Response ID: 15772	The Draft EIS recognized causes and impacts of coastal land loss (see EIS Chapter 3, Section 3.6.2 Wetland Loss). The suggestions regarding accountability are outside the scope of this EIS.
Concern ID: 62319	The Mid-Barataria Bay Sediment Diversion is an ambitious Project to divert sediment and fresh water from the Lower Mississippi River main stem into the surrounding marshlands, and Project duration is 50 years.
Response ID: 15773	Comment noted. The commenter is correct regarding the intent of the proposed Project, as was described in the Draft EIS Chapter 1 Introduction and Purpose and Need. The period of analysis for analyzing impacts of the proposed Project is 50 years. If implemented, Project operation is anticipated to extend beyond 50 years.
Concern ID: 62320	The commenter is opposed to Mid-Breton Sediment Diversion
Response ID: 15774	The focus of this EIS is the proposed Mid-Barataria Sediment Diversion. The impacts of the proposed Mid-Breton Sediment Diversion are considered in this EIS as part of the cumulative impacts analysis,

which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). Additionally, there would be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion when the USACE releases the Draft EIS for that proposed project.

Concern ID: 62322

Commenter asserts that more land needs to be built, but the Project may do more harm than good.

Response ID: 15775

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The purpose and need of the proposed Project is to restore injuries caused by the DWH oil spill by reestablishing deltaic processes, to ultimately restore habitat and ecosystem services injured by the DWH oil spill. The EIS recognizes that in fulfilling this purpose and need, the proposed Project would have both beneficial and adverse impacts on several resources. See Section 2.9 in Chapter 2 for a summary of the projected effects of the Project.

Title 15 CFR §990.54 of the NRDA regulations outlines the criteria against which reasonable alternatives are evaluated to select the LA TIG's Preferred Alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative would prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the LA TIG must evaluate each alternative under multiple factors, and select a Preferred Alternative to meet the outlined restoration objectives.

The LA TIG, in identifying the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 Identification of a Preferred Alternative, 3.2.1.5 Alternative 1 - Avoids Collateral Injury, and 3.2.2.5 Alternatives 2-6 - Avoids Collateral Injury of the LA TIG's Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystem that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is

anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

Concern ID: 62323

There has to be a different way to do it that does not have negative environmental impacts, at a fraction of the cost and time.

Response ID: 15956

The EIS recognizes that the proposed Project would have both beneficial and adverse impacts on several resources. See Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative for a summary of the projected effects of the proposed Project. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The alternatives evaluated in the EIS were based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2, an alternatives screening process was conducted where screening criteria were identified and a wide range of alternatives were evaluated including other available coastal restoration tools and methods. The screening criteria included key concepts from the purpose and need including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan.

The Project-specific purpose and need built on analyses in the LA TIG's SRP/EA #3, including its initial screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin.

After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the

EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018, page 3-32) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in this Restoration Plan. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

Concern ID: 62324

Commenter appreciated the opportunity to provide input on this issue and looks forward to getting more information regarding the Project and its impact to the homeowners of Martin Lane, Port Sulphur, LA.

Response ID: 15776

The Draft EIS provides information regarding potential impacts to communities such as Port Sulphur, particularly in Section 4.13 Socioeconomics and Section 4.20 Public Health and Safety. Since issuance of the Draft EIS for public comment, CPRA has further developed its Mitigation and Stewardship Plan, which describes planned mitigation and stewardship measures for homeowners impacted by the proposed Project. Final EIS Appendix R1 contains the revised Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency

input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62325	There are many water issues including oil extraction, sonar booms, dams and corporate profit.
Response ID: 15777	Comments noted. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, which is limited to Louisiana, particularly the Barataria Basin and the Mississippi River birdfoot delta.
Concern ID: 62327	The Commenter supports the proposed action, but states that there are flaws in the Draft EIS that should be corrected.
Response ID: 15779	As described in Chapter 1, Section 1.7 Public Involvement Summary of the Final EIS, changes between the Draft and Final EIS are identified through markings along the margins on the applicable pages. Table 1.7-1 lists the section numbers where substantial changes were made (see Chapter 1, Section 1.7).
Concern ID: 62328	The USEPA found that the Maurepas Diversion would have no impact on bald eagles due to contaminants, which is opposite of what this EIS says. This Maurepas document is no longer online.
Response ID: 15780	The USACE cannot speak to USEPA's findings on the Maurepas Diversion's impact on bald eagles. Details regarding the basis of the finding the commenter notes regarding potential effects of the MBSD on

bald eagles due to contaminants were provided in Draft EIS Chapter 4, Section 4.12.3.2.2.2 in Threatened and Endangered Species.

A new monitoring parameter, periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23), has been added to the Monitoring and Adaptive Management (MAM) Plan, Appendix R2 in the Final EIS.

Concern ID: 62329	The EIS should discuss how the Mississippi River Levees are the root cause of land loss that cannot be corrected by a single diversion project.
Response ID: 15781	The EIS recognizes the role that the Mississippi River Levee has played in coastal land loss in the Barataria Basin, and does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The Draft EIS recognized that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years. See EIS Chapter 4, Section 4.6 Wetlands and Waters of the U.S. for the discussion of projected future land loss under the proposed Project as compared to the No Action Alternative.
Concern ID: 62331	The EIS is comprehensive and well-prepared, and used the best available information and data.
Response ID: 15782	Acknowledged.
Concern ID: 62332	The commenter provided a general critique of failures to tackle climate change, to embrace renewable energy and to halt environmental degradation.
Response ID: 15783	Comment noted. The comment does not appear to include any comments regarding the analysis of the Project contained in either the EIS or Restoration Plan.
Concern ID: 62333	Please support the restoration of vital wildlife habitat along the Gulf Coast.
Response ID: 15842	The commenter's desire for habitat restoration is acknowledged.
Concern ID: 62337	There should be better inspection of oil rigs/pipelines and prosecution in incidents that harm nature. Our taxes pay to clean up environmental damage caused by negligence.
Response ID: 15784	While the proposed Project is intended to restore habitat and ecosystem services injured by the DWH oil spill, the commenters are raising issues associated with the wider oil and gas industry that are outside the scope of this EIS.
Concern ID: 62338	The commenter gives two examples of corporations releasing contaminants in Louisiana, and believes that Louisiana coastal

Response ID: 15785	<p>protection and restoration projects are hindered by oil and gas interests.</p> <p>While the proposed Project is intended to restore habitat and ecosystem services injured by the DWH oil spill, the commenters are raising issues associated with the wider oil and gas industry that are outside the scope of this EIS.</p>
Concern ID: 62341	<p>The people of Louisiana should be prioritized over the coast because the coast is fine.</p>
Response ID: 15845	<p>The commenter's views are acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.</p>
Concern ID: 62343	<p>The commenter requests that agencies use DWH oil spill funds for research and restoration of bird species in the area.</p>
Response ID: 15789	<p>As was described in Draft EIS Chapter 4, Section 4.9 Terrestrial Wildlife and Habitats, the proposed Project would be beneficial to those bird species that use both terrestrial and emergent wetland habitats. Additionally, CPRA's Monitoring and Adaptive Management Plan includes monitoring of green-winged teal, mottled duck, gadwall, and brown pelican, as described in EIS Appendix R2.</p> <p>The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would</p>

be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62346	Restoring and protecting these wetlands into the future would provide significant positive impacts for birds (in terms of nesting and feeding sites), and humans (in terms of tourism dollars and mental well-being). Projects like these are critical for wildlife and serve as a means to bring people together.
Response ID: 15791	The Draft EIS acknowledged the benefits of the proposed Project to wetlands and birds. See EIS Chapter 4, Section 4.6 Wetlands and Waters of the U.S. and 4.9 Terrestrial Wildlife and Habitat for a description of those benefits. The proposed Project's anticipated effects on communities are discussed in EIS Chapter 4, Section 4.13 Socioeconomics and 4.16, Recreation and Tourism.
Concern ID: 62348	Commenters note that humans should be good stewards of our environment as it supports life on earth, and note some of the benefits of ecosystem restoration.
Response ID: 15792	Comment noted. The Draft EIS considered the various effects of the Project on the natural and human environment.
Concern ID: 62350	The commenter asked whether they could submit formal comments on the Draft EIS in writing or if they must send them using the NPS online comment form.
Response ID: 15793	Comments on the Draft EIS were accepted via email, USPS, phone, as well as the PEPC online comment form.
Concern ID: 62351	The commenter asked what the reference for the statistics in the EIS is if the Project is unparalleled and innovative.
Response ID: 15846	The impacts and projections discussed in the Draft EIS were based on USACE's and the LA TIG's consideration of the best information and data available to them, including peer-reviewed literature, subject matter expertise, and computer modeling which simulates future conditions. That data and USACE's evaluation of that data, done in coordination with the LA TIG, are included in the EIS to inform the public and the decision maker.

Concern ID: 62352	CPRA has issued statutory rights of entry for the diversion projects, which deter from the credibility of the agency having the best interest of Louisiana taxpayers in mind.
Response ID: 15892	Comment noted.

Concern ID: 62354	The commenter asserts that elected officials push for the Project even though they know it would increase water levels in some communities.
Response ID: 15794	USACE is evaluating CPRA's proposed Project through the EIS and will make its decision in compliance with the statutes, orders, and policies outlined in Chapter 5 of the EIS.

Concern ID: 62355	There are better ways to build land and the Corps knows how. Our elected officials should put people and communities first instead of the pockets of a selected few people.
Response ID: 15955	The range of reasonable alternatives evaluated in the EIS were based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS and consistent with CEQ NEPA regulations. As described in Chapter 2, an alternatives screening process was conducted where screening criteria were identified and a wide range of alternatives were evaluated including other available coastal restoration tools and methods. The screening criteria included key concepts from the purpose and need including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. The Project-specific purpose and need built on analyses in the LA TIG's SRP/EA #3, including its initial screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. Based on a review of the various alternatives against these criteria developed from the purpose and need only large-scale sediment diversions with varying capacities were brought forward as alternatives to the LA TIG's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the

EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the LA TIG's Restoration Plan for a discussion regarding the LA TIG's evaluation of the range of alternatives and identification of the LA TIG's Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54 and it strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG 2018, page 3-32) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in this Restoration Plan. It is also worth noting that the LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

Concern ID: 62356

CPRA has a history of mis-operation of existing diversions, as well as neglect in maintaining previous salinity control structures.

Response ID: 15875

CPRA's history regarding its operation of other diversions and salinity structures was not evaluated as a factor contributing to the projected impacts of the proposed Project in the EIS and LA TIG's Restoration Plan.

Concern ID: 62359

Commenter requests assistance with the local effort to re-wild the Blitzen and other rivers in and near Malheur to protect birds.

Response ID: 15849

Comment noted. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta in Louisiana.

Concern ID: 62360	A lot of money was wasted on researching and solving this problem.
Response ID: 15850	Comment noted.
Concern ID: 62362	The residents of the impacted communities see what helps and what hurts because they live it every day.
Response ID: 15882	All public comments on the EIS will be considered by the USACE and by the LA TIG. All public comments on the Restoration Plan will be considered by the LA TIG. A summary of public engagement meetings and other outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS.
Concern ID: 62363	USACE should identify the river management problems their projects have caused and correct those, not adding more patches to the system it broke.
Response ID: 15876	The proposed Project is not a USACE project. The State of Louisiana through CPRA is the permit Applicant and would construct and operate the diversion. The combined effects of USACE's past, present and reasonably foreseeable projects, in combination with the MBSD Project, were considered in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS.
Concern ID: 62364	The commenter asked whether there will be any internships for college students later in the Project.
Response ID: 15851	The USACE recommends reaching out to CPRA directly regarding internship opportunities.
Concern ID: 62366	Commenter asked what companies would be associated with this Project.
Response ID: 15853	The USACE recommends reaching out directly to CPRA regarding companies involved in the Project.
Concern ID: 62367	The Mid-Breton Sediment Diversion would have devastating impacts to the Mississippi Gulf Coast, similar to the opening of the Bonnet Carré Spillway.
Response ID: 15898	The focus of this EIS is the proposed Mid-Barataria Sediment Diversion. The impacts of the proposed Mid-Breton Sediment Diversion are considered in this EIS as part of the cumulative impacts analysis, which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). However, there would be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion at such time the USACE releases the Draft EIS for that proposed project.

The proposed Project is not anticipated to have measurable impacts on ecological resources within the State of Mississippi, including distributaries of the Mississippi River.

Concern ID: 62368

The commenter asked whether the proposed Project would help McCall Creek. This creek was used to ship cotton and lumber to the Mississippi River in the late 1800's.

Response ID: 15901

McCall Creek is outside the area of influence, and thus the area of analysis, for the proposed Project. The Project is not intended to benefit McCall Creek. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta. The proposed Project is not anticipated to have measurable impacts on ecological resources within the State of Mississippi, including tributaries of the Mississippi River.

Concern ID: 62369

The commenter stated that they need more information on the Project to know what areas would be impacted.

Response ID: 15877

Information on the proposed Project, including the Draft EIS and Draft Restoration Plan, has been made available through several venues, including Project websites (<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>); (<https://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>), media stories, and public libraries. For a summary of public outreach efforts related to the Draft EIS refer to Chapter 7 Public Involvement of the EIS and for restoration planning see Section 1.8 of the LA TIG's Restoration Plan. See Chapter 2 of the EIS for a description of the proposed Project and the Project footprint to better understand the areas that would be directly impacted by the Project's construction.

Concern ID: 62370

The commenter asserted that the MRGO was a shipping channel and a diversion, and asked how much land it built and why it was closed if it built land.

Response ID: 15878

The MRGO was not a diversion; it was a navigation channel for shipping. The MRGO did not directly connect to the Mississippi River; instead it connected to the Gulf Intracoastal Waterway, which goes through the Inner Harbor Navigation Canal and the IHNC Lock before reaching the river. The lock is not designed to carry water or sediment from the Mississippi River into the MRGO. The MRGO is not a useful comparison to the proposed Project for the purpose of impact analysis in this EIS.

Concern ID: 62373

Commenter stated that they do not want tax dollars going toward a project that would harm Louisiana's commercial fishing industry.

Response ID: 15880 If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

As explained in the Restoration Plan, the LA TIG is the group responsible for restoring natural resources and services within Louisiana that were injured by the DWH oil spill. The LA TIG is comprised of state and federal Trustees of natural resources, and the LA TIG's decision to fund this Project would be based on the Project's ability to restore for injuries to natural resources from the DWH oil spill, including aquatic resources.

Concern ID: 62374 **Commenter is opposed to MBSD because it doesn't build land fast enough.**

Response ID: 15949 The commenter's opposition to the proposed Project is noted. The commenter is correct that the proposed Project would take approximately 30 years to create its maximum projected acreage of 17,300 acres; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan).

The commenter's concern regarding the timeline required for land building was considered in the Draft EIS in Chapter 4, Section 4.2 Geology and Soils. A discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Geology and Soils section of the Executive Summary and to Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils of the Final EIS.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018, page 3-32) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in this Restoration Plan. It is also worth noting that the LA TIG has funded other marsh creation restoration efforts that provide ecosystem

services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

Concern ID: 62375	This Project would have made sense 50 years ago because there would have been more marsh to save at that time.
Response ID: 15881	Commenter's input is noted.
Concern ID: 62376	A cost-benefit analysis should be performed since there may never be \$2 billion available again for saving the coast.
Response ID: 15948	<p>NEPA does not require that an EIS contain a cost-benefit analysis unless it is relevant to the agency's decision. USACE typically assumes that a permit applicant has done its own economic evaluation of a proposed project. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.</p> <p>Consistent with OPA regulations (15 CFR §990.54), the LA TIG's Restoration Plan evaluates multiple alternatives based on a number of criteria, including the cost of the alternative. For more information see Section 3 of the LA TIG's Final Restoration Plan.</p>
Concern ID: 62377	Commenter asserts that the proposed Project is the best hope for undoing the extensive damage that the levee systems caused, and that land building is essential.
Response ID: 15911	The commenter's statement of support, which correctly notes that the purpose of the proposed Project is to reestablish and maintain deltaic processes in support of coastal Louisiana resources, is acknowledged. The EIS recognizes the role that Mississippi River levees have played as one factor in coastal land loss in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The Draft EIS recognized that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years. See EIS Chapter 4, Section 4.2.3. Geology, Topography, and Geomorphology for the discussion of projected future land loss under the proposed Project as compared to the No Action Alternative.
Concern ID: 62378	Commenter notes that their future plans depends on New Orleans existing into the future.
Response ID: 15912	Comment noted.

Concern ID: 62379	A few more years of income production do not justify the looming collapse of not only the natural resource but the possibility of inhabiting the coast.
Response ID: 15913	Comment noted.
Concern ID: 62380	Commenter asks how the proposed Project will affect current and future generations.
Response ID: 15916	The Draft EIS discussed impacts of the proposed Project on human and natural resources projected over 50 years of Project operation.
Concern ID: 62382	The State of Louisiana has done very little to assist the Hypoxia Action Plan or promote its implementation, despite having that opportunity during the past 20 years that they were planning and promoting diversions under the Coastal Master Plan.
Response ID: 15929	USACE cannot speak to the state's assistance or promotion of the Hypoxia Action Plan. However, the USACE agrees that the Gulf Hypoxia Action Plan is relevant to the Project area. Therefore, the USACE has added a discussion about the Gulf Hypoxia Action Plan to Chapter 4, Section 4.25.5 Cumulative Impacts, Surface Water and Sediment Quality of the Final EIS.
Concern ID: 62383	The Louisiana Nutrient Reduction and Management Strategy, which included diversions as the main feature, is not mentioned in the Draft EIS.
Response ID: 15934	A discussion of the Louisiana Nutrient Reduction and Management Strategy has been included in the discussion of Gulf Hypoxia Action Plan which has been added to Chapter 4, Section 4.25.5 Cumulative Impacts, Surface Water and Sediment Quality of the Final EIS.
Concern ID: 62384	Our state government, elected officials, the Coastal Protection and Restoration Authority and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the MBSD.
Response ID: 15961	<p>According to CPRA, it has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the MBSD Project area over the past several years. In addition, since the release of the Draft EIS CPRA has engaged the public through meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts</p> <p>The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were</p>

submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62385

Commenters noted that commercial fishermen and coastal residents are not against restoration. The tension between fishers and coastal projects has always arisen not because of the Projects' intended goals, but given the processes used to develop and implement coastal restoration projects.

Response ID: 15957

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the MBSD Project area over the past several years. In addition, since the release of the Draft EIS CPRA has engaged the public through meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be

implemented by CPRA as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62386

The construction, implementation, and operation of the first large-scale river sediment diversion must meaningfully include and honor the generational and place-based knowledge of coast-dependent residents. The mitigation, adaptation, and MBSD-adjacent governmental support strategies suggested by CCC emerge directly from their clients' own comments and the expertise they have shared with CCC for over a decade.

Response ID: 15958

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area over the past several years. In addition,

since the release of the Draft EIS CPRA has engaged the public through meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented by CPRA as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62387

Do the best

Response ID: 15865

Comment noted.

Concern ID: 62388

The internet is rigged.

Response ID: 15855	Comment noted, but is outside the scope of this EIS.
Concern ID: 62390	Commenter supports the selection of the 75,000 cfs sediment diversion, but also encourages the continued exploration of increased capacity and the acceleration of other sediment diversions that are identified in Louisiana’s Coastal Master Plan to maximize use of the natural resources of the river.
Response ID: 15918	<p>The commenter’s support for the Project is noted. The relative impacts, both beneficial and adverse, for the various capacity alternatives are explained throughout Chapter 4 of the EIS. Although the 150,000 cfs Alternative would result in the greatest degree of benefits (including the most land building), it also would result in the greatest degree of adverse impacts, particularly to marine mammals (see Section 4.11.5 Operational Impacts), shrimp and oysters (see Section 4.10.4.5 Key Species), and public health and safety (through increased water levels and inundation in areas closer to the immediate outfall, see Section 4.20.4.2 Operational Impacts). Sections 4.10.4.5 Key Species and 4.11.5 Operational Impacts in the Final EIS have been revised to further discuss the impacts of the 150,000 cfs Alternative to brown shrimp, oysters, and dolphins.</p> <p>The LA TIG’s Restoration Plan evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. While a 150,000 cfs diversion would be expected to deliver more ecological benefits in terms of land creation and marsh building than the Preferred Alternative, it would also incur more collateral injuries and pose a greater risk to human health and safety; thus it was not selected as the LA TIG’s Preferred Alternative in the Final Restoration Plan. See Section 3.2.4 Overall OPA Evaluation Conclusions of the Final Restoration Plan for a discussion of how the LA TIG came to its decision.</p>
Concern ID: 62391	Commenter expressed disappointment in the opinions issued by the Lieutenant Governor, St. Bernard Parish Council and Plaquemines Parish Council which benefit few oyster fishermen rather than the Louisiana coast.
Response ID: 15919	Comment noted. USACE has considered all public comments, including those favorable and unfavorable to the Project, received during the scoping period and Draft EIS public comment period, and will consider any comment received during the Final EIS public review period before making its decisions for the proposed Project.
Concern ID: 62392	Commenter offered free air time on Paradise Louisiana TV for anyone wishing to debate the subject of diversions.

Response ID: 15864	Comment noted.
Concern ID: 62394	When the Morganza Spillway was built, it diverted the natural flow of water from the Louisiana marsh and the sediment the marsh needs to maintain itself. The commenter asks why the Morganza Spillway is not being opened to allow the natural flow of water so it can deposit sediment.
Response ID: 15856	Comment noted. The operation of the Morganza Spillway is outside the Project area and the scope of this EIS. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta in Louisiana.
Concern ID: 62395	The state's restoration plans are inadequate to meet the challenges of coastal restoration and the climate crisis.
Response ID: 15920	The intent of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill. Other complementary coastal restoration strategies are being considered for implementation by CPRA in their Coastal Master Plan and the LA TIG in their restoration planning process.
Concern ID: 62397	Though this diversion project will restore some crucial land, more attention should be paid to the political economy of coastal restoration, which serves corporate interests in the navigation and fossil fuel industries
Response ID: 15921	Comment noted. The Project was included in CPRA's 2017 Coastal Master Plan and will complement other restoration projects being implemented in the area.
Concern ID: 62398	The ability of corporate interests to tilt the agency's decision by flooding it with supportive public comments undermines the fairness, transparency, and ultimate success of this Project. The Army Corps and NPS should be aware of the impacts of corporate-funded advocacy campaigns in support of this diversion.
Response ID: 15922	Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.
Concern ID: 62399	Commenter asserts that short-term profit in the form of commercial fisheries that thrive off the collapsing ecosystem as saltwater moves north should not detract from long-term

Response ID: 15923

economic growth which will come from the improved health of our wetlands.

As part of its decision-making process for the DA Section 10/404 permits, the USACE will conduct a public interest review in which the probable harms of the proposed Project will be weighed against its prospective benefits. Also as part of that process, USACE will consider public comments on the Draft EIS.

With respect to its Restoration Plan, the LA TIG acknowledges the commenter's concern that potential impacts to commercial fisheries not override the benefits that would be provided by the Project. In selecting their Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54 of the NRDA regulations. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7, 3.2.1.5, 3.2.2.5 of the LA TIG's Final Restoration Plan. As suggested by the commenter, the LA TIG has found that a project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails Mississippi River flows that were cut off by construction of levees. The LA TIG recognize that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Final Restoration Plan.

Concern ID: 62400

North of Covington and Baton Rouge most folks actually entertain the idea of the river running wild and beefing up the delta like back in the 1700's and are inconsiderate of the couple hundred thousand people that inhabit the land below New Orleans. Areas south of New Orleans have their own culture and ways of life that must be protected. Dredging works but people are pretending that's not the answer.

Response ID: 15924

The EIS analyzes impacts throughout the Project area, including south of New Orleans.

Dredging was considered under the category of "marsh creation." Marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5, Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine

sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

USACE will consider all public comments received and will also conduct a public interest review, which considers various factors relevant to the proposed Project and weighs the projected harms of a proposed project against its projected benefits, before deciding whether to grant the permit and permission request.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>).

Concern ID: 62401

Decades of world-class science is overwhelmingly conclusive that sediment diversions are crucial to a sustainable Mississippi River Delta. Politics or a few very loud individuals should not jeopardize putting the power of the river to work and save our coast.

Response ID: 15925

The USACE developed a comprehensive EIS that evaluates the beneficial and adverse impacts of the proposed Project. Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan.

All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

Concern ID: 62402

The U.S. Army Corp of Engineers (USACE) is thrust into this river diversion debate and looked upon like an arbiter or referee. And that would be fine except for the fact that the USACE is just not an innocent bystander in its long history of navigational and flood protection projects that have greatly affected Louisiana's coast.

Response ID: 15926	USACE is neither a proponent for nor an opponent to the proposed Project. As part of its Section 10/404 permitting decision-making process, USACE conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.
Concern ID: 62403	MBSD and Mid-Breton Sediment Diversion are advocated by several powerful NGOs called Changing Course which advocates building new river deltas in Barataria Bay and Breton Sound, giving up on sustaining communities in lower Plaquemines Parish, and allowing the birdfoot delta to collapse.
Response ID: 15927	<p>The “Changing Course” proposal is not being evaluated as part of this EIS.</p> <p>All public comments received on the EIS and Restoration Plan, including those in support of and critical of the Project, were reviewed and considered in developing the Final EIS and Final Restoration Plan.</p> <p>With respect to the impact of the proposed Project on lower Plaquemines Parish and the birdfoot delta, the diversion would be expected to accelerate land loss as compared to the No Action Alternative. See Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology for further discussion. The impacts of the proposed Mid-Breton Sediment Diversion were considered in the Draft EIS as part of the cumulative impacts analysis, which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). Additionally, there will be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion when USACE releases the Draft EIS for that proposed project.</p>
Concern ID: 62404	Appendix A contains more detailed recommendations related to the draft Monitoring and Adaptive Management Plan; Appendix B contains a series of recent op-eds and other statements of support for the Project from various stakeholders. We request that the materials in Appendix B be considered as part of the Army Corps’ public interest review and by the LA TIG as evidencing consistency with the OPA criteria.
Response ID: 15928	The USACE and LA TIG have reviewed Appendices A and B. Revisions were made to the Monitoring and Adaptive Management Plan to respond to “Improvement #1: Define a clear adaptive management process” and “Improvement #2: Clarify the problem definition” in Appendix A of the commenter’s comment letter.
Concern ID: 62405	Commenter suggested that the Final EIS should include targeted economic incentive plans for contractors associated with Project design or construction to prioritize economic opportunities for all

	interested residents in the Project footprint/outfall area wherever relevant.
Response ID: 15940	Provision of economic incentives for contractors would be the responsibility of CPRA and therefore has not been added to the Final EIS. CPRA is required to follow the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 Public Contracts. The comment has been provided to CPRA.
Concern ID: 62406	The actions of oil companies are a major contributor to land loss in Louisiana. Perhaps, instead of accepting a pittance of what the oil lobby makes off the destruction of the state (and deaths of its people in Cancer Alley) as a donation to wetland restoration, Louisiana and Federal legislators/regulators alike should require oil companies to pay back in full this debt for land and life and demand that better methods be devised to prevent any further damage.
Response ID: 15857	Comment noted. The Draft EIS recognizes causes and impacts of coastal land loss (see EIS Chapter 3, Section 3.6.2 Wetland Loss)
Concern ID: 62407	CPRA should prepare materials on the skills needed to obtain these construction jobs, as well as the average annual salaries. It will take time to create the labor line to get workers trained, and the State should be working with our trade schools, community colleges and universities early and often to prepare a local workforce.
Response ID: 15858	Comment noted.
Concern ID: 62408	It is the responsibility of the Governor, through his executive assistant for coastal affairs, to exercise this authority to stop the PLT Project as it is inconsistent with the MBSD Project and Coastal Master Plan.
Response ID: 15859	While EIS Chapter 4, Section 4.25 Cumulative Impacts considers past, present, and reasonably foreseeable future structures or actions in the Project area which could affect the same resources as the proposed Project, such as the PLT, State approval of other structures or actions is outside the scope of this EIS.
Concern ID: 62424	Commenter states that they do not oppose the proposed Project.
Response ID: 15869	Comment noted.
Concern ID: 62426	Several commenters submitted test messages, well wishes and miscellaneous text.
Response ID: 15871	Acknowledged.

Concern ID: 62428	Commenter gave example of local landowner efforts to protect local estuary in Washington state, noting that so much more could be done with the Mississippi Delta.
Response ID: 15872	Comment noted. The scope of this EIS is limited to Louisiana, particularly the Barataria Basin and Mississippi River birdfoot delta.
Concern ID: 62432	The Buckeye Marrero Terminal, LLC permit includes the statements that no discharge should occur within one mile upstream of any drinking water intake, and the permittee is responsible for determining the existence and location of the nearest drinking water intake. The listed intakes downstream of the MBSD Project site are at Point a la Hache (River Mile 49.2E), Port Sulphur (River Mile 49W), and Venice (River Mile 18.6W).
Response ID: 15962	The Buckeye Marrero Terminal LPDES Permit conditions are outside the scope of this EIS. However, CPRA would be required to comply with any LPDES permit conditions if such a permit is required by LDEQ for the proposed MBSD Project.
Concern ID: 62433	Commenter noted that a resolution was passed unanimously by the Plaquemines Parish District 9 Council against the diversion.
Response ID: 15946	The commenter's input is acknowledged. The resolution is included in the Project record.
Concern ID: 62435	This comment has been replaced and superseded by correspondence 39875 at commenter's request.
Response ID: 15965	Acknowledged.
Concern ID: 63013	The commenter asked that the Project proceed with caution, recognizing that these situations are not as straightforward as they may always seem. Modifying terrestrial ecosystems for the sake of a marine ecosystem can ultimately damage both. The commenter notes that their comments should not be considered as condoning the Project, but rather as a request that further thought be given to certain areas to ensure that the Project results in a fair and environmentally secure decision for all involved.
Response ID: 15960	The USACE and the LA TIG considered the best information and data available to them in the preparation of the EIS, which will be used by the USACE and the LA TIG in their respective decisions on the Section 10/404 permit application, the Section 408 permission request, and the LA TIG funding request. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. Appendix R2: Monitoring and Adaptive Management Plan provides details about the monitoring and adaptive management plans for the proposed Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63014

The commenter asserts that USACE should close Mardi Gras Pass. South Pass has silted in to where 20-foot boats are scared to traverse. All navigable channels should remain navigable.

Response ID: 15795

Comment noted. Any proposed closure of Mardi Gras Pass is outside the scope of this EIS, which evaluates the potential impacts of CPRA's proposed Project.

Concern ID: 62372

A commenter noted that it has been said that a new governor could shut down this Project at any point, which cannot happen.

Response ID: 15854

The commenter's input is noted. Consideration of potential future actions of undetermined governors is outside the scope of the EIS. The EIS evaluates the environmental impacts of the proposed Project and a reasonable range of alternatives, including No Action, to inform the

USACE's decision regarding the requested Section 404/10 permit and Section 408 permission, as well as the NRDA decision of the LA TIG.

Concern ID: 62409	The commenter commends CPRA for making great strides to save our coast and for being in constant communication and have provided aid to increase the Town of Jean Lafitte's flood protection. They have handled this entire process with open ears and have adapted along the way.
Response ID: 15874	Comment noted.
Concern ID: 62410	Commenter asserts that if the deltaic system is fully restored, the results would be astonishing and that the new delta could be allowed to flourish that is more productive then the physical delta we measure our losses from 90 years ago.
Response ID: 15943	Comment noted. Although the EIS recognizes that current conditions have changed over time, Chapter 4 Environmental Consequences of the EIS discusses how the proposed Project alternatives would affect the currently-existing natural environment, to which the human and animal populations have acclimated. Chapter 3 Affected Environment summarizes the historic context for each resource assessed in the EIS. Further, Sections 3.1.4.1 Mississippi River and 3.1.4.2 Barataria Basin of the EIS address the deltaic processes that formed the proposed Project area; these sections have been supplemented in the Final EIS to further discuss historic conditions.
Concern ID: 62411	All of these organisms are highly adaptable, as they must be to thrive in a deltaic environment where conditions can change in a geological instant—a saline embayment can freshen overnight and begin to fill with sediment after an avulsion on the river, or a freshwater wetland can be cut off from the river due to a course change. Nothing lives here that has not adapted to those conditions.
Response ID: 15947	As described throughout Chapter 4, Section 4.10 Aquatic Resources of the EIS, operation of the proposed Project would affect the existing flora and fauna of the Barataria Basin in both beneficial and adverse ways, with the overall impacts to a given species being dependent on that species' habitat preferences and tolerances.
Concern ID: 62412	If public funds are spent to acquire rights to private property in the receiving basin, then the right to free and unfettered public access must be acquired as well. Private landowners that succeed in requiring the purchase of rights such as flowage easements in order to allow a project that would prevent their land from disappearing should not be allowed to profit from this massive beneficial investment beyond sale of their property to the people in fee simple at fair market value.

Response ID: 15952	Ownership of any lands created or acquired related to construction or operation of the Project would be determined in accord with current state law, including ownership of mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E). Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights of access to the public in or on private property.
Concern ID: 62413	The MBSD diversion structure, outfall channel, and outfall area would constitute the world's single largest engineered restoration project. The LA TIG and CPRA should include a recreation and education area near the diversion with a viewing platform, trails, bike paths, along with a boat launch into the diversion outfall area.
Response ID: 15951	Due to concerns about safety of the public and security for the Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA is, however, planning to provide signage and other public space near the Project to educate the public regarding the purpose and functioning on the Project. Ownership of any lands created by operation of the Project would be determined in accord with current state law, including ownership of mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E). Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights of access to the public in or on private property.
Concern ID: 62415	Commenter requested USACE and LA TIG review more detailed comments on the Draft Environmental Impact Statement and Draft Restoration Plan in the comments of the Restore the Mississippi River Delta campaign.
Response ID: 15866	The comments of the Restore the Mississippi River Delta have been considered.
Concern ID: 62421	A well-funded propaganda machine is touting a highly-experimental project using a narrative that conveniently ignores what is easily the biggest source of the local communities' woes: extraction; these communities are left to seek funding on their own to repair the damage from these industries such as spoil banks and open canals.
Response ID: 15953	Comment noted; however, this comment raises concerns that are outside the scope of this EIS.
Concern ID: 62422	All spending for the promotion of the MBSD must be reported to the public in extensive detail. This includes spending from federal and state agencies, foundations, non-profits, and businesses.
Response ID: 15862	The commenter's recommendation is noted, but is outside the scope of this EIS. Financial reporting regarding the LA TIG agencies' budgets and amounts expended is available through the Deepwater Horizon DIVER database. https://www.diver.orr.noaa.gov/web/quest/diver-

[explorer?siteid=9&subtitle=DWH%20Natural%20Resource%20Damage%20Assessment%20Data](#). USACE does not have information regarding expenditures by agencies and/or organizations to promote the proposed MBSD Project.

Concern ID: 62423

Any studies completed by institutions funded by extractive industries should be redone by a neutral party.

Response ID: 15954

The authors and agencies involved in the EIS analysis utilized the best information and data available to them to develop a comprehensive document that considers the beneficial and adverse impacts of the proposed Project. USACE is neither a proponent for nor an opponent of the proposed Project. Studies utilized in the EIS were reviewed and considered by USACE's independent third-party contractor, GEC, and its experts for technical acceptability. GEC executed an Organizational Conflict of Interest statement attesting that it does not have an interest in the outcome of the permitting process. USACE independently evaluated and verified the EIS for its accuracy, scope, and contents.

Concern ID: 62431

Commenter asserts that diversion projects give Mississippi Delta communities a chance to survive, but they do not guarantee anything. Community members must overcome distrust and listen to authentic voices, from both communities and objective scientists, engineers, economists, social scientists and planners, who have no financial stake in the outcome.

Response ID: 15873

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan.

Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project. For a summary of public outreach efforts related to the Draft EIS refer to Chapter 7 Public Involvement of the EIS and for restoration planning see Section 1.8 of the LA TIG's Restoration Plan.

Concern ID: 62326

Once the permafrost thaws past a certain point then the temperature of the Ocean will rise such that the methane hydrate frozen at the bottom of the continental shelves and Ocean will be

	released then there will be an oxygen-poor atmosphere above sea level.
Response ID: 15778	Ongoing impacts and future threats of climate change on wildlife habitat and wetlands were discussed throughout Draft EIS Chapter 3, including Section 3.6 Wetlands and Waters of the U.S., Section 3.7 Air Quality and Section 3.9 Terrestrial Wildlife and Habitat. Draft EIS Section 4.1.3.2 Sea-level Rise in Section 4.1 Overview of Delft3D Basinwide Model for Impact Analysis described how modeling used for the EIS impact analysis factors in sea-level rise.
Concern ID: 62334	The USACE has the skilled staff, needed knowledge, equipment and resources to save the coastline and protect people and wildlife.
Response ID:	The USACE acknowledges the commenter's endorsement. However, the Project is proposed by CPRA; for the proposed Project, the USACE is responsible for evaluation of CPRA's Section 404/10 permit application and Section 408 permission request.
Concern ID: 62339	What we do locally can affect the entire nation.
Response ID: 15786	Comment noted.
Concern ID: 62340	Staff and volunteers who worked to save birds and other wildlife from DWH effects are stakeholders in this decision.
Response ID:	The USACE and LA TIG appreciate the efforts of volunteers to save birds and other wildlife after the DWH oil spill, and recognize such volunteers among the many stakeholders in the decision whether to approve and fund the proposed Project.
Concern ID: 62342	National parks, monuments, lakes, streams, oceans and other picturesque areas should be left in their natural state.
Response ID: 15788	Comment noted. The purpose and need of the proposed Project is to restore injuries caused by the DWH oil spill by reestablishing deltaic processes to ultimately restore habitat and ecosystem services injured by the DWH oil spill.
Concern ID: 62344	Humans have no right to inhumanely kill animals, and humans depend on animals to live.
Response ID: 15790	Comment noted. The Draft EIS considered the effects of the Project on terrestrial and aquatic, and marine mammal species in Chapter 4, Section 4.10 Aquatic Resources, Section 4.9 Terrestrial Wildlife and Habitat, and Section 4.11 Marine Mammals, respectively.
Concern ID: 62357	Southern Louisiana has been losing habitat for many years.
Response ID: 15896	Comment noted. Chapter 3, Section 3.6.2.2 Causes of Wetland Loss of the Draft EIS described historic wetland losses in the Barataria Basin. Further, Sections 3.1.4.1 Mississippi River and 3.1.4.2 Barataria Basin of the Draft EIS addressed the deltaic processes that formed the

proposed Project area; these sections have been supplemented in the Final EIS to further discuss historic conditions.

Concern ID: 62358

Commenter notes that racism has caused social distancing for years.

Response ID: [15848](#)

Comment noted. Draft EIS Chapter 4, Section 4.15 Environmental Justice considered the impact of the proposed Project on minority and low-income populations.

Concern ID: 62389

The Draft EIS both overestimates adverse effects and underestimates positive effects. All of these complex benefits are difficult to quantify and model, but they are apparent at each outlet of the Mississippi and Atchafalaya rivers.

Response ID: 15917

In preparing the EIS, USACE, together with members of the LA TIG (including cooperating agencies and CPRA), utilized high-quality information, ensured the professional and scientific integrity and accuracy of its analyses, and identified its methodologies and sources. Where information is unavailable or incomplete, those data gaps are disclosed in the document.

The Delft3D Basinwide Model represents the best tool currently available to USACE and the LA TIG to inform impact analyses for the EIS. Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the EIS acknowledges that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Model outputs are not predictions of actual future conditions (see EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty and Section 8 of Appendix E Delft3D Modeling). The outputs are instead used to compare the degree of difference between the impacts projected for each alternative and as compared to the No Action Alternative.

Concern ID: 62427

Given the environmental damage that Louisiana has sustained in recent years, and the damage expected in the near future from climate change, the commenter thinks that both the citizens of Louisiana and the US Army Corps of Engineers should be focused on protecting human communities and wildlife habitat.

Response ID: 15964

The EIS analyses utilized the best information and data available to USACE and the LA TIG at the time of writing. USACE is neither a proponent nor an opponent of the proposed Project. USACE's role is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under Section 404 of the CWA and Sections 10 and 14 of the RHA of 1899.

As explained in its Restoration Plan, the LA TIG's support for the proposed Project stems from its obligations under OPA to restore for the natural resource injuries incurred by the DWH oil spill. As an oil pollution incident, the DWH oil spill is subject to the provisions of OPA, 33 United States Code (USC) § 2701 et seq. A primary goal of OPA is to make the environment and public whole for injuries to natural resources, and services resulting from incidents involving an oil discharge or substantial threat of an oil discharge. The DWH Trustee Council and its Trustee Implementation Groups were established under the authority of OPA. The NRDA regulations under OPA (15 CFR § 990) establish a process for restoration planning, including the development and evaluation of restoration alternatives and the development of Restoration Plans. These OPA NRDA regulations establish criteria for identifying and evaluating restoration alternatives (see Section 3.1). Restoration activities under OPA are intended to return injured natural resources and services to their baseline condition (that is, primary restoration), and to compensate the public for interim losses from the time of the incident until the time resources services recover to baseline conditions (that is, compensatory restoration). To meet these goals, the restoration activities need to produce benefits that are related to or have a nexus (that is, connection) to the natural resource injuries and service losses resulting from the spill.

Concern ID: 66931

Please either post the entire Draft EIS to the USACE website as one PDF or remove the PDF security restrictions. It is difficult to conduct searches for particular text/topics in multiple PDFs. If the restrictions are removed, the PDFs can be downloaded and combined into one PDF, making it much easier to search.

Response ID: 16858

The USACE applied security settings on the Draft EIS for document control so that chapters/sections would not be edited.

Concern ID: 66932

The Draft EIS link does not work.

Response ID: 16859

The USACE webpage may have temporarily been down at some point during the Draft EIS comment period. If so, it was only a temporary outage.

Concern ID: 66933

The Project would save less land than the city of Gretna.

Response ID: 16860

The commenter's concern about the amount of land created or sustained by the Project was considered in the Draft EIS. As explained in Chapter 4, Section 4.2.3.2 Geology and Soils, Operational Impacts, the Project would increase the amount of land in the Barataria Basin by approximately 13,400 acres in 2070, but result in 3,000 less acres of land in the birdfoot delta in 2070 (see Chapter 4, Section 4.2.3.2.2.1 Geology, Table 4.2-4).

Concern ID: 62434	It is up to USACE to do something now to regulate and save this area from decimation by greedy corporations.
Response ID: 15959	Comment noted, but is outside the scope of this EIS. This EIS is focused on evaluating and disclosing the potential environmental impacts associated with the proposed Mid-Barataria Sediment Diversion Project.
Concern ID: 62353	The corrupting influence of money in our political system is undermining our democratic traditions.
Response ID: 15847	Comment noted, but is outside the scope of this EIS. This EIS is focused on evaluating and disclosing the potential environmental impacts associated with the proposed Mid-Barataria Sediment Diversion Project.
Concern ID: 62414	The government can prevent widespread economic or environmental losses by imposing higher restrictions on state and federal permits issued to companies asking for permission for dredging of canals, diverting construction projects, or the oil/gas expedition drilling within the state and federal waters. With all the new restrictions, nothing stopped the biggest man-made disastrous oil spill from the BP explosion on April 20, 2010.
Response ID: 15860	Comment noted, but is outside the scope of this EIS. This EIS is focused on evaluating and disclosing the potential environmental impacts associated with the proposed Mid-Barataria Sediment Diversion Project.
Concern ID: 62430	Almost the entire Upper Mississippi River watershed has also been developed to enhance agricultural productivity including extensive use of a drainage system used to load water off landscapes as quickly as possible. This development exacerbates flood damages by preventing the landscape from naturally retaining and slowing the release of rainfall and impacts the river's ability to filter pollution, such as nitrogen and phosphorus.
Response ID: 15863	Comment noted, but is outside the scope of this EIS. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta in Louisiana.
Concern ID: 62416	Louisiana's oystermen and women have been champions of protecting and restoring our damaged coastal environment for decades, investing their own funds and resources through building cultch and coastal water bottoms which demonstrates their commitment to a common goal they can share with CPRA and others.
Response ID: 15867	Commenter's input is noted.

Concern ID: 62418

Louisiana's oystermen and women have long been among the most active advocates for saving and restoring our coast. And, while they support broader efforts to restore the wetlands and to provide for coastal flood protection, those who live and work in our coastal communities and depend on the natural fisheries and wildlife resources of Louisiana's estuaries, and whose culture is intertwined with those resources, deserve to have the guarantee that all efforts would be taken to preserve these natural renewable resources for generations to come.

Response ID: 15950

The Draft EIS evaluates how the proposed Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in

instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62419

The pursuit of Multiple Lines of Defense strategy and coastal protection at all costs has had negative impacts on the State's commercial fishing, shrimping and oystering communities, doing far more damage to the state's economy and coastal employment than any lasting good to our coastal infrastructure.

Response ID: 15861

Comment noted. Chapter 4, Section 4.14.4.2 of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative, primarily by accelerating by decades the decline of species abundance that would also be anticipated under the No Action Alternative. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally,

impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62420

Commenter requested that all who share their concerns about the detrimental, unintended but very real consequences of the proposed Project make their voices heard by commenting at CEMVN- Midbarataria@usace.army.mil.

Response ID: 15868

Comment noted.

GEN4000 – Executive Summary

Concern ID: 61861

The description of the nature of impacts is fundamentally flawed. Clarify who decides whether an impact is adverse or beneficial and what the criteria for these decisions are.

Response ID: 15932

Early in the EIS process, USACE in coordination with the LA TIG and CPRA decided on an approach to evaluation of the environmental impacts for the EIS. As stated in Chapter 4, Section 4.1, Approach to Evaluation of Environmental Consequences, under NEPA, federal agencies must consider the potential environmental impacts, both beneficial and adverse, of the proposed Project and its reasonable alternatives, including direct, indirect, and cumulative impacts. During development of the EIS, it was considered whether the proposed Project would cause a significant adverse or beneficial impact on the human environment (defined as the natural and physical environment and the relationship of people with that environment [40 CFR 1508.14]).

The CEQ regulations require consideration of both context and intensity when determining whether an effect is significant. Chapter 4, Sections 4.1.1 (Context) and 4.1.2 (Intensity) of the EIS set forth the criteria for context and intensity for determining impacts in the EIS. Resource-specific indicators for impacts are included for each resource in their corresponding sections within Chapter 4, Environmental Consequences of the EIS.

Concern ID: 61862

The estimates of land gain in the Executive Summary do not match what is stated in Chapter 4, Environmental Consequences.

Response ID: 15935

The estimates of land gain were reviewed for discrepancies in both the Executive Summary and Chapter 4, Environmental Consequences of the Draft EIS and have been determined to be accurate in both instances. However, to help address these concerns, the EIS has been revised to add a discussion to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Geology and Soils section of the Executive Summary and to Chapter 4, Section 4.2.3.2.2.1 Geology, of the Final EIS.

Concern ID: 61863

Based on the Executive Summary, the proposed MBSD Project is not a sediment diversion.

Response ID: 15933

Section ES.3 of the Executive Summary describes the proposed Project: “The proposed Project evaluated in this EIS is a controlled sediment and freshwater intake diversion structure in Plaquemines Parish on the right descending bank of the Mississippi River at river mile (RM) 60.7, with a conveyance system that would discharge sediment, fresh water, and nutrients from the Mississippi River into an outfall area within the mid-Barataria Basin in Plaquemines and Jefferson Parishes.” The MBSD Project is fully described and discussed in the body of the EIS, particularly Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis where the Project components are described in detail.

MA10000 – MAM Plan – General Comments

Concern ID: 62833

CPRA should incorporate research results from the last 11 years and earlier to ensure that restored ecosystems attain close to pre-spill conditions.

Response ID: 16660

The LA TIG’s strategy for restoring the ecosystem impacted by the DWH oil spill to pre-spill conditions is the subject of the Deepwater Horizon Oil Spill Programmatic Damage Assessment and Restoration

Plan and Programmatic Environmental Impact Statement (PDARP/PEIS). The PDARP/PEIS describes the Deepwater Horizon Oil Spill Natural Resource Damages Trustees', including CPRA's, ecosystem approach to restoration. The PDARP/PEIS also includes a robust Monitoring and Adaptive Management Framework for ensuring that the collective suite of restoration activities undertaken pursuant to the PDARP/PEIS meets the Trustees' restoration goals of fully restoring for injuries from the oil spill. That Monitoring and Adaptive Framework, which is described in Section 5.5.15 and in Appendix 5.E of the PDARP/PEIS, incorporates research undertaken both before and after the oil spill. Additionally, in September 2021, the LA TIG released a Monitoring and Adaptive Management Strategy that describes the LA TIG's objectives, processes, and priorities to support restoration planning, implementation, and evaluation through monitoring and adaptive management activities applicable to all LA TIG activities. That Strategy improves the LA TIG's ability to achieve effective and efficient restoration of natural resources injured by the DWH oil spill in the Louisiana Restoration Area—with more than \$200 million from the DWH monitoring and adaptive management funding allocation dedicated to that effort.

Concern ID: 62834

Adaptive management should adapt restoration actions to incorporate human utilization response to climate and biodiversity changes.

Response ID: 16661

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS) considered the adaptive management issues raised by the commenters. The MAM Plan calls for monitoring of the socioeconomic parameters set forth in the State's System Wide Assessment and Monitoring Program (see Section 3.7.3.24 [Socio-economic Data] of the MAM Plan in Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62835

Federal and state decision makers and the Trustees should work proactively, transparently, and collaboratively with communities with environmental justice concerns and stakeholders to develop ideas and proposals for adaptation and mitigation as environmental conditions change.

Response ID: 16662

CPRA undertook substantial community outreach, particularly aimed at soliciting input from low-income and minority populations, during the period between the Draft and Final EIS and LA TIG's Draft and Final Restoration Plan. CPRA engaged the communities potentially impacted by the Project, including low-income and minority community members, through public meetings to solicit input on mitigation and stewardship strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. CPRA also used a survey tool to gather feedback from low-income and minority community members regarding Project impacts and on mitigation concepts. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. If the Project is implemented, CPRA plans to continue outreach to the communities and stakeholders with environmental justice concerns through Project construction and operations.

Concern ID: 62836

What are the conditions for closure of the diversion? For example, would the diversion be shut down if there is community flooding or a large amount of wetland loss in the first 5 years? CPRA's stated commitment to adaptive management may eventually result in the agency making substantial adjustments to the operational regime of the proposed Project without providing recourse for affected stakeholder groups.

Response ID: 16663

Information regarding Project operations, including the plan for when the diversion would be shut down for emergencies and storm events, is

set forth in CPRA's Operations (Water Control) Plan issued with the Draft EIS (Appendix F2 Preliminary Operations Plan).

With regard to community flooding, the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) details mitigation strategies that would address increased water levels in impacted communities. With regard to ensuring Project performance, in accordance with the Monitoring and Adaptive Management (MAM) Plan, CPRA would monitor Project performance over the life of the Project and adaptively manage the Project to ensure Project success (for examples of potential adaptive management actions, see Tables 4.1-1 through 4.1-3 in the MAM Plan in Appendix R2 to the Final EIS). If the Project is implemented, CPRA would continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62837

Encouraging the comprehensive and holistic restoration of the Lower Mississippi River would benefit all restoration projects in the region. Coordinating the operation of the proposed Project to work well with other restoration and water management efforts would benefit birds, wildlife, and people.

Response ID: 16664

The Project is part of several comprehensive, coordinated strategies for restoration of Barataria Basin and the surrounding region. First, the Project is contemplated in the PDARP/PEIS, which establishes a comprehensive framework for restoring the northern Gulf of Mexico from impacts from the DWH oil spill. Second, the Project is part of the LA TIG's Strategic Restoration Plan for Barataria Basin, which articulates a comprehensive Restoration Plan for restoring the Barataria Basin. The Project is also a cornerstone project of Louisiana's Coastal Master Plan, the 50 year, \$50 billion scientifically based strategy for restoring coastal Louisiana. Louisiana's Coastal Master Plan projects are selected with an eye toward complementing other restoration efforts, such as the Gulf of Mexico Hypoxia Task Force and the Lowermost Mississippi River Management Program.

The Draft EIS considered coordinating the Project with other restoration and management efforts—specifically CPRA's agreement to implement Conservation Recommendation 3 from the Fish and Wildlife Coordination Report to establish a basin-wide operation and monitoring data repository to ensure operators of other projects can coordinate in an effort to maximize restoration efforts in the basin (see Chapter 5, Section 5.3 [Fish and Wildlife Coordination Act Report Recommendations] of the EIS and Section 6.3 [Data Storage and Accessibility] of the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 to the EIS). These collaboration methods are also included in the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

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Concern ID: 62846

Adaptively managing the Project to support oyster culture would be infeasible, as doing so would require maintaining current salinity patterns.

Response ID: 16666

CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS) outlines a monitoring process for salinities in the basin after Project operations commence. As explained in the MAM Plan, information from salinity monitoring would be used to inform potential relocation of seed grounds to more environmentally suitable areas within the basin or the establishment of broodstock reefs to address larval supply.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62861

Outfall management techniques should be fully evaluated to help redirect diverted waters away from oyster production areas, or other sensitive areas, where feasible. These techniques could be utilized as part of a comprehensive adaptive management plan that may reduce impacts, including the introduction of invasive species, on seafood species.

Response ID: 16670

Based on analyses included in the Coastal Master Plan, the size and scope of ridges necessary to isolate areas in the basin from fresh water would make this solution infeasible. No related edits have been made to the Final EIS.

CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the EIS) outlines a monitoring process for salinities in the basin that CPRA would implement after operations commence. The salinity information would inform potential relocation of seed grounds to more environmentally suitable areas within the basin or the establishment of broodstock reefs in environmentally suitable areas to address larval supply. The Mitigation and Stewardship Plan (Appendix R1 to the EIS) includes oyster mitigation and stewardship measures totaling \$32 million. Table 4.27-2 in Section 4.27 (Mitigation Summary) identifies which of these oyster mitigation and stewardship measures are specific to the proposed Project and which are augmentation of existing or proposed programs.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation,

monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62863

Combining the LA TIG Restoration Plan review with the Draft EIS, Mitigation and Stewardship Plan and MAM Plan review has created confusion. For example, having two versions of the Mitigation and Stewardship Plan and MAM Plan with different appendix numbers makes it difficult to cite the appropriate documents.

Response ID: 16672

Commenters' concern that the combined public review for the USACE Draft EIS and the LA TIG Restoration Plan may have caused confusion for some readers is noted.

The LA TIG wanted to ensure that the Restoration Plan contained all information relevant to Trustee decision-making and thus included two documents in the LA TIG's Restoration Plan that were also appended to the EIS. All comments on the Monitoring and Adaptive Management (MAM) Plan and Mitigation and Stewardship Plan have been reviewed by both USACE and the LA TIG and have been responded to, whether commenters referred to Appendices in the Draft EIS or Draft Restoration Plan.

Concern ID: 62864

There is significant confusion about funds available for mitigation versus monitoring and adaptive management. The EIS should clarify how much funding will be available for each.

Response ID: 16673

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under

development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62865

Such a transformative project will require a robust program of monitoring, which will not only support the proposed Project, but also will support the evaluation of future diversions that are anticipated in the Coastal Master Plan.

Response ID: 16674

The robust monitoring raised by the commenters was considered by CPRA and the LA TIG in the Monitoring and Adaptive Management (MAM) Plan included in the Draft EIS (Appendix R2). CPRA's MAM Plan included with the Final EIS (Appendix R2) provides additional detail on the substantial monitoring CPRA would undertake as part of Project implementation. The MAM Plan identifies monitoring needs and the key performance measures associated with each objective that would be used to evaluate progress toward meeting the Project's restoration objectives and to inform CPRA's adaptive management decisions.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62867

The Final EIS should not be published unless there are commitments to monitor the following parameters at the diversion site or in Barataria Bay: Project operations, the flow and quality of the water flowing through the diversion, wetland type coverage over time, water surface elevation, water quality in the basin,

salinity, contaminant concentrations in diverted sediments, fish and shellfish abundance, oyster reef parameters, benthic community composition and abundance, SAV coverage, finfish and oyster contaminant concentrations, and shellfish harvest restrictions. These same data should also be collected in two reference basins.

Response ID: 16676

Basin-side monitoring of water surface elevation, water quality in the basin, salinity, fish and shellfish abundance, and benthic community composition and abundance to evaluate how the Project is meeting Project objectives were included in the Monitoring and Adaptive Management (MAM) Plan of the Draft EIS (Appendix R2). Riverside monitoring parameters include river discharge, suspended sediment concentrations, nutrient concentrations in water conveyed to the Barataria Basin, sedimentology of the Alliance South sand bar, and Mississippi River sediment load were also included in the MAM Plan of the Draft EIS. Additionally, in the Fish and Wildlife Coordination Act Report (CAR) section of Chapter 5 (Consultation and Coordination) of the Draft EIS, CPRA accepted USFWS' recommendation on pre- and post-construction periodic sampling of Contaminants of Concern in fish, shellfish, and wildlife from the outfall area and the Mississippi River (see Section 3.7.3.23 of the MAM Plan [Appendix R2 to the EIS]). Therefore, no changes were made in the Final EIS on these issues. The Louisiana Department of Health will continue to monitor shellfish harvest restrictions. Additionally, the majority of the parameters above are collected via the State's System Wide Assessment and Monitoring Program that will allow comparison of the Project variables within and among other estuarine basins across the Louisiana coast.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not

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Concern ID: 62870

Although the EIS references studies that support high site fidelity in the Barataria Stock of bottlenose dolphins, no comprehensive or comparable studies on-site fidelity have been conducted with adjacent stocks including Mississippi River Delta and Mississippi Sound (MSS) stocks. The proposed Project should include routine, standardized, line transect, capture-mark-recapture surveys of bottlenose dolphins, as well as genetic sampling and tagging efforts, in Lake Borgne, Bay Boudreau and Bay Saint Louis regions. In addition, MSS stocks could experience additional pressure due to displacement or change in prey or movement of bottlenose dolphins from the proposed Project. Therefore, the MSS stock needs to be monitored before and after the Project, with a particular focus on Lake Borgne and Bay Boudreau Region dolphins.

Response ID: 16678

The Draft EIS considered the issue raised by commenters in Chapter 4, Section 4.11.5.3 (Operational Impacts - Other Dolphin Stocks Considered), finding it is unlikely the Mississippi River Delta (MRD) stock would be impacted by the proposed Project, either directly from low salinity or other environmental effects (for example, temperature). Hence, the Project would not be expected to impact dolphins or their prey inhabiting those waters. It is not anticipated that dolphins in the Barataria Basin would relocate to the MRD stock area or beyond; therefore, no impact on other Louisiana stocks is anticipated. Therefore, no changes were made to the Final EIS on MRD stock monitoring.

Studies such as the ones suggested by the commenter, including aerial line transect surveys designed to better understand the population structure (for example, abundance, distribution, and density) of the Mississippi Sound, Lake Borgne, and Bay Boudreau dolphin stocks east of the Mississippi River, are being integrated into the permitting and environmental analysis efforts associated with CPRA's proposed

Mid-Breton Sediment Diversion Project, currently under USACE permit review through a separate EIS process.

Concern ID: 62874

CPRA should monitor sediment flow through the diversion annually, particularly in the first, more critical decade of operation. This will help determine whether the goals of the Project can be achieved with more efficient use of water flow in following years.

Response ID: 16681

The sediment monitoring issues raised by the commenter were considered in Table 4.1-1 of the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS); therefore, no changes were made to the Final EIS on sediment monitoring. This included monitoring the sediment-to-water ratio in the flows conveyed into Barataria Basin as well as the sediment volume conveyed into Barataria Basin. As noted in the MAM Plan, these parameters would be monitored each year for the life of the Project, including the first decade of Project operation. The sediment-to-water ratio would be evaluated biweekly during operational events and quarterly during base flows. For more information, refer to of the MAM Plan (Appendix R2 to the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62875**CPRA should ensure systematic monitoring of algal blooms and their impacts in the basin, both before and after Project operation.****Response ID: 16682**

Sections 3.7.3.9-3.7.3.11 (Chlorophyll A, Phytoplankton Species Composition [including Harmful Cyanobacterial/Algal Bloom Species], and Harmful Cyanobacterial/Algal Bloom Toxins, respectively) in the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS) have been revised. Proposed monitoring includes both pre-construction and post-construction monitoring for the potential development of phytoplankton blooms raised by the commenter. Chlorophyll A would be monitored hourly at in situ gages and daily through remote sensing. Additionally, all three parameters will be monitored monthly, with additional discrete sampling events dependent on observations, systematically using in situ sondes and/or remote sensing, with results determining when phytoplankton sampling would occur and, in turn, when sampling for harmful algal bloom toxins should occur.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63311

No amount of adaptive management will ensure the continued support of oyster culture in the Barataria Basin.

Response ID: 16684

The Draft EIS discussed anticipated impacts to oyster fisheries in Section 4.14.4.2 (Operational Impacts, Applicant's Preferred Alternative, Eastern Oyster Fishery) in Commercial Fisheries and found that the proposed Project would have major, permanent, adverse impacts on Eastern oyster fisheries in the Project area.

The concerns expressed by the commenter were considered by CPRA and the LA TIG in preparing the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). LA TIG acknowledges that operation of the Project would likely reduce oyster abundance in the Barataria Basin (see Section 4.14.4.2 [Commercial Fisheries - Operational Impacts] of the Final EIS). However, specific MAM and mitigation activities have been proposed to understand and mitigate impacts to oyster production. As described in the MAM Plan (Appendix R2 to the Final EIS), if the data collected through MAM activities suggests that sustaining oyster populations in the basin is no longer viable, the CPRA would implement some of the actions outlined in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), such as the relocation of seed grounds to more environmentally suitable areas or the establishment of broodstock reefs to address larval supply, in areas outside of Barataria Basin. The Mitigation and Stewardship Plan (Appendix R1 to the EIS) includes additional oyster mitigation and stewardship measures totaling \$32 million. Table 4.27-2 in Section 4.27 (Mitigation Summary) shows which of these oyster mitigation and stewardship measures are new and which are augmentation of existing or proposed programs.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation,

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63775

The MAM Plan should develop an information dashboard or clearinghouse where the basin-wide data can be kept and accessed, would be useful to the public as well as diversion operators, state agencies, researchers, and other stakeholders.

Response ID: 16686

In response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

This dashboard has been added to the Monitoring and Adaptive Management (MAM) Plan included in the Final EIS (Appendix R2).

Concern ID: 63777

CPRA should coordinate with not only USFWS, NMFS, and other resource agencies, but also other science, policy-based and community stakeholders, to ensure a broader discussion of management impacts and options.

Response ID: 16687

CPRA and the LA TIG considered the commenters concern in developing the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the EIS). The MAM Plan includes input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]). The MAM Plan included in the Final EIS (Appendix R2) has been revised in response to public comments. In addition, in response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard

would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

With specific regard to the inclusion of scientific expertise, in addition to the expertise within CPRA, the governance provisions of the MAM Plan call for establishing a Technical Focus Group/Peer Review Group with subject matter expertise to provide technical support on long-term Project planning, assist in the evaluation and interpretation of monitoring data and evaluate the state of the science concerning adaptive management. See Section 2.2.2.3 (Technical Focus Group(s)/Peer Review) of the MAM Plan (Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63834

The Mitigation Plan should include sufficient resources to address invasive aquatic plants in the area of influence.

Response ID: 16691

The invasive aquatic plant issue raised by the commenter was considered in CPRA's Monitoring and Adaptive Management (MAM) Plan included with the Draft EIS (Appendix R2), which included monitoring for flora and fauna including potential increases in invasive species. Observed increases would then be addressed through the adaptive management structure within the MAM Plan. No related changes were made to the MAM Plan included in the Final EIS (see Appendix R2).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project

operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62838

Near-term, long term, and real-time monitoring in the Barataria Basin will be essential to the operation of the diversion as well as to public communication about the performance, over space and time, of the diversion and its area of influence. Governance and decision making for the Project should be a science-based, inclusive, and transparent process with genuine engagement and input from external experts and community stakeholders.

Response ID: 16665

According to the LA TIG, the monitoring issues raised by the commenter were considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS), which was jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan included input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]). In response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

With specific regard to the inclusion of scientific expertise, in addition to the expertise within CPRA, the governance provisions of the MAM Plan call for establishing a Technical Focus Group/Peer Review Group with subject matter expertise to provide technical support on long-term Project planning, assist in the evaluation and interpretation of monitoring data, and evaluate the state of the science concerning adaptive management. See Section 2.2.2.3 (Technical Focus Group(s)/Peer Review) of the MAM Plan (Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE

as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62857

The complexity of the proposed Project, and the multitude of uncertainties that have been identified while estimating its benefits and impacts, demonstrates the importance for real-time monitoring protocols in the adaptive management program to reduce uncertainties over time.

Response ID: 16667

According to the LA TIG, the monitoring measures raised by the commenters were considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). Monitoring, including collection of real-time data, is essential for increasing the likelihood of achieving desired Project outcomes given the uncertainties inherent to predicting the Project's effects. For example, post-construction, hydrographic station readings in the Mississippi River would be posted in real time and accessible from remote networks to enable forecasting water and sediment arrival. Along the gradient from the Mississippi River through the diversion and into the basin, CPRA is planning for the use of real-time data for key hydrographic variables (turbidity, stage, velocity, and water quality). As CPRA's plan to perform real-time monitoring was included in the Draft EIS, no changes have been made in the Final EIS in response to this comment. See CPRA's MAM Plan (Appendix R2 to the EIS) for additional details regarding the monitoring efforts planned in anticipation of and during Project operations.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained

draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62862

Taking advantage of operational changes authorized in WRDA 2007, Davis Pond should be used as an adaptive management tool to achieve a gradual transition to lower estuarine salinities in the Barataria Basin. During the transition, the response of estuarine organisms, including brown shrimp, oysters and bottlenose dolphins could be monitored.

Response ID: 16671

The Draft EIS did not consider using Davis Pond as an adaptive management tool. Based on the comparative size and location of the Davis Pond Freshwater Diversion relative to the Project, operational limitations on Davis Pond during low river flows and existing limitations on the flexibility of Davis Pond's operational regime, Davis Pond cannot effectively be used to ease the transition to a fresher estuary. In addition, increasing flows from Davis Pond in advance of commencement of Project operations could reduce the pre-construction time period available for fishers to continue their fishing activities while beginning to adapt to changes that occur once Project operations commence. Accordingly, no changes have been made to the Final EIS.

Concern ID: 62866

A commenter recommends that, if the MBSD Project goes forward, the LA TIG and CPRA work with NMFS to initiate the pre-

operations sampling program for marine mammals in Barataria Bay by the end of 2021 to ensure a minimum five years of baseline information is collected on bottlenose dolphins and their prey species and habitat, prior to the implementation of the MBSD, as outlined in the MAM Plan.

Response ID: 16675

The dolphin monitoring measures raised by commenters were considered in Section 6.3.6 (Public Interest Mitigation - Marine Mammals) of CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) and Section 3.7.3.19 (Atlantic Bottlenose Dolphins [*Tursiops truncatus*]) of the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). The revised MAM Plan included in Appendix R2 of the Final EIS describes proposed dolphin monitoring during the 5 years prior to operations. The LA TIG coordinated with NMFS in the development of these measures.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62876

Commenter supports the pre-operations sampling plan outlined for marine mammals in the Draft EIS Appendices R1 and R2 (Mitigation and Stewardship Plan, and MAM Plan), which include enhanced stranding response and investigations, capture-mark-recapture surveys, visual assessment surveys, health assessments, tagging, remote biopsy sampling, prey assessment, and collection of habitat data.

Response ID: 16683

Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) and Appendix R1 (Mitigation and Stewardship Plan) to the Draft EIS contained the information on marine mammal monitoring noted by the commenter. In addition, since the publication of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention (MMI) Plan to be implemented by CPRA to further respond to and recognize expressed public concerns about the potential impacts of the Project on marine mammals (see new Appendix R5 to the Final EIS). The MMI Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404

permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63805

Water quality must be monitored throughout construction, implementation, and beyond in as near to real-time as possible.

Response ID: 16689

The pre- and post-operations water quality monitoring noted by the commenter was considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). CPRA would collect water quality data in real time from existing Coastwide Reference Monitoring System (CRMS), Louisiana Department of Environmental Quality (LDEQ), and United States Geological Survey (USGS) stations in the Barataria Basin (see Figures 3.7-5 and 3.7-6 in the MAM Plan for water quality sampling locations). The MAM Plan states that collected data will inform future Project management decisions aimed at improving Project effectiveness and limiting ecological and/or human impacts when possible. Therefore, no changes were made in the Final EIS on water quality monitoring.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA

Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63843**Nutrients in diverted water should be monitored and removed before reaching Barataria Basin.****Response ID: 16692**

The issue raised by the commenter on monitoring nutrients in diverted water was considered in the Monitoring and Adaptive Management (MAM) Plan included with the Draft EIS (Appendix R2); no changes were made in the MAM Plan in response to this comment. CPRA has proposed to measure Mississippi River nutrient concentrations on a biweekly basis during operational events (above baseflow), and quarterly during base flow conditions. This information will be used to calculate, in conjunction with measurement of the water volume conveyed into the Barataria Basin, the nutrient loads conveyed into the Barataria Basin. CPRA also proposes to measure nutrient levels in Barataria surface waters on a monthly basis.

Chapter 4, Section 4.6 (Wetland Resources and Waters of the U.S.) of the Draft EIS also discussed how wetlands created by the Project would likely absorb the additional nutrients diverted to the basin, thereby reducing the potential negative impacts of nutrients in Mississippi River water. In response to commenters' concerns, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required

as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63844

The MAM Plan should address increased nutrient levels and the potential for increased eutrophication in coastal bays.

Response ID: 16693

Monitoring nutrients in diverted water was considered in CPRA's Monitoring and Adaptive Management (MAM) Plan included with the Draft EIS (Appendix R2).

Chapter 4, Sections 4.5.5.3 Nitrogen and 4.5.5.4 Phosphorus in Section 4.5 Surface Water and Sediment Quality of the Draft EIS discussed how wetlands created by the Project could absorb the additional nutrients diverted to the basin, thereby reducing the potential negative impacts within the Barataria Basin from nutrients introduced into the basin from Mississippi River water. Section 4.10.4.4 General Impacts on Habitat and the Environment, Applicant's Preferred Alternative, Nutrient Loading and Dissolved Oxygen of the Draft EIS discussed the potential for algal blooms and resulting dissolved oxygen levels due to nutrient loading in Barataria Basin waters and bays.

In response to commenters' concerns, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS. This discussion includes the Nutrient Reduction Strategies developed by the 12 member states of the Hypoxia Task Force. Louisiana's Nutrient Reduction and Management Strategy has highlighted the important role that river diversions could play in reducing nutrient loads. The wetlands created by the diversion would take up nutrients, thus assisting in the reduction of impacts in the Gulf of Mexico from excess nutrients introduced through the Mississippi River water.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range

of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63970

A commenter, when commenting on the MAM Plan, expressed concern that just as the State of Louisiana is about to embark on a series of sediment diversions that will result in significant dolphins deaths, the State of Louisiana has pulled itself out of the stranding response business. While the commenter recognized that increased stranding response funding would be available through the Project, it is not clear to them to whom this funding will be given and thus how effectively the funding will be utilized. They are worried that most stranded dolphins in Barataria Bay would already be dead.

Response ID: 16694

The LA TIG, in recognition of the need to improve stranding response in Louisiana, finalized Restoration Plan #5 in August of 2020, which included the use of non-MBSD Deepwater Horizon Natural Resource Damages funding for enhancement of the Louisiana Marine Mammal Stranding Network. NOAA is the lead implementing Trustee on this enhancement project and has assumed the stranding network coordination role in Louisiana. These enhancements would be

extended through stranding network investments noted in the MBSD Mitigation and Stewardship Plan (Appendix R1 to the EIS). NOAA would lead implementation of stewardship measures for marine mammals including the continued enhancement of the stranding network. CPRA would lead any Project operational mitigation actions considered as part of the Monitoring and Adaptive Management (MAM) Plan, in consultation with NOAA.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63809

The Trustees must continue to invest in monitoring and research to measure the Project's success and better understand the changing environment, the diversion impacts to people, and to inform the robust adaptive management program that will inform decisions related to Project operations. An independent and multi-disciplinary science and technical advisory group - including physical scientists, ecologists, sociologists and other experts -

should be established and engaged frequently to advise operation managers.

Response ID: 16690

USACE is not a Trustee.

The LA TIG acknowledges the comment, and notes that, the robust monitoring and adaptive management measures raised by commenters were considered in the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). In particular, the MAM Plan establishes a technical advisory group (see Section 2.2.2.3 [Technical Focus Group(s)/Peer Review] of the MAM Plan). As a result, no changes have been made to the MAM Plan included with the Final EIS in response to this comment. If the LA TIG funds the Project, the LA TIG would also fund the MAM Plan.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62868

Sediment should be monitored for a broad suite of contaminants, including PAHs and mercury, near sites of active deposition.

Response ID: 16677

The sediment monitoring recommendation raised by commenters was considered in Chapter 5, Section 5.3 (Fish and Wildlife Coordination Act Report Recommendations) of the Draft EIS, where CPRA agreed to the USFWS' recommendation to undertake pre- and post-construction periodic sampling of Contaminants of Concern in fish, shellfish, and wildlife from the outfall area and the Mississippi River (see also Section 3.7.3.23 of CPRA's Monitoring and Adaptive Management (MAM) Plan [Appendix R2 to the Draft EIS]). Because sediment sampling is likely to be highly variable spatially and temporally, the recommendation from the USFWS and CPRA's commitment to sample fish and shellfish would give a more integrated picture of any contaminant concerns.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63768

CPRA should work with local community and four-year colleges to prepare local graduates in project monitoring techniques. They should primarily use local contractors to carry out the monitoring work.

Response ID: 16685

According to CPRA, it encourages the use of local contractors within the limitations allowed by law. CPRA uses several assistance programs to help ensure contractors have skilled local candidates available for employment. One example of such a program is the Coastal Science Assistantship Program (CSAP), which provides a stipend to local students to assist in CPRA's various coastal activities. These programs are not specific to the proposed Project and are not affiliated with the Project Monitoring and Adaptive Management (MAM) Plan.

Concern ID: 62859

The Final EIS and supporting record should include additional information about possible operational minimization measures that may be considered through the adaptive management process, based on monitoring and new information. For example, evaluation of the construction of landscape features that might provide higher-salinity refuge areas within the basin might be an option.

Response ID: 16668

The Draft EIS considered measures for adaptively managing the Project as part of the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). Since issuance of the Draft EIS, CPRA modified the MAM Plan to include additional information regarding strategies for minimizing impacts through monitoring and adaptive management (see Section 3.7.1.1.7 [Topography/bathymetry of the Project Influence Area] of the MAM Plan in Appendix R2 to the Final EIS).

The EIS considered potential features in the outfall area such as canals, bayous, impoundments, weirs, and chenier-like ridges to manipulate the flow of water and sediment for water quality and sediment retention benefits, to create barriers for storm surge and wind, and to redirect waters away from oyster production and sensitive areas. However, flow-directing outfall features within the initial delta formation area were eliminated from consideration because of the potential for such features to impede the development of the delta formation. See Chapter 2, Section 2.5 Step 3: Evaluation of Sediment Diversion Outfall Features for evaluation of these alternative outfall features as part of the alternatives screening process. Because these features were previously eliminated, they will not be considered as part of future adaptive management.

As described in the MAM Plan (Appendix R2 to the Final EIS), CPRA would monitor salinities in the basin after Project operations commence to help inform potential relocation of seed grounds to more

environmentally suitable areas within the basin or the establishment of broodstock reefs to address larval supply. The Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) includes a full suite of oyster mitigation and stewardship measures totaling \$32 million.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62871

This Project can proceed carefully and with full attention to the ways in which impacts to bottlenose dolphins can be lessened. Supporting a rigorous pre- and post- construction monitoring program can reduce key uncertainties about the populations of bottlenose dolphins and can help measure Project effects.

Response ID: 16679

The marine mammal related monitoring issue raised by the commenters was considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). The MAM Plan describes pre- and post-construction monitoring to document baseline and changes to the abundance, distribution, population

demography, density, survival, health, and reproduction of the Barataria Bay Estuarine System (BBES) stock of bottlenose dolphins, their prey, and their habitat, including effects that may result from the operation of the Project and resulting low salinity. For more information, refer to Section 3.7.3.19 (Atlantic Bottlenose Dolphins [*Tursiops truncatus*]) of the MAM Plan (Appendix R2 to the EIS). As these marine mammal monitoring measures were already considered in the Draft EIS, no changes were made in the Final EIS in response to this comment.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62827

Monitoring is an essential part of ecological restoration because it gives information about the quality of the habitat and the longevity of positive and negative Project impacts.

Response ID: 16659

CPRA and the LA TIG acknowledge that monitoring is critical for understanding the positive and negative impacts of the Project over the long term. Accordingly, the importance of monitoring was considered as part of the LA TIG's Restoration Plan and in the MAM Plan included with the Draft EIS (Appendix R2). CPRA and its LA TIG partners have further revised and refined this MAM Plan prior to issuance of the Final EIS partially in response to public comments. As part of the Project implementation, CPRA would undertake substantial monitoring as explained in the MAM Plan (see Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62860

The Draft EIS Monitoring and Adaptive Management (MAM) Plan in Appendix R2 includes several steps and elements that would

be considered appropriate for adaptive management and allow for full benefits of such measures.

Response ID: 16669

The MAM Plan steps and elements noted and supported by the commenters were included in Appendix R2 to the Draft EIS. These measures have been further refined in CPRA's MAM Plan issued with the Final EIS (Appendix R2).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

MA14000 – MAM Data Management & Reporting

Concern ID: 63094	There should be a website that shows if the diversion is running and at what capacity.
Response ID: 16646	<p>In response to public and agency comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.</p> <p>This dashboard has been added to the Monitoring and Adaptive Management (MAM) Plan included in the Final EIS (Appendix R2). The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.</p> <p>The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.</p>
Concern ID: 63095	CPRA should communicate relevant thresholds and triggers for monitoring to the public on a regular basis.

Response ID: 16648

As explained in the Monitoring and Adaptive Management (MAM) Plan, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. The dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operations.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

MT20000 – Compensatory Wetland Mitigation

Concern ID: 62189

Jesuit Bend Mitigation Bank would provide an offset for Project impacts, particularly if wet pasture impacts are offset with fresh to intermediate marsh as it has been for previous USACE projects.

Response ID: 16402 The direct wetland impacts associated with the proposed Project are discussed in the EIS at Chapter 4, Section 4.6.4.1 Wetland Resources and Waters of the U.S., Construction Impacts, Wetland Types and Extent. USACE will evaluate impacts and consider any necessary compensatory mitigation consistent with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance in its permitting decision. If compensatory mitigation were required, options consistent with Part 332 would be considered, including banks within the appropriate watershed with available credits. Any potential compensatory mitigation requirements would be discussed in the ROD.

Concern ID: 62191 **The mitigation proposed by CPRA (“self-mitigation”) is inconsistent with federal law and fails to consider and give priority to credits from mitigation banks; USACE should consider CPRA’s mitigation plan and determine that compensatory mitigation is required for construction footprint impact through the purchase of released in-kind and in-basin mitigation bank credits, which are available from Jesuit Bend Mitigation Bank**

Response ID: 16403 The direct wetland impacts associated with the proposed Project are disclosed in the EIS and will be evaluated by USACE in accordance with 33 CFR §320.4(r) in its permitting decision. If compensatory mitigation were required, options consistent with 33 CFR Part 332, including banks within the appropriate watershed with available credits, would be considered. If a permit is issued, any potential compensatory mitigation requirements would be provided in the ROD.

The term “self-mitigating” was used in Chapter 4, Section 4.27.2.1 Compensatory Mitigation, Jurisdictional Wetlands and Waters of the U.S. to indicate that CPRA believes the marsh creation benefits of the Project would offset the wetland impacts. However, since publication of the Draft EIS, CPRA has committed to constructing wetlands within the designated beneficial use area with excavated material that, according to Wetland Value Assessment (WVA) modeling, would at minimum be equivalent to the identified Average Annual Habitat Units (AAHUs) lost from Project construction. Edits have been made to Final EIS Chapter 2, Section 2.8.1.1 Project Design Features to reflect this Project feature. Final EIS Section 4.6.5.3 Wetland Resources and Waters of the U.S., Wetland Value Assessment has been updated with the Interagency Habitat Evaluation Team’s WVA calculation of the AAHUs that would be created in these beneficial use areas, and Section 4.27.2.1 Compensatory Mitigation, Jurisdictional Wetlands and Waters of the U.S. has been edited to summarize the wetland impacts and describe the projected benefits that would be provided by these beneficial use marsh creation sites and other wetland benefits of the Project.

Concern ID: 66934

It appears that CPRA is considering using some of the excavated material for construction of the MBSD for beneficial use placement and upland reuse (for example, filling existing borrow pits). However, this material would first be used for construction of the Project components and only be used for beneficial reuse “if suitable” and “to the extent practicable.” CPRA acknowledges that “[b]ecause the amount of dredge material suitable for placement in the beneficial use sites is currently unknown, the benefits cannot be calculated or considered as a mitigation offset.”

Response ID: 16861

Since publication of the Draft EIS, CPRA has determined that it would construct a beneficial use component to the proposed Project and has submitted information concerning the design and location of the beneficial use sites such that the benefits in terms of acreage and Average Annual Habitat Units (AAHUs) can now be calculated. These beneficial use areas would be located near the proposed outfall transition feature. According to Wetland Value Assessment (WVA) modeling, these constructed wetlands would at minimum be equivalent to the identified AAHUs lost from Project construction. Edits have been made to Final EIS Chapter 2, Section 2.8.1.1. Project Design Feature) to reflect this Project feature. Final EIS Chapter 4, Section 4.6.5.3 Wetland Resources and Waters of the U.S., Wetland Value Assessment has been updated with the Interagency Habitat Evaluation Team’s WVA calculation of the AAHUs that would be created in these beneficial use areas, and Section 4.27.2.1 Compensatory Mitigation, Jurisdictional Wetlands and Waters of the U.S. has been edited to summarize the anticipated wetland impacts and anticipated benefits of the proposed Project that include these marsh creation sites and other wetland benefits of the Project.

Concern ID: 66935

CPRA claims that there will be “no net loss” of wetlands because wetland losses during construction would be offset by the anticipated creation of wetlands during operation of the MBSD. The uncertainty and timing of these environmental benefits cannot justify disregarding the requirement that unavoidable impacts be minimized and mitigated. Based on the uncertainty and timing, these benefits cannot be reasonably expected to offset the significant losses of jurisdictional wetlands and their functions within the construction footprint.

Response ID: 16862

CPRA has determined that it will construct wetlands within the designated beneficial use area with excavated material, which, according to Wetland Value Assessment (WVA) modeling, would at minimum provide equivalent Average Annual Habitat Units (AAHUs) to the identified AAHUs anticipated to be lost due to direct impacts from Project construction. The proposed Project beneficial use wetland

creation feature would be constructed concurrently with overall construction of the proposed Project.

CPRA is not relying on diversion marsh creation performance to replace the permanent loss of wetlands that would result from Project construction. Because the beneficial use marsh creation Project feature would be constructed using typical marsh creation construction methods, uncertainty regarding the success and environmental benefits of this Project feature would be minimized. Edits have been made to Final EIS Section 2.8.1.1. Project Design Features to reflect this Project feature. Final EIS Section 4.6.5.3 Wetland Resources and Waters of the U.S., Wetland Value Assessment has been updated with the Interagency Habitat Evaluation Team's WVA calculation of the AAHUs that will be created in these beneficial use areas, and Section 4.27.2.1 Compensatory Mitigation, Jurisdictional Wetlands and Waters of the U.S. has been edited to summarize the anticipated wetland impacts and benefits of the proposed Project to include these beneficial use marsh creation sites and other wetland benefits of the Project.

Concern ID: 66936

CPRA claims that sometime in the next 50 years (potentially 2040 or later) fresh and intermediate marsh is anticipated to be established, and this will mitigate the known, immediate, permanent loss of 182.9 acres of jurisdictional wetlands. CPRA does not dispute that there will be a significant temporal loss of aquatic function. This temporal lag in the creation of wetlands (even assuming that the MBSD works as projected, which is highly uncertain) cannot justify deviating from compensatory mitigation requirements. As required by the 2008 Final Rule, this temporal loss must be addressed, quantified and mitigated through the purchase of available in-kind and in-basin mitigation bank credits or other well-established mechanisms.

Response ID: 16863

CPRA is not relying on diversion marsh creation success to replace the anticipated permanent loss of 193.1 acres of wetlands resulting from Project construction. The permanent loss of 1193.1 acres of jurisdictional wetlands would be replaced through construction of at least 402 acres of marsh through beneficial use of excavated material concurrent with construction of the proposed Project.

Concern ID: 66937

As acknowledged by CPRA, CPRA's proposed self-mitigation involves a high degree of uncertainty. To account for uncertainty, CPRA relies on an adaptive management plan. Thus, not only will the "self-mitigation" not occur before or concurrent to the impacts, it is uncertain to happen at all.

Response ID: 16864

CPRA is not relying on diversion marsh creation success to replace the anticipated permanent loss of 193.1 acres of wetlands resulting from Project construction. The permanent loss of 193.1 acres of

jurisdictional wetlands would be replaced through construction of at least 402 acres of marsh through beneficial use of excavated material concurrent with construction of the proposed Project.

Because the beneficial use marsh creation Project feature would be constructed using typical marsh creation construction methods, uncertainty regarding the success and environmental benefits of this Project feature would be minimized. Therefore, the uncertainty regarding whether the proposed Project would produce projected land building and marsh creation benefits through operation of the diversion, as projected by the Delft3D Basinwide Model, is not relevant to the calculation of anticipated wetland creation benefits associated with the beneficial use component of the proposed Project.

Concern ID: 66938

The purchase of mitigation bank credits (or mitigation through some other well-established mechanism) is feasible, appropriate and practicable. The purchase of in-kind and in-basin mitigation bank credits will offset the values and functions of the impacted jurisdictional wetlands.

Response ID: 16865

Should compensatory mitigation be required, the purchase of mitigation bank credits and potentially other mitigation options would be considered in accordance with 33 CFR Part 332.

Concern ID: 66939

It is inappropriate to compare the MBSD to “typical” marsh creation projects. Although under certain circumstances the Corps has the limited discretion to not require compensatory mitigation when a proposed discharge is reasonably expected to result in environmental benefits, the anticipated benefits of the MBSD cannot justify the Corps exercising this discretion.

Response ID: 16866

CPRA has determined it would construct wetlands within the designated beneficial use area with excavated material that, according to WVA modeling, would at minimum produce sufficient AAHUs to replace the anticipated AAHUs that would be lost due to Project construction. USACE’s determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance, including the 1990 USEPA & USACE MOA Concerning the Determination of Mitigation.

Concern ID: 66940

The Corps is mandated to require “additional” mitigation when temporal losses to aquatic function will result.

Response ID: 16867

CPRA has determined that it would construct a beneficial use marsh creation component concurrent with Project construction. The WVA model considers the temporal losses to aquatic function in its calculations regarding Project impacts and marsh creation construction benefits.

Concern ID: 66941	Despite the requirements of the 2008 Final Rule, CPRA and the Corps do not address whether a single acre of this land will be provided long-term protection. Not only is there no guarantee that the Project will successfully result in the creation of these acres, even if the Project is successful, there is nothing in place to prevent the conservation objectives of the Project being compromised by incompatible uses. As a result, the proposed mitigation for the MBSD is not in compliance with the 2008 Final Rule requirements and is unlawful.
Response ID: 16868	Benefits to be derived from marsh reestablishment have been evaluated through the WVA model which considers temporal losses to and gains in aquatic function. The beneficial use of excavated material to create marsh is a component of the Project and would be constructed concurrently with proposed Project. USACE's determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance. If compensatory mitigation were required, banks within the appropriate watershed with available credits would be considered.
Concern ID: 66943	If the Project is considered permittee-responsible mitigation, CPRA's "self-mitigation" is also inconsistent with CEMVN's Permittee-Responsible Mitigation Plan Template.
Response ID: 16869	The beneficial use component of the proposed Project is not considered permittee-responsible mitigation; it is a Project feature. USACE would not require that the marsh creation component to use the Permittee-Responsible Mitigation Plan Template. USACE's determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance, including the 1990 USEPA & USACE MOA Concerning the Determination of Mitigation.
Concern ID: 66945	"Self-Mitigation" for the MBSD is not environmentally preferable. Not only does CPRA's proposed "self-mitigation" not meet the requirements of the 2008 Final Rule or CEMVN's requirements for permittee-responsible mitigation, it is not environmentally preferable. Mitigation bank credits are the preferred option under the 2008 Final Rule. There is no basis for the Corps to override the preference for compensatory mitigation through available in-kind and in-basin mitigation bank credits.
Response ID: 16870	The beneficial use component of the proposed Project is not considered permittee-responsible mitigation. USACE's determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance. If compensatory mitigation

were required, banks within the appropriate watershed with available credits would be considered.

Concern ID: 66946

The USFWS recognizes that the anticipated marsh to be created by the Project would not “self-mitigate” for the indirect impacts the proposed Project would cause in the birdfoot delta and therefore has recommended that CPRA provide additional mitigation in the form of wetland creation through crevasse construction in the birdfoot delta. The Project’s direct impacts to 182.9 acres of jurisdictional wetlands should similarly be offset through wetland creation.

Response ID: 16871

The anticipated direct impacts to 182.9 acres of jurisdictional wetlands due to Project construction would be replaced through construction of at least 400 acres of marsh through beneficial use of excavated material concurrent with construction of the proposed Project. Because the beneficial use marsh creation Project feature would be constructed using typical marsh creation construction methods, uncertainty regarding the success and environmental benefits of this Project feature would be minimized. CPRA has also agreed to the conservation recommendations of the USFWS, including the construction of crevasse projects that may include terracing to offset the indirect losses on the Delta NWR and the Pass A Loutre (PAL) WMA. Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10 million of additional funding for wetland preservation and restoration work in the Delta NWR and the PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional restoration work sponsored by the LA TIG (for example, construction of the E&D work discussed in the DWH LA TIG’s Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area.

Concern ID: 66497

For the purpose of determining in-kind mitigation for degraded wetlands, one needs to determine the wetland habitat that existed prior to the degradation. The majority of emergent wetlands habitat that existed prior to degradation of wetlands within the Project’s construction footprint was fresh/intermediate marsh. Emergent wetlands delineated within the Project footprint include soils associated with historic marsh, specifically Lafitte and Westwego soil series.

Response ID: 16872

The comment is acknowledged. USACE’s determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance. If compensatory mitigation were

required, banks within the appropriate watershed with available credits would be considered.

MT21100 – Impacts to Navigation Mitigation

Concern ID: 62968

If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).

Response ID: 16642

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project,

such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63791

CPRA should monitor canals and dredge them as they begin to silt from the diversion.

Response ID: 16645

The commenter's concerns regarding siltation and infill of Wilkinson Canal and other navigation channels in the Barataria Basin were considered in the Draft EIS in Chapter 4, Section 4.16.5.2 Recreation and Tourism - Operational Impacts and Section 4.21.5.2 in Navigation.

Siltation and infill of Wilkinson Canal was considered in the Draft Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. Since issuance of the Draft EIS, CPRA has revised its plan to address infill of Wilkinson Canal caused by Project operations. See Section 6.3.1 (Impacts to Navigation) of the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for CPRA's final plan with regard to the siltation of Wilkinson Canal.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in

the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62969

To ensure commerce is not disrupted and navigation safety is prioritized, the CPRA and Louisiana should engage and communicate with the navigation industry concerning Project impacts to the Mississippi River Ship Channel, birdfoot delta, and Southwest Pass.

Response ID: 16643

The EIS Appendix Q2 Navigation Study Reports included CPRA's coordination with Mississippi River pilots to evaluate impacts on navigation safety during proposed Project construction and operations. Appendix Q2 Navigation Study Reports has been updated with additional details of CPRA's efforts.

USACE agrees that maintaining safe and efficient navigation is a top priority. USACE has engaged the navigation industry in meetings on August 2, 2018, September 5, 2018, and February 3, 2022 and will continue to coordinate with the navigation industry regarding the industry's concerns about the proposed Project. .

CPRA's Operational Plan for the proposed Project states, "In the event diversion operations cause an unintended and severe impediment to navigation, as determined by the U.S. Coast Guard in consultation with CPRA, CPRA will coordinate with the U.S. Coast Guard and CEMVN and determine what, if any, changes in diversion operations are warranted to address the impediment" (see the Draft EIS, Appendix F2 Preliminary Operations Plan).

CPRA has proposed the following measures in its Final Mitigation and Stewardship Plan (Appendix R1) to address concerns about navigation

impacts in the Mississippi River during Project construction. These measures have been forwarded to the U.S. Coast Guard for their review and input.

- CPRA would coordinate the location of Mississippi River Aids to Navigation (ATONS) associated with the MBSD structure with the USCG. The ATONS would be visually inspected each day and the operability recorded in the Daily Report and would be maintained for the duration of the Project.
- Whenever flow through the structure is started or stopped, on-site personnel shall notify the USCG via a Navigation Bulletin so that traffic is informed of the Project's operating condition.
- Before raising or lowering any gate at the entrance to the diversion channel, the operator should check the vicinity of the inflow, conveyance and outflow channels for boats, fishermen and swimmers and alert them to clear the area. Methods for these alerts may include horns, lights and/or audio messages.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship

Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63032

The requirement to maintain a sufficient picket boat during the construction and operation of the diversion structure to protect maritime commerce, transiting vessels and the diversion structure(s) must be included.

Response ID: 16644

The commenter's concerns regarding the impacts of the Project on navigation safety in the Mississippi River were considered and addressed in the Draft EIS navigation section in Chapter 4, Section 4.21.4 Mississippi River. This section explains that during construction, the Project would have moderate, temporary, adverse impacts on the safety and efficiency of shallow-draft vessels transiting past the proposed Project site in the Mississippi River and intermittent but permanent, moderate, adverse, impacts on navigation safety and efficiency during operations. Since issuance of the Draft EIS, CPRA's 60-percent designs for the proposed Project have decreased the extent to which the Project's intake structure (including the temporary construction cofferdam) would extend into the Mississippi River during construction. The Final EIS has been updated to reflect this reduced impact on navigation safety and efficiency during construction. Therefore, the impact determination on navigation safety and efficiency during construction has been revised to "minor, temporary, and adverse impacts" in Chapter 4, Section 4.21.4.1.2.2 Traffic in the Navigation section of the Final EIS. Prior to any issuance of a permit for the Project by USACE, the USACE would coordinate with the U.S. Coast Guard to establish special permit conditions to address vessel safety in the Mississippi River during construction and operation of the proposed Project.

CPRA's Operational Plan for the proposed project states, "In the event diversion operations cause an unintended and severe impediment to navigation, as determined by the U.S. Coast Guard in consultation with CPRA, CPRA will coordinate with the U.S. Coast Guard and CEMVN and determine what, if any, changes in diversion operations are warranted to address the impediment" (see the EIS, Appendix F2 Preliminary Operations Plan).

Further, CPRA has proposed the following measures in its Final Mitigation and Stewardship Plan (Appendix R1) to address concerns about navigation impacts in the Mississippi River during Project construction. These measures have been forwarded to the U.S. Coast Guard for their review and input.

- CPRA would coordinate the location of Mississippi River Aids to Navigation (ATONS) associated with the MBSD structure with the USCG.
- Whenever flow through the structure is started or stopped, on-site personnel shall notify the USCG via a Navigation Bulletin so that traffic is informed of the Project's operating condition.
- Before raising or lowering any gate at the entrance to the diversion channel, the operator should check the vicinity of the inflow, conveyance and outflow channels for boats, fishermen and swimmers and alert them to clear the area. Methods for these alerts may include horns, lights and/or audio messages.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

MT21200 – Property Impacts Mitigation

Concern ID: 63096	Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).
Response ID: 16699	<p>Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.</p> <p>CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.</p> <p>The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.</p>

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship

Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63097

Commenter requested information regarding how high to install a new bulkhead on their lot in the Myrtle Grove Marina Subdivision.

Response ID: 16636

Projected increases in water levels and corresponding tidal inundation in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS. See Table 4.20-2 of the Final EIS for the projected number of days that inundation would be experienced (based on fixed thresholds) at these communities including Myrtle Grove.

CPRA's Final Mitigation and Stewardship Plan includes structural measures that CPRA plans to implement to reduce some impacts of the proposed Project. In particular, CPRA has proposed, as part of the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to improve the bulkhead along the lots in the Myrtle Grove Marina Estates Subdivision to an elevation of 4.0 feet NAVD88 or greater.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent

anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63098

Commenter asserted that the compensation evaluation for Midway should consider public market and value of borrow material.

Response ID: 16637

As part of any property rights acquisition from Midway to implement the Project, CPRA would compensate landowners for the value of any property interest acquired in accordance with applicable law. Determining the appropriate amount that CPRA would pay for property it acquires for the Project is outside of the scope of the USACE EIS process and the LA TIG's OPA Restoration Plan.

Concern ID: 63099

Commenter expressed concern that they will not be able to access their property due to flood waters caused by operation of the Project and the that the Project will kill fish, shrimp, and crab that they enjoy from their property.

Response ID: 16709

The commenter's concern regarding the impacts of the proposed Project on access to certain properties due to increased water levels was considered in Chapter 4, Section 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS, and the impacts of the proposed Project on aquatic species and recreational and subsistence fishing were considered in Sections 4.10.4.5 Key Species in Aquatic Resources, 4.13.5.6 Community Cohesion and 4.16.5.2 Applicant's Preferred Alternative in Recreation and Tourism.

Recognizing these potential impacts, CPRA engaged the communities potentially impacted by the proposed Project through public meetings to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. The Final EIS Mitigation and Stewardship Plan (Appendix R1) was expanded and refined since the Draft EIS based on this community input. CPRA's Final Mitigation and Stewardship Plan includes structural measures that CPRA plans to implement to address and offset some impacts of the proposed Project. For example, CPRA plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. CPRA is also planning to provide property owners from Woodpark south to Grand Bayou and Happy Jack with funds to elevate docks and boat houses, and to mitigate the effects of the proposed Project on boat access from Myrtle Grove and Woodpark to the basin. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for additional details.

Structural measures such as raising roads or improving bulkheads in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Draft EIS also addressed how changes in the proposed Project area both with and without implementation of the proposed Project would potentially impact aquatic species Chapter 4, Section 4.10 Aquatic Species and recreational fishing Chapter 4, Section 4.6 Recreation and Tourism. In response to public comments and resource agency input, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries. The final fishery mitigation plan can be found in the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were

submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63100

Commenters request additional information on how homestead exemption will be considered in compensation for acquisition.

Response ID: 16638

The reference to homestead exemption in the Draft EIS was for informational purposes, and not intended to determine how compensation or mitigation would be provided. As part of any property acquisition to implement the Project, CPRA intends to compensate landowners for the value of any property interest acquired in accordance with applicable law..

Concern ID: 63101

Commenter requests information on whether property will be transferrable after receiving mitigation and whether insurance will continue to be available.

Response ID: 16639

Details regarding CPRA's planned mitigation and stewardship measures are explained in CPRA's Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS. Any property that is subject to a Project servitude would remain transferrable, however, subsequent

transfers of that property would remain subject to the terms of the servitude. Similarly, if CPRA were to implement structural mitigation and stewardship measures on a landowner's property (such as improving the bulkhead), the property would remain transferrable, however, subsequent transfers of the property would remain subject to the terms of any servitude or other agreement granted to CPRA.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

CPRA and the LA TIG would not place any restrictions on the ability to obtain or receive insurance as a condition to implementation of any mitigation and stewardship measures.

Concern ID: 63102

Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.

Response ID: 16640

The commenters' concern regarding the adequacy of the funding for mitigation and stewardship measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts of the Project on surrounding communities outside levee protection, including potential mitigation and stewardship measures to address increased water levels due to the Project. In response to comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner

were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and

specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63103

Commenter suggests that a floodgate across the canal would be a better solution and would not harm property.

Response ID: 16641

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) outlined the mitigation and stewardship measures proposed by CPRA to address and offset the projected impacts of Project operations on surrounding communities, including providing mitigation for increased water levels due to the Project. In response to comments, CPRA has expanded and refined the Final Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

As part of developing the Final Mitigation and Stewardship Plan, CPRA considered the possibility of installing a flood gate for the Myrtle Grove Marina Estates Subdivision. CPRA decided not to pursue this option for several reasons. While some property owners in Myrtle Grove have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the Barataria Basin. CPRA has proposed instead other structural mitigation and stewardship measures to address the

projected impacts of the Project on water levels and boat accessibility in the Mitigation and Stewardship Plan.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

MT21300 – Flooding Impacts Mitigation

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the

proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62952

Commenter expressed concern about the efficacy of certain mitigation and stewardship measures such as floodwalls, floodgates and flood easements.

Response ID: 16710

Since issuance of the Draft EIS, CPRA has expanded and refined the Mitigation and Stewardship Plan (Appendix R1) based on community and resource agency input. Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

If the LA TIG decides to fund the proposed Project, that funding authorization would also include funding for the mitigation and stewardship measures set forth in the Mitigation and Stewardship Plan.

With implementation of the structural mitigation included in the Final Mitigation and Stewardship Plan, access to the properties within the communities south of the outfall (beginning at Myrtle Grove and continuing south to Grand Bayou and Happy Jack) would be improved over future conditions without the proposed Project. In particular, roadways would either be protected from flooding by increasing the height of the community's bulkhead (Myrtle Grove) or elevating the access roadways (Woodpark south to Happy Jack). The result would be that property owners, tenants and guests, as well as emergency service workers, would have improved access to the potentially flooded properties. See the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for additional details.

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove Marina Estates Subdivision. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again,

community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Mitigation and Stewardship Plan.

In addition, changes in water levels due to Project operations would not be expected to change the Flood Insurance Rate Maps (FIRMs). See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change. Also, the proposed Project servitudes, which would permit CPRA to increase the water levels on the properties during Project operations in exchange for monetary compensation, would not restrict the provision of emergency services.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components

of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62954

Compensation should not be provided for impacts to vacation homes, rental homes, or planned homes.

Response ID: 16612

The comment that compensation should not be provided for impacts to vacation homes, rental homes, or planned homes, is acknowledged. CPRA's mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) do not differentiate between primary residences and second, vacation or rental homes in terms of the mitigation planned as part of the Project or offered to any property owner. In cases where CPRA acquires property interests as part of implementing the mitigation and stewardship measures, CPRA will compensate the landowner for that property interest.

Concern ID: 62956

It is imperative that oyster productivity be rebuilt because it would provide natural flood protection.

Response ID: 16613

The oyster mitigation concern raised by the commenters was considered in the Draft EIS as part of the Draft Mitigation and Stewardship Plan (Appendix R1). Additional details on oyster mitigation have been added to this appendix in the Final EIS. CPRA agrees that maintaining a sustainable oyster population is imperative and has designated \$32 million in mitigation strategies associated with the Project toward that objective. Most of these funds would go towards new public seed grounds, enhanced public/private grounds, Alternative Oyster Culture, and broodstock reefs. Additional funding would go towards assisting the oyster industry in marketing and outreach. Details regarding the oyster mitigation and stewardship measures are set forth in the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in

instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62957

Commenter expressed support for implementation and recognizes the cross benefit of mitigation and stewardship measures to address increased localized flooding. The commenter noted that once in place those measures would result in protection to the communities from both localized flooding associated with the Project as well as from increased flooding associated with subsidence and sea-level rise.

Response ID: 16614

The LA TIG acknowledges the commenter's support of the Project and agrees that the mitigation and stewardship measures would address some Project impacts, as well as flooding from sea-level rise and subsidence.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any

mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63291

The Project should consider the use of muscle walls to protect homes, businesses, and municipalities from flooding.

Response ID: 16615

The Draft EIS did not consider the use of muscle walls as a potential flooding mitigation measure. While CPRA has updated the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA has not made final decisions regarding the materials that would be used for the structural mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan,

but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63915

Grand Bayou would be negatively impacted by water level, and yet is not likely to receive land-building benefits. CPRA should consider mitigation activities that enhances compliance for oil companies to reduce the impacts of oil and gas activities in the area.

Response ID: 16616

The impacts on Grand Bayou raised by the commenter were considered in Chapter 4, Sections 4.15.4 Operational Impacts in Environmental Justice and 4.20.4.2 Operational Impacts in Public Health and Safety of the Draft EIS and in CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes funding for improvements and other mitigation and stewardship measures in the Grand Bayou community, many of which are targeted at improvements requested by community residents. This includes funding for raising homes and roads, boardwalks, and floating gardens. In addition, CPRA would purchase Project servitudes from landowners in the Grand Bayou community whose property is projected to be impacted by increased water levels caused by during Project operations. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Details regarding these mitigation and stewardship measures are set forth in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation,

stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

The Draft EIS recognizes causes and impacts of coastal land loss, including oil and gas activities (see EIS Chapter 3, Section 3.6.2 Wetland Loss). Enforcement related to other spills is not within the scope of the EIS or Restoration Plan. As explained in Section 4.2.4.2 (Mineral Resources - Operational Impacts) and depicted in Figure 4.2-5 of the Final EIS, operation of the Project is projected to infill canals within the basin near the Project outfall that were constructed as part of oil and gas production.

MT21400 - Aquatic/Fisheries Impacts (other than commercial) SMM

Concern ID: 62975

Those who experience a taking from this and future diversions must be reasonably compensated for their losses; however, having to fish in a new location does not warrant compensation.

Response ID: 16611 Statements about what types of losses might constitute compensable takings are beyond the scope of the EIS. The Mitigation and Stewardship Plan (Appendix R1 to the EIS) focuses on maintaining a sustainable fishery into the future, rather than compensating individual fishers for alleged losses.

MT21500 - ESA-Listed Species SMM

Concern ID: 62943 **The EIS should address mitigation and stewardship measures for threatened, endangered (T&E) and special status species and their habitat, including adding a section to the Mitigation Plan that specifies the measures that will be taken to minimize impacts to T&E species.**

Response ID: 16610 Impacts to Threatened and Endangered Species (T&E species) were addressed in Chapter 4, Section 4.12 (Threatened and Endangered Species) of the Draft EIS. Those impacts are also subject to the ongoing consultation with the U.S. Fish & Wildlife Service and the National Marine Fisheries Service (collectively, the “Services”) under the Endangered Species Act (ESA). Appendix O Biological Assessment & Biological Opinion of the EIS contains a Biological Assessment (BA) for T&E species. This BA discusses impacts to T&E species, as well as measures that would be taken to minimize impacts to T&E species.

For the species that the Project is “likely to adversely affect” (for example, pallid sturgeon), a request, along with the BA, was sent to the Services to initiate formal consultation regarding those species. The formal consultation resulted in Biological Opinions (BO) for those T&E species that includes specific measures to minimize the amount of take for the specified T&E species.

The USFWS BO on the proposed Project (included as Appendix O3 USFWS Biological Opinion of the Final EIS) concludes the proposed Project would not be likely to jeopardize the continued existence of the pallid sturgeon and authorized the loss (by death or serious injury) of 48 pallid sturgeon per year. Section 5.2 of the USFWS’ BO requires that the diversion gate be opened or closed over a several hour period to allow fish sufficient time to migrate back to the river or away from the structure, that CPRA and the USACE coordinate with the USFWS to develop a Fish Monitoring and Removal Plan for pallid sturgeon, and conduct any cutterhead or suction dredging in the Mississippi River (if determined to be warranted at a later date) using operational parameters coordinated with the USFWS.

The NMFS' BO on the proposed Project (included in the Final EIS as Appendix O4 NMFS Biological Opinion) concludes the proposed Project is not likely to jeopardize the continued existence of sea turtles and authorizes the incidental take of 783 sea turtles per year, including 370 Kemp's ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Section 8.3 of the NMFS' BO requires that the federal action agencies ensure that the Project proponent monitor brown shrimp fishing effort in the action area; fund, implement, and annually report on a salinity monitoring program in Barataria Bay; and funds and implements a monitoring plan targeting the distribution, health, and habitat use of sea turtles in the Barataria Basin.

ESA consultation seeks to minimize impacts to T&E species. CPRA has updated its Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include a reference to Appendix O Biological Assessment & Biological Opinion for T&E species. For State-listed and/or Special Status Species, potential impacts are identified in Chapter 4, Section 4.12.3 State-listed Threatened and Endangered Species of the Final EIS and conservation measures are discussed in the FWCAR (see Appendix T USFWS Coordination Act Report (CAR) to the Final EIS).

MT21800 – Cultural Resources SMM

Concern ID: 62935

The cultural resources mitigation plan in the Draft Programmatic Agreement (Appendix K Cultural Resources Information of the Draft EIS) includes a public education component (website or other materials). The commenter suggested that the public education component should include information about individual cultural resource sites as well as regional information. Also, the commenter suggested that the following entities should be consulted in developing the public education component: public university archeology programs that have an interest, the Louisiana Archeological Society, and the Louisiana Archaeological Survey and Antiquities Commission. Additionally, the public education component should include support for public archeology instruction in kindergarten through high school and for Louisiana's universities that teach archeology and support for the Louisiana Archeology Month, which is the Louisiana Department of Culture, Recreation and Tourism's means of educating the public about Louisiana's heritage.

Response ID: 16654

The public education component of the Alternative Mitigation Plan appended to the Programmatic Agreement in Appendix K Cultural

Resources Information of the EIS is intended to inform the public about the regional history of Native Americans between 1500 and 1900 AD in Southeastern Louisiana. As stated in the Alternative Mitigation Plan, to achieve this objective, the plan proposes to examine the archaeological record and cultural history of the region. While information gleaned from individual sites is invaluable, they often provide limited information at a local level and do not generally provide much information about the larger geographic region. In addition to incorporating ethnographic interviews, the parties participating in the National Historic Preservation Act (NHPA) Section 106 consultation have agreed on the minimum types of source materials that would be reviewed to develop the public education component of the plan, all of which may be derived from a variety of community programs and organizations, likely including those recommended by the commenter. A qualified professional consultant would complete the public education component. As stated in Part VI.B.2 of the Programmatic Agreement in the EIS Appendix K Cultural Resources Information, draft versions of all products would be provided to the NHPA Section 106 Consulting Parties for a 60-day review period to ensure that the final product is suitable for public education and includes a robust collection of the available materials from a diverse group of sources.

Concern ID: 63899

The commenter expressed concern that the ethnohistoric overview component of the cultural resources alternative mitigation plan should draw on archeology, which could include a regional analysis, as well as oral and archival sources. The commenter expressed concern that the alternative mitigation plan would merely be a summary of existing literature.

Response ID: 16656

The issue raised by the commenter was addressed in the Programmatic Agreement developed concurrent with the Draft EIS, which sets forth the alternative mitigation to be implemented by CPRA as part of implementing the Project (see the Programmatic Agreement in Appendix K Cultural Resources Information of the EIS). The Alternative Mitigation Plan, developed by the Section 106 Consulting Parties, including federally recognized Tribes, includes a regional ethnohistory of Native American settlement in the southeastern coastal Louisiana region (Barataria Basin, Breton Sound Basin, and Pontchartrain Basin). The analysis conducted as part of the Alternative Mitigation Plan would include an examination of the archaeological record at the regional level as well as oral and archival sources. The Consulting Parties have agreed that the region is considered understudied and that the general public is currently without a synthesis of the extant archaeological and historical literature, particularly one augmented with regionally relevant Native American oral accounts. The products that the study proposes to provide are not merely a summary of the existing literature. Rather, the plan would: (1) mitigate

for the lack of cohesion among the archaeological record, scholarly literature on Native American history, and the available vital/archival records; and (2) make the existing literature and Tribal knowledge available to the public online and in the classroom.

Concern ID: 63900

The cultural resources Alternative Mitigation Plan should compile information about the history of Tribes and specific cultural sites for use in consultations.

Response ID: 16657

The issue raised by the commenter was addressed in the Programmatic Agreement developed for the Draft EIS, which sets forth the Alternative Mitigation Plan to be implemented by CPRA as part of implementing the Project (see the Programmatic Agreement In Appendix K of the EIS). The Alternative Mitigation Plan, developed by the NHPA Section 106 Consulting Parties, including federally recognized Tribes, includes a regional ethnohistory of Native American settlement in the southeastern coastal Louisiana region (Barataria Basin, Breton Sound Basin, and Pontchartrain Basin). The Alternative Mitigation Plan does not include the investigation of archaeological sites. Instead, the objective of the Alternative Mitigation Plan is to develop a comprehensive ethnohistoric overview of Native American history in southeastern coastal Louisiana (Barataria Basin, Breton Sound Basin, and Pontchartrain Basin). One of the proposed products to be developed through the Alternative Mitigation Plan is information, documents, and/or maps to improve NHPA Section 106 consultation with federal agencies by clarifying for each participating Tribe which projects they wish to consult on.

Concern ID: 62938

CPRA should work with residents of Ironton and Tribes to protect cultural resources and maintain access to cultural sites, including those separated from Ironton by the diversion channel. Commenters suggest that the Project mitigate for any loss of access to cultural sites, using the Lagniappe for the Working Coast project as an example.

Response ID: 16655

As indicated in Chapter 4, Section 4.24 (Cultural Resources) of the EIS, cultural resources consultations have been conducted in accordance with Section 106 of the National Historic Preservation Act (NHPA). The Section 106 Consulting Parties are comprised of the USACE (the lead federal agency), the State Historic Preservation Office, the Advisory Council on Historic Preservation, CPRA (the Applicant), federal agency members of the LA TIG, and federally recognized Tribal Nations who expressed historic ties to the Barataria Basin and who choose to participate. This consultation resulted in the development of a Programmatic Agreement that is included in Appendix K Cultural Resources Information of the EIS. The Alternative Mitigation Plan (see the Programmatic Agreement and its attachments in Appendix K), was developed to mitigate for the Project's adverse effects on historic

properties in the Barataria Basin caused by the proposed Project. The Programmatic Agreement identifies the Tribal Nations that decided to participate in the consultation, and explains that the USACE would continue to consult with any interested federally recognized Tribal Nation who has not yet requested to consult.

As indicated in Chapter 4, Section 4.24.2.2 of the Cultural Resources section of the Draft EIS, the NHPA Section 106 Consulting Parties have developed Stipulations in the Programmatic Agreement that contain prescriptive steps and potential mitigation measures should any portions of the known historic properties (that is, archeological remains of St. Rosalie Plantation) within the Construction APE be identified as NRHP eligible by ongoing Phase II analysis. This section has been updated in the Final EIS to clarify that neither the St. Rosalie Cemetery, the Ironton Cemetery or visitation access to them would be impacted by construction or operation of the proposed MBSD Project. The cemeteries are currently and would continue to be on private property. Residents of Ironton currently have access to the St. Rosalie and Ironton cemeteries via LA 23 and would continue to have access to the cemeteries via LA 23 after the proposed Project is constructed. To clarify potential impacts on Ironton, Section 4.15 Environmental Justice has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS.

Lagniappe for the Working Coast is a grant awarded by the National Estuary Program to a partnership between the Lowlander Center and state-recognized Tribes to mitigate erosion to areas, including archaeological sites, sacred to Louisiana's coastal Tribes through the backfilling of unused or abandoned canals excavated in coastal marshes. More information on National Estuary Program grants is available at <https://estuaries.org/initiatives/watershedgrants/>.

SMM10000 – Other/General SMM

Concern ID: 63151

Some commenters stated general support and appreciation for the mitigation plan.

Response ID: 16555

Comments offering general support and appreciation for the Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were

submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63179

Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.

Response ID: 16556

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage

of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

Concern ID: 63180

Mitigation plan should have been presented with the Draft EIS.

Response ID: 16557

The Draft Mitigation and Stewardship Plan for the Project was included as Appendix R1 to the Draft EIS, for which a NOA was published in the Federal Register on March 5, 2021 (86 FR 12942). The LA TIG presented an overview of the Mitigation Plan during the April Draft EIS Public Meetings. The Mitigation and Stewardship Plan included in the Draft EIS was a draft plan, with specific issues that required further development before the plan was finalized. The Final Mitigation and Stewardship Plan is published as Appendix R1 to the Final EIS. CPRA expanded and refined the Final Mitigation and Stewardship Plan (Appendix R1) in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63181

CPRA has no real mitigation plan.

Response ID: 16558

The Draft EIS contained CPRA's Mitigation and Stewardship Plan in Appendix R1.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 63182

Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.

Response ID: 16559

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the LA TIG's Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final

Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63183

Commenter supports the Project but believes that there needs to be protection for cultural resources in the area. Commenters noted specific sites such as those in Bayou des Oies and a need for safeguards that respect the culture and history of the Lafitte Barataria-Crown Point community in a way that promotes the continued sustainability of that community.

Response ID: 16560

The commenter's support for the Project is acknowledged. The EIS discusses impacts to the local communities and various quantitative and qualitative impacts from the proposed Project in Chapter 4, Section 4.13 Socioeconomics, including Community Cohesion (Section

4.13.5.6). Consistent with the concern of the commenter, the EIS does find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative.

CPRA's Final Mitigation and Stewardship Plan includes various mitigation and stewardship measures to address projected adverse impacts of the proposed Project, including mitigation and stewardship measures for increased flooding in some communities and for adverse impacts to fisheries. For example, CPRA's Final Mitigation and Stewardship Plan includes measures intended to help preserve community cohesion in Grand Bayou and Ironton. For a complete listing of measures that would be taken, see the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS. If implemented, these measures could help to preserve affected communities and their histories/cultures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63184

Commenter concerned about public land loss at birdfoot delta and recommends creating state and federal public lands in the diversion outfall area.

Response ID: 16561

The Draft EIS considered impacts to public lands in Chapter 4, Section 4.17.4 (Public Lands - Operational Impacts). Ownership of newly created land from Project operations would be determined in accordance with state law. Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights to the public in or on private property. It is expected that land loss in the birdfoot delta within the National Wildlife Refuge (NWR) and Wildlife Management Area WMAWMA would be offset by creation of land built in the area in water bottoms owned by the State of Louisiana. At the recommendation of USFWS, within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the Pass A Loutre (PAL) WMA to offset modeled acres of indirect wetland losses in those areas (See Appendix R1 Mitigation Plan, Section 4.6 Fish and Wildlife Coordination Act).

Concern ID: 63185

Additional development of mitigation plans and accountability for mitigation commitments is needed.

Response ID: 16562

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would

be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63188

One comment noted, in reference to the adequacy of the mitigation funds, that the initial amounts committed are 10 times the annual budget of Plaquemines Parish.

Response ID: 16563

The Draft EIS contained a Mitigation and Stewardship Plan in Appendix R1. The Final Mitigation and Stewardship Plan is published as Appendix R1 to the Final EIS. CPRA expanded and refined the Final Mitigation and Stewardship Plan (Appendix R1) in response to community and resource agency input.

According to CPRA, its budget for mitigation and stewardship measures, to be potentially funded by the LA TIG, reflects the needs that were identified through the environmental review and many public meetings. See the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for additional information on mitigation funding allocations. The Plaquemines Parish budget was not considered by CPRA in determining the budget for the stewardship and mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is

issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63192

The Proposed Project should include investment in economic development, such as tourism.

Response ID: 16565

The Draft EIS considered the effects of the Project on economic development, including the effects on tourism (see Chapter 4, Section 4.13.5 [Socioeconomics - Operational Impacts] and Section 4.16.5 [Recreation and Tourism - Operational Impacts] of the EIS), concluding that the Project would have both beneficial and adverse impacts on the regional economy associated with recreational expenditures. While the EIS concludes that the Project would have a beneficial impact on hunting and wildlife watching due to an increase in wetland habitat in some areas of Barataria Basin, it also found minor to moderate, permanent, adverse impacts to recreational boating in the delta formation area due to a number of factors.

Commenters' desire for additional economic development associated with the Project is noted. The estuarine and freshwater wetlands are an integral component of recreation in the region and the Project would increase the area and sustainability of wetland habitats (see Section 3.2.1.1.1 [Alternative 1] in the LA TIG's Restoration Plan and Section 4.6 [Wetland Resources and Waters of the U.S.] of the EIS for more information).

The Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitat in the Barataria Basin. Injured resources, including lost recreational use, not addressed in the Final Restoration Plan have been addressed by previous restoration plans and are intended to be the focus of future restoration plans. For example, the LA TIG has addressed restoration of lost recreational use within Louisiana in RP/EA #2 (LA TIG, 2018a) and RP/EA #4 (LA TIG, 2018b).

Additionally, CPRA's Mitigation and Stewardship Plan (Appendix R1 to the EIS) includes measures focused on establishing a sustainable

fishing industry in the long term, including providing financial and technical assistance for alternate business ventures, job training, boats and/or boat improvements, and other measures that will provide economic benefits to the industry.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

In light of the public interest expressed in other projects of this scale and nature, the LA TIG anticipates that members of the public may want to visit the Project site. Due to concerns about safety of the public and security for the Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA would, however, provide signage and other public space near the Project to educate the public regarding the purpose and functioning on the Project.

Concern ID: 63194

The Draft EIS and Draft Restoration Plan seem to indicate CPRA and other entities will only begin performing mitigation when they have proof of impact. Instead, they should help communities begin to adapt throughout construction so adaptations will be in process as the MBSD operation begins.

Response ID: 16566

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on steps that would be taken before Project construction to protect fisheries. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including specifying mitigation and stewardship measures that would be undertaken before Project construction (see Appendix R1 to the Final EIS for additional details). For example, the Final Mitigation and Stewardship Plan outlines the structural mitigation and stewardship measures that CPRA plans to implement in the communities south of the diversion outside of levee protection (Myrtle Grove to Happy Jack/Grand Bayou) prior to beginning Project operations.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan were not included in CPRA's MBSD DA permit application and are not part of the currently-proposed MBSD Project. Many of these structural measures would require USACE and other permits prior to installation. No applications have been filed with USACE. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any

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Concern ID: 63202

There needs to be a plan to protect the basin from pollution introduced from the Mississippi River into the Barataria Basin.

Response ID: 16570

Chapter 3, Section 3.5.1.1 Water Quality Standards and Dedicated Uses - Mississippi River of the Draft EIS considered the commenter's concern regarding the potential for the Project to introduce pollution from the Mississippi River into the basin and explains that the Mississippi River fully supports designated uses for the river established by the Environmental Protection Agency and the Louisiana Department of Environmental Quality. However, the designated uses for the Mississippi River may be different from the designated uses for other waterbodies in the Barataria Basin. The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS) includes monitoring of a variety of water quality related parameters, which would start prior to construction and continue throughout the Project's implementation.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section

10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63210

Concern was expressed about whether residents will be notified before the diversion is turned on.

Response ID: 16577

The Draft EIS did not address whether or how residents would be notified regarding Project operations. In response to public comments, CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 in the Final EIS) states that it would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA

Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63726

Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.

Response ID: 16702

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational

fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 63886

A commenter expressed that they believe in living with water, and that mitigation is important and they are concerned about it.

Response ID: 16578

The Draft EIS considered how communities in the Project area have “lived with water” and adapted to evolving conditions due to sea-level rise, subsidence and storm events in Chapter 3, Section 3.20 (Public Health and Safety) and Chapter 4, Section 4.20 (Public Health and Safety). Further, CPRA’s Mitigation and Stewardship Plan (Appendix R1) included with the Draft EIS included potential measures to address the projected impacts of Project operations on water levels and inundation in the communities near the Project outfall outside levee protection. Since publication of the Draft EIS and LA TIG’s Draft Restoration Plan, CPRA has expanded and refined the Mitigation and Stewardship Plan based on community and resource agency input to include additional detail regarding the measures planned to address increases in water levels. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63930

Public comments asked to ensure mitigation dollars are set aside to help the most marginalized communities and provide an equitable allocation of resources.

Response ID: 16579

CPRA's Draft Mitigation and Stewardship Plan included in the Draft EIS (Appendix R1) set forth numerous measures that CPRA could undertake to mitigate Project impacts. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The Final Mitigation and Stewardship Plan contains additional details on the various mitigation and stewardship measures specifically designed and targeted to assist low-income and minority individuals and communities including reserving a portion of some mitigation and stewardship programs for individuals from identified communities with environmental justice concerns that may be disproportionately impacted by the Project and engaging an outreach coordinator to assist community members with available programs and resources. A summary of the public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

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Concern ID: 63933

Commenters asked if there will be mitigation efforts done prior to the implementation of the diversion and when those measures will occur.

Response ID: 16580

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on mitigation, including mitigation that would be undertaken before the Project becomes operational. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including providing additional detail on several mitigation efforts that would be undertaken before the Project becomes operational, including funding for public and private oyster seed ground enhancement, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence fishing access (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any

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Concern ID: 63934

Implementing agencies should be adaptive and transparent in how they mitigate impacts to communities. CPRA has done a great job in outreach and the same level of outreach and engagement should continue through construction and Project operation.

Response ID: 16581

CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA would continue outreach to help ensure that impacted communities become aware and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded. The MAM Plan also includes particular measures including engagement with stakeholder groups. See Section 2.2.2.2 (Stakeholder Review Panel) of the MAM Plan (Appendix R2 to the Final EIS).

Concern ID: 63935

State and Federal agencies should collaborate with CPRA to help with mitigation efforts related to workforce development, housing, education and training programs, mental health, fisheries subsidies and access to capital for people to go into business for themselves.

Response ID: 16582

According to CPRA, it is collaborating with the LA TIG federal agencies (NOAA, DOI, USEPA, USDA) through the LA TIG framework as well as other venues, in the development and implementation of the Mitigation and Stewardship Plan. CPRA anticipates working with other State agencies, such as Louisiana Economic Development, on the workforce development, education and training programs included in the Mitigation and Stewardship Plan (Appendix R1 to the EIS). Finally, the State of Louisiana has been working with, and will continue to work with, Louisiana Sea Grant on the Seafood Futures initiative, focused on ensuring a long term, sustainable fishing industry in spite of coastal changes. Louisiana Sea Grant, based at Louisiana State University, is

part of the National Sea Grant Program, a network made up of 34 programs located in each of the coastal and Great Lakes states and Puerto Rico. Sea Grant Programs work individually and in partnership to address major marine and coastal challenges.

Concern ID: 63946

Public comments asked to create a fund specifically for those impacted as a result of the diversion and develop a screening process where people can qualify each year to receive mitigation funds.

Response ID: 16586

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to the No Action alternative in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and agency input about the proposed mitigation efforts, CPRA has expanded and refined the mitigation and stewardship measures. However, CPRA's mitigation and stewardship strategies do not include direct payments to fishers. Rather, CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The updated fishery mitigation plan, valued at approximately \$54 million, along with other restoration actions and programs being funded by the LA TIG and by the State through LDWF, address the impacts of the Project. The fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS). These measures utilize programs and techniques familiar to members of the fishing industry. CPRA and LDWF would develop eligibility criteria as part of finalizing the programs which focus on fishers of Barataria Basin.

These programs would also benefit businesses other than commercial fishers that are directly or indirectly dependent on a successful commercial fishery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 63965

The Trustees should begin mitigation and adaptation during construction before impact as opposed to waiting after impacts occur to initiate the process.

Response ID: 16588

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on mitigation and stewardship measures, including measures that would be undertaken by CPRA before Project construction. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, which now provides additional detail on several efforts that CPRA would undertake before Project construction, including funding for public and private oyster seed ground enhancement, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence fishing access (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

CPRA would be responsible for implementation of any mitigation actions and for monitoring and adaptive management associated with the proposed Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 63190

Commenters recommend Hypoxia Action Plan be seen as a mitigation effort already in place and/or that its recommended actions be considered as part of the mitigation for Project.

Response ID: 16564

The commenters accurately noted that the Gulf Hypoxia Action Plan is relevant to the Project area. In response to these comments, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS. Similar text has been added to the LA TIG's Final Restoration Plan. The proposed Project is anticipated to reduce

the amount of nitrogen and phosphorus that reaches the Gulf of Mexico through nutrient uptake in the marshes that would be created and/or sustained by the proposed diversion. Because the proposed Project is already anticipated to reduce the nutrients that contribute to the Gulf Hypoxia Zone (GHZ), further mitigation actions with respect to the GHZ for the proposed Project are not considered necessary. However, CPRA has committed to implement water quality monitoring for nitrogen and phosphorus (and other parameters) in the outfall area and to make the results of that monitoring available online to the public and interested parties in real time. Consequently, while the Hypoxia Action Plan would not be considered as mitigation for impacts associated with the Project, the anticipated reduction in nutrients reaching the Gulf through wetlands restoration and the water quality monitoring/access to water quality monitoring data would be consistent with the Hypoxia Action Plan.

Concern ID: 63203

Proposed Project will have a potential negligible to minor impact on levee systems and CPRA should request Corps credits for proposed Project.

Response ID: 16571

The Project would have a negligible to minor beneficial impact on the NOV-NFL and WBV levee systems by reducing surge elevation and wave height to the north of created and maintained wetlands. The proposed Project would have a negligible to minor adverse impact on the NOV-NFL Levee system by increasing surge elevation to the south of the outfall. CPRA notified USACE in writing that work in-kind credit is not being pursued for MBSD; however, CPRA reserves the right to pursue work in-kind credit in the future. CPRA is not eligible for credit under Engineer Regulation 1165-2-208 and the existing NOV-NFL Project Partnership Agreement.

Concern ID: 63208

Additional information is needed on who will pay for the increased costs for flooding and levee protection that will be needed due to the Project.

Response ID: 16576

The Draft EIS summarizes whether and the degree to which construction and operation of the Project would cause increases in water levels and corresponding inundation in Table 4.20-15 in Chapter 4, Section 4.20 Public Health and Safety. Further, a draft of CPRA's Mitigation and Stewardship Plan was issued with the Draft EIS (Appendix R1) and explained CPRA's mitigation and stewardship measures to address increases in water levels and inundation projected to result from Project operations. Between completion of the Draft EIS and publication of the Final EIS, CPRA expanded and refined those mitigation and stewardship measures based on input received on the Draft EIS and during direct community outreach (see Chapter 7 [Public Involvement] of the Final EIS). As explained in CPRA's Final Mitigation and Stewardship Plan issued with the Final EIS (Appendix R1), CPRA

would allocate funding to address and avoid some adverse effects due to the projected increases in inundation, including construction of structural mitigation and stewardship measures such as improving bulkheads, elevating roads, and raising homes. Increases in tidal flooding are not projected to exceed existing levee protection, therefore, CPRA does not intend to raise levees or to construct new levees. CPRA also would use Project funds to acquire Project servitudes over certain properties projected to be affected by Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. For additional details regarding CPRA's mitigation and stewardship measures, see the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

If the LA TIG decides to fund the Project, that funding authorization would also include funding for mitigation and stewardship measures.

Structural measures contained in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under this DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulatory agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA)

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Concern ID: 63196

Mitigation will be about the same regardless of the diversion capacity.

Response ID: 16567

The purpose of CPRA's Mitigation and Stewardship Plan (see Appendix R1 to the EIS) is to demonstrate how some adverse impacts of the Project (75,000 cfs capacity) would be avoided, minimized, or mitigated. The mitigation and stewardship measures are focused on the construction and operation of the diversion with a capacity of 75,000 cfs. If a different diversion capacity were selected for implementation, the Mitigation and Stewardship Plan would be reviewed and adjusted, as appropriate, to reflect the revised Project impacts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan,

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63201

Mitigation should be transparent; changes to ecosystem would occur even without the proposed Project due to continued sea-level rise and wetland loss.

Response ID: 16569

The Draft EIS evaluated anticipated changes to wetland and other resources due to sea-level rise and wetland loss if the proposed Project is not implemented in its evaluation of the No Action Alternative. Any mitigation and stewardship measures that would be required by USACE would be special conditions of the DA permit, if one is issued. If a permit is issued, it would be made available to the public via the USACE website.

As described in Section 1.6 (No Action Alternative) of the LA TIG's Final Restoration Plan (as well as in greater detail in the SRP/EA #3), the loss of deltaic processes in this estuarine ecosystem has resulted in a steady decline in the health of natural resources in the Barataria Basin, which is indicated by metrics such as decreased plant health, high rates of erosion, and higher salinities farther north in the basin. Without the proposed MBSD Project, deterioration of injured resources within and beyond the Barataria Basin would continue (see the No Action Alternative Analyses in Chapter 4, Sections 4.2 [Geology and Soils] and 4.6 [Wetland Resources and Waters of the U.S.] of the EIS).

The measures set forth in CPRA's Mitigation and Stewardship Plan for the Project address changes directly attributable to the proposed MBSD Project, such as changes in salinity affecting fisheries. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for

public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63944

Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.

Response ID: 16584

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers and how it would affect disadvantaged, minority and low-income communities as compared to No Action conditions in Chapter 4, Sections 4.10.4.5 Aquatic Resources, Key Species, 4.14.4 Commercial Fisheries, Operational Impacts, 4.15.4 Environmental Justice, Operational Impacts, Commercial Fishing and Subsistence Fishing and Hunting, and Recreational Fishing and Hunting and 4.16.5 Recreation and Tourism, Operational Impacts, Recreational Fishing. Without the Project, adverse impacts to fisheries would be expected during the 50-year period evaluated in the EIS. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for some fisheries in a large portion of the currently suitable habitat. By contrast, with

implementation of the diversion, the Project would cause significant adverse impacts to some commercial fisheries in the early years of the Project's operational life.

To address some of the adverse impacts to fishers and fisheries projected to be caused by the proposed diversion, CPRA has prepared a Mitigation and Stewardship Plan (see CPRA's Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses. In response to public comments and agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined its mitigation and stewardship measures.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. CPRA's Mitigation and Stewardship Plan includes many of the programs suggested by the commenters, including:

- \$15 million for vessel and facility improvements
- \$2 million in workforce and business training

See Appendix R1 to the Final EIS for more details.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any

particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63945

The seafood industry mitigation plan does not provide mitigation and stewardship measures to stakeholders in Mississippi who are licensed in Louisiana.

Response ID: 16585

CPRA's Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) provides a suite of mitigation strategies applicable to fishers that may be impacted by the Project regardless of state of residence. CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The focus of those measures remains providing assistance to impacted users. Those mitigation programs will be equally available to any impacted fisher who relies on fisheries in the Barataria Basin, regardless of whether or not they reside in the Basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63948

Public comment asked for provision of affordable broadband internet access for all residents impacted by the MBSD.

Response ID: 16587

Under USACE regulations, compensatory mitigation is intended to address significant resource losses that are specifically identifiable, reasonably likely to occur and of importance to the human or aquatic environment. Mitigation must be directly related to the impacts of the proposal, appropriate to the scope and degree of those impacts and reasonably enforceable. Because the proposed Project is not anticipated to adversely impact cable, internet or communication access, or infrastructure, the suggested provision of broadband internet access would not relate to resource losses caused by the proposed Project and would not be required by USACE.

CPRA has proposed mitigation and stewardship measures to address and partially offset some of the projected impacts of the Project, including providing mitigation for impacts to fisheries and increased water surface elevations caused by the Project (see Appendix R1 [Mitigation and Stewardship Plan] to the EIS). These measures have been designed to target specific impacts, and while broadband would likely benefit some of the impacted communities, CPRA and the LA TIG have chosen a targeted approach to mitigation based on the projected impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact

determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63204

CPRA and State should work with willing landowners and users on closure of canals to increase proposed Project benefits.

Response ID: 16572

CPRA and other LA TIG Trustees have a long record of implementing a variety of restoration projects, including closures of canals where appropriate and cost-effective for coastal restoration. These projects are consistent with the Coastal Master Plan, and CPRA anticipates that they will continue to be implemented in the future. Canal closures are not a feature of the proposed Project and were not evaluated in the Draft EIS. In response to comments from the community, however, CPRA's Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) evaluated canal closures as a possible mitigation measure and as a result the Final Mitigation and Stewardship Plan includes a funding allocation for canal closures in Grand Bayou.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies

which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63207

Water pollution, especially nitrogen and phosphorus, may negatively impact the Project. The Mitigation Plan should 1) Fund LA's Nutrient Management and Reduction Strategy; 2) Fund ground activities upstream to reduce pollution in the river; and 3) identify projects in other states to reduce pollution loading.

Response ID: 16575

The Draft EIS considered the impacts that water pollution within the Mississippi River, including nitrogen and phosphorus, may cause in Chapter 4, Section 4.5.5 Operational Impacts in Surface Water and Sediment Quality. In response to comments, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 Cumulative Impacts - Surface Water and Sediment Quality of the Final EIS. The Hypoxia Action Plan highlights the important role that sediment diversions can play in reducing nutrient loading into the Gulf of Mexico.

While the LA TIG's Final Restoration Plan is focused on wetland creation in Barataria Basin and not upland nutrient removal, Louisiana's Nutrient Reduction and Management Strategy highlights the important role that river diversions could play in reducing nutrient loads. See <https://deg.louisiana.gov/page/nutrient-management-strategy>. As stated in Section 4.25.5.2, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow

from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

While not part of this Project, the LA TIG is funding other restoration efforts on the ground to reduce nutrient pollution in the Mississippi River. Each of the 12 member states in the Gulf of Mexico Watershed Nutrient Task Force (Hypoxia Task Force) have nutrient reduction strategies that identify programs and projects to reduce nutrient loads to the Mississippi River and the Gulf of Mexico. These state strategies can be found at <https://www.epa.gov/ms-htf/hypoxia-task-force-nutrient-reduction-strategies>.

Federal agencies also provide financial and technical support and conduct scientific studies that support improvements in local water quality throughout the Mississippi River Basin and reduce nutrient loads to the Gulf of Mexico. Separate from this Project, other funding is available for nutrient reduction projects in other states.

Concern ID: 63206

Commenter expressed appreciation for CPRA’s indication that it would move away from the USACE’s handful of dredging contractors, and recommendations were made to explore expanding other fields of expertise such as engineering or construction firms, as well as focusing on the use of locals to benefit the economy.

Response ID: 16574

The EIS does not address how CPRA would select contractors for the Project if the Project is approved and funded; topics such as contracting are beyond the scope of the NEPA review. CPRA is required to follow, and does follow, the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 (Public Contracts). CPRA also conducts its procurement in accordance with the provisions governing the Hudson and Veteran’s initiatives and the Louisiana First Hiring Act. CPRA has no authority to procure outside of these procurement statutes.

In furtherance of its work and mission, CPRA contracts for a variety of professional services (such as engineering services), consulting services, and construction work, all of which are procured in strict accordance with Louisiana law. As provided by law, CPRA makes all solicitations for work available to the public through the posting of public notices and advertisements for work, which are open to the public for competition.

Concern ID: 63205

Potential basin impacts are understated; the proposed Project could support proactive efforts to create a cleaner Mississippi River and a cleaner Barataria Basin.

Response ID: 16573

In response to comments, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts -

Surface Water and Sediment Quality) of the Final EIS. The Hypoxia Action Plan highlights the important role that sediment diversions can play in reducing nutrient loading into the Gulf of Mexico.

Concern ID: 63197

While recognizing that their recommendations may be outside the scope of the EIS, commenters suggested continuing to work with fishers and to examine fishing laws and policies.

Response ID: 16568

The LA TIG acknowledges the desire of the commenters for ongoing engagement with fishers regarding the fishing laws and policies. Existing task forces within the State, such as the Joint Fisheries Task Force Working Group within the Louisiana Department of Wildlife and Fisheries (LDWF), would be an appropriate forum to suggest the examination of fishing laws and policies, given the many factors resulting in changed conditions in the State.

Concern ID: 63942

Commenters requested mitigation actions be taken to minimize air, water and noise impacts near the construction site.

Response ID: 16583

If the Project is permitted, approved, and funded, CPRA has stated that it would implement certain BMPs during Project construction to avoid and minimize construction impacts listed in Chapter 4, Section 4.27.1 (Mitigation Summary - Avoidance and Minimization) and Appendix R1 (Mitigation and Stewardship Plan) of the Draft EIS. In response to comments, CPRA expanded and refined the BMPs and EPMs between the Draft and Final EIS in the Mitigation Summary Table (Appendix R3 to the Final EIS).

SMM11000 - Marine Mammals SMM

Concern ID: 62917

Public comment suggested that there should be increased monitoring for the dolphin population.

Response ID: 16541

The Monitoring and Adaptive Management (MAM) Plan included in the Draft EIS (Appendix R2) contained draft plans for monitoring marine mammals in Barataria Bay before and during Project operations. The LA TIG recognizes that pre-operation Project monitoring would be essential to understand the impacts of the Project on marine mammals and to inform adaptive management approaches to both monitoring and operational modifications that allow for the minimization of impacts, where practicable. The MAM Plan included in the Draft EIS identified a core marine mammal monitoring team that would be established to conduct year-round marine mammal monitoring. This core team would also provide stranding surveillance and response capacity. The monitoring plans included in the MAM Plan included in the Final EIS (Appendix R2) have been enhanced to allow for critical data collection capabilities. The MAM Plan in the Final EIS (Appendix R2) has also

been updated to provide the marine mammal team important environmental data necessary to understand where monitoring should be focused and to inform operational adaptive management.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62918

A suggestion was submitted that Barataria Basin dolphins will thrive in the Grand Isle area and request for the USACE to consider transporting Mid-Barataria dolphins to Grand Isle.

Response ID: 16704

The dolphins within the Barataria Basin, including those that inhabit the waters near Grand Isle, are all bottlenose dolphins (*Tursiops truncatus*) and are part of a single population stock, however studies indicate that many of these dolphins live and feed over much more localized areas within the bay. This population (including the dolphins around Grand

Isle) was severely compromised by the DWH oil spill and, as described in Chapter 3, Section 3.11.3.2 in Marine Mammals of the EIS, continue to demonstrate health impacts (for example, reproductive failure, lung and heart disease, etc.) as a result of the spill and have not yet started a population trajectory to recovery. As noted in Chapter 4, Section 4.11 Marine Mammals of the Draft EIS, once diversion operations begin, the dolphin survival rate (that is, the number of dolphins that survives from year to year) will decline. After the planned 50 years of operation, dolphins in three of the four strata (as described in Thomas et al., 2021) are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the dolphins in the remaining Island stratum (which includes the Grand Isle area) being severely reduced relative to the No Action Alternative (the median predicted abundance in the Island stratum is 85 percent lower [95 percent CI: 28-99 percent] under the Applicant's Preferred Alternative than under the No Action Alternative). Section 4.11 of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

In recognition of the potential collateral injury to bottlenose dolphins and in response to public comments on this issue, the LA TIG has developed a Marine Mammal Intervention Plan since the release of the Draft EIS (see Appendix R5 to the Final EIS). The Plan indicates that any animals impacted by the diversion that are captured and/or rehabilitated would be released in locations suitable for health and survival, which may include, but is not limited to, the areas near Grand Isle. However, it would be logistically impossible to translocate all dolphins compromised by the proposed Project to the waters around Grand Isle. In addition, given that BBES dolphins demonstrate high site fidelity within Barataria Basin and are not anticipated to leave unsuitable habitats resulting from Project operations, as described in Chapter 4, Section 4.11.5.1 in Marine Mammals of the EIS, it is unknown if dolphins that are relocated to waters near Grand Isle would stay near Grand Isle. Moreover, to compress the entire population (currently estimated at approximately 2,000 dolphins) to the waters of Grand Isle would likely result in increased competition and reduced prey resources, and the population would not be sustainable.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the

additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62919

Commenters suggested that the proposed Project should include additional details and measures to minimize adverse impacts on dolphins, including additional adaptive management measures, such as operational minimization measures (and other measures to minimize short-term impacts from lower salinity levels) as well as additional details about human interaction/anthropogenic stressor reduction stewardship measures, and about how the goals of those measures will be achieved. One commenter noted that while the alternatives evaluated in the Draft EIS, including those rejected for further review, are adequate for purposes of a Final EIS and Record of Decision, more information on minimization measures that may be considered to address impacts to dolphins through the adaptive management process is needed

Response ID: 16707

In recognition of the potential collateral injury to bottlenose dolphins and in response to public comments on this issue, the CPRA has revised the Monitoring and Adaptive Management (MAM) Plan included in the Draft EIS (see Appendix R2 [Monitoring and Adaptive Management Plan] to the Final EIS) to include more specific details regarding strategies and protocols to be used to minimize impacts on dolphins at the onset of operations and the process through which operational data would be used to evaluate potential modifications to those strategies

and protocols. As stated in the MAM Plan, adaptive management strategies are largely reliant upon data that would only be available once operations commence, but may also be informed by new information gained during the preoperational period. At that time, such data would be used to evaluate modifications to operations that may further minimize impacts to marine mammals while achieving Project goals. In the updated MAM Plan, the CPRA has included a framework by which recommendations on operational management actions designed to minimize impacts on marine mammals would be made and CPRA's final determination on whether they would implement those measures.

The LA TIG has also developed a Marine Mammal Intervention Plan (see Appendix R5 to the Final EIS), which outlines a spectrum of response actions for dolphins affected by the operation of the diversion, ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. With respect to achieving the goals of the stewardship measures that are incorporated in the Mitigation and Stewardship Plan addressing other anthropogenic stressors, the NMFS' Southeast Regional Office and Southeast Fisheries Science Center will lead those efforts. The Final Mitigation and Stewardship Plan has been updated to include additional information regarding this topic (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of

specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62921

Commenters suggested that the State of Louisiana must comply with the MMPA waiver and minimize impacts to marine mammal population stocks in ways that are practicable and consistent with the purposes of the Project. This includes considering alternative actions and modifications to Project operations to reduce or mitigate impacts to BBES dolphins while still meeting the Project purpose. The Mitigation Plan incorrectly suggests that actions to reduce impacts to dolphins is not necessary because it would negatively impact Project performance. The Trustees should research all possible mitigation actions to reduce impacts to BBES and invest in the restoration projects that effectively reduce this impact. These may include alternative construction designs or operational strategies, such as reduced diversion flow or salinity thresholds, that would reduce impacts to bottlenose dolphins.

Response ID: 16703

CPRA prepared a Mitigation and Stewardship Plan and a Monitoring and Adaptive Management (MAM) Plan. Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

There is no requirement in the Bipartisan Budget Act that CPRA evaluate alternatives other than the Project. The Bipartisan Budget Act of 2018, Section 20201 requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

CPRA's updated MAM Plan (Appendix R2 of the Final EIS) includes measures and frameworks for minimizing and monitoring impacts of the proposed Project on marine mammals. In addition, the LA TIG has

developed a Marine Mammal Intervention Plan. As described in the Federal Register notice announcing issuance of the MMPA waiver, the State's consultation with NMFS will be ongoing to appropriately address the evolving Project planning and design for the construction, operation, and maintenance phases. This ongoing consultation is described in the MAM Plan as well as the Marine Mammal Intervention Plan (see below and Appendices R2 and R5 to the Final EIS for more details).

As described in the Draft EIS, the MAM Plan identifies potential ways in which the LA TIG may reduce impacts to dolphins. The MAM Plan in the Final EIS has been updated to provide more detail about the strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols. However, the adaptive management strategies and actions are largely reliant upon data that would be collected during either the pre-construction monitoring period or once operations commence. Once operational data are available, they would be used to evaluate the potential Project modifications to further minimize impacts to marine mammals. There are limited minimization measures available that would reduce impacts on marine mammals and those limited measures would likely only benefit dolphins residing the furthest from the diversion structure (for example, the Island strata).

However, the LA TIG recognizes that despite these operational strategies, dolphins within Barataria Bay would likely experience significant impacts, as described in the EIS, given the purposes of the proposed Project. In response, the LA TIG has developed a Marine Mammal Intervention Plan that outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia (see Appendix R5 to the Final EIS). While the more severe actions such as euthanasia may not offset the ultimate outcome of mortality, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, the Mitigation and Stewardship Plan and MAM Plan include actions that would occur prior to operations to improve understanding of the BBES dolphins as well as improvement of stocks across the state (see Appendices R1 and R2 to the Final EIS).

In arriving at the mitigation and stewardship actions included in the Mitigation and Stewardship Plan, the LA TIG worked with experts within NOAA with expertise on marine mammals to ensure the consideration of all potential mitigation actions. In terms of operational strategies to reduce marine mammal impacts, as noted above, those strategies cannot be further defined at this time as they are largely reliant upon data that would be collected during the pre-construction monitoring

period or once operations commence. One goal of the proposed Project is to deliver sediment, fresh water, and nutrients into the basin and the design of all of the action alternatives would accomplish that goal. Alternative diversion designs that accomplish that goal on the desired scale would not address dolphin impacts, as those impacts are largely related to salinity changes, which are driven by the transmission of fresh water into the basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62925

Increased stranding response capacity is unlikely to be effective because there are insufficient stranding response and rehabilitation resources, rehabilitation is expensive and results are unknown, and rehabilitated dolphins released in other estuaries will compete with established populations (Deming et

al., 2020; Fougères, 2015; Garrison et al., 2020; Gluch, 2004; Mazzoil et al., 2008; McHugh et al., 2021; Thomas et al., 2021; Wells et al., 2013; Wells, 2014).

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Wells, R.S. 2014. Social structure and life history of common bottlenose dolphins near Sarasota Bay, Florida: Insights from four decades and five generations. Pages 149-172 in J. Yamagiwa and L. Karczmarski (eds.), Primates and Cetaceans: Field Research and Conservation of Complex Mammalian Societies, Primatology Monographs, Tokyo, Japan: Springer.

Response ID: 16543

Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock of the EIS and Section 3.2.1.5 (Avoids Collateral Injury) of the LA TIG's Restoration Plan acknowledge that a large number of dolphins would become ill and strand or die in Barataria Bay as a result of the Project.

Two citations mentioned by the commenter (Garrison et al., 2020 and Wells, 2014) were included in the Draft EIS. Other citations mentioned by the commenter (Deming et al., 2020; Fougères, 2015; Gluch, 2004; Mazzoil et al., 2008; McHugh et al., 2021; Wells et al., 2013) were reviewed and would not change the findings of the EIS, but they have been added to Section 4.11 (Marine Mammals). As noted in other responses, the Final EIS has also been updated to reflect the results of Thomas et al (2021), which did not change the conclusions of the EIS.

To address bottlenose dolphin impacts, the LA TIG has developed a Marine Mammal Intervention Plan that has been included in the Final EIS and Final Restoration Plan (Appendix R5 to the EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions such as euthanasia may not offset the ultimate outcome of mortality, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. However, the LA TIG recognizes that the number of animals able to be relocated will likely be very small in comparison to the number impacted by the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in

instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62930

Commenter noted that commercial fishing is the primary cause of marine mammal bycatch and should be considered over rod and reel (recreational) fishing during further development of CPRA's Mitigation and Stewardship Plan.

Response ID: 16546

The threat of commercial fishing to marine mammals was discussed and considered in Chapter 3, Section 3.11.4 (Existing Threats) of the Draft EIS; therefore, no related edits were made to the Final EIS. Stewardship measures that would be implemented as part of the Applicant's Preferred Alternative are designed to address some anthropogenic threats to bottlenose dolphins in Louisiana waters including interaction with recreational and commercial fishing (see the Mitigation and Stewardship Plan in Appendix R1 to the EIS).

As stated in the PDARP, the Deepwater Horizon Trustees will continue to advance bycatch reduction measures in the commercial fisheries across the Gulf of Mexico.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the

additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62931

Commenter noted agreement with the assessment of effects that mitigation and monitoring may have on the BBES dolphins, specifically in consideration of the broader impact this Project will have on the BBES dolphins. Commenter agreed that as long as measures are conducted with due care, any effects that flow from the enhanced monitoring would be warranted.

Response ID: 16547

The commenter's support of the need for marine mammal related mitigation and monitoring for the Project is acknowledged.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated

Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63823

Commenters noted that the proposed mitigation will not actually reduce impacts on dolphins, and there is no way to mitigate those impacts. Commenters noted that reducing human interaction will not reduce or address impacts of the projects on the local population.

Response ID: 16550

Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock of the EIS acknowledges that according to Thomas, et al. (2021) most of the approximately 2,300 dolphins within the Barataria Basin will perish within the first 10 years of start of operations of the proposed Project (comparing the anticipated Barataria Basin 2027 dolphin population [2,307 dolphins] to the projected 2038 population under the Preferred Alternative [644 dolphins] indicates that approximately 72 percent of the dolphins would perish). That section further acknowledges that the anticipated dolphin mortality would be due to reductions in salinity levels rather than other stressors and that mitigation and stewardship measures that would not reduce the salinity impacts, would be unlikely to reduce the projected dolphin mortality.

With respect to the Restoration Plan, in Section 3.2.1.5 (Avoids Collateral Injury) the LA TIG acknowledges that a large number of dolphins would become ill and strand in Barataria Bay as a result of the Project. The Mitigation and Stewardship Plan also acknowledges that the proposed mitigation may not minimize impacts of the Project on dolphins (see Appendix R1 to the EIS). Measures described in the MAM and Mitigation and Stewardship Plan were developed in

recognition of the anticipated effects of the Project and to provide valuable data to inform adaptive management actions that could be considered to minimize adverse impacts on BBES dolphins while being consistent with the Project's purpose (see Appendices R1 and R2 to the Final EIS).

The LA TIG does not agree that there is no effective mitigation for this Project but recognizes that the mitigation will be limited (that is, primarily for dolphins around Grand Isle), depending on how operations are managed. Similar to mitigation, the stewardship measures described in the Mitigation and Stewardship Plan will primarily benefit other Louisiana stocks of dolphins outside of the Barataria Basin, though they will provide some benefit to BBES dolphins. For example, minimizing dolphin feeding will protect dolphins from vessel interactions. As noted in Chapter 4, Section 4.11 (Marine Mammals) of the EIS, a remnant BBES dolphin population is expected to remain near the barrier islands. Efforts to reduce anthropogenic stressors other than those from the Project through the Stewardship and Mitigation Plan will benefit the existing and future population in the Barataria Basin and throughout the state. However, the LA TIG recognizes that the impacts of the Project will likely be significant on marine mammals even with the proposed mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63826

Commenters suggested that no one will be able to mitigate dolphin impacts if Project activities kill them.

Response ID: 16551

The stewardship measures described in the Mitigation and Stewardship Plan are intended for implementation prior to and during diversion operations. Although these measures may not minimize impacts from the proposed Project on BBES dolphins, they could enhance individual dolphin survival threatened by other anthropogenic sources, such as by funding a state-wide stranding program (the current funding of which is set to expire in 2026; see Appendix R1 to the EIS).

Regarding the operation of the diversion, CPRA also developed a detailed MAM Plan to evaluate the proposed MBSD Project's effects on the Barataria Basin as they occur and consider how the management of the diversion may be adapted to better meet Project goals (see Appendix R2 [Monitoring and Adaptive Management Plan] to the EIS). In addition to performance monitoring to measure progress toward the proposed MBSD Project's restoration objectives, and to better understand the ecological functions and services provided by habitat created by the Project, the Monitoring and Adaptive Management (MAM) Plan also includes monitoring to document changes to the abundance, distribution, population demography, density, survival, health and reproduction of the BBES Stock of bottlenose dolphins, their prey, and their habitat that may result from the operation of the Project and resulting low salinity.

Adaptive management strategies in CPRA's MAM Plan to minimize impacts to BBES dolphins from Project operations include a framework for coordinating stranding response activities during operations, and a commitment to evaluate whether diversion operations could be modified to meet Project goals while reducing impacts to marine mammals. Marine mammal related MAM activities have been updated since the release of the Draft EIS to include more details regarding the process through which operational data would be used to evaluate potential modifications to those strategies and protocols.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range

of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63828

It is unclear from the Draft EIS what effort was made by the State of Louisiana to meet the statutory responsibility under the Bipartisan Budget Act in its selection of alternatives.

Response ID: 16553

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

There is no requirement that CPRA evaluate alternatives other than the Project. The Bipartisan Budget Act of 2018, Section 20201 requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the Project, to minimize impacts on marine mammal

species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 of the Final EIS) includes measures for minimizing and monitoring impacts of the Project on marine mammals. As described in the Federal Register notice announcing issuance of the MMPA waiver, the State's consultation with NMFS would be ongoing to appropriately address the evolving Project planning and design for the construction, operation, and maintenance phases. This ongoing consultation is described in the MAM Plan as well as the Marine Mammal Intervention Plan (see Appendices R2 and R5 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63835

The Draft Restoration Plan is unclear about how information about noise, vessels and other direct threats will be used. However, even if the Project provides benefits through reduced anthropogenic threats, any positive impacts will be small compared to the many larger negative impacts that are occurring to BBES dolphins.

Response ID: 16554

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan has been addressed solely by the LA TIG and represent the views of the LA TIG, not USACE.

The LA TIG acknowledges the anticipated significant adverse impacts to the BBES dolphins in Section 3.2.1.5 (Avoids Collateral Injury - Alternative 1) of the Draft Restoration Plan; thus, no related edits were made to the Final Restoration Plan. The stewardship measures described in the Mitigation and Stewardship Plan, which addresses existing and future anthropogenic effects, including noise, on BBES dolphins, would reach beyond the area that would be affected by the Project, as the measures would be implemented state-wide (that is, in areas where the Barataria Basin stock of dolphins does not reside; see Appendix R1 to the EIS). NMFS is currently using existing data to identify where noise and other anthropogenic stressors that present direct threats to marine mammals (for example, fishing entanglement, intentional shootings) are high to target specific areas for action to reduce such stressors. The LA TIG recognizes that state-wide stewardship measures such as reducing noise impacts, vessel and fishery interactions, etc. will not minimize impacts from the Project nor is this implied in the EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA)

Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62923

Commenter suggests monitoring of dolphin pods after any future large oil spill be required and that polluters be held liable as responsible parties under the Oil Pollution Act.

Response ID: 16542

The LA TIG's investments in monitoring and adaptive management and stewardship of key resources through the proposed Project and other recent and future efforts by the Deepwater Horizon Natural Resource Trustees have and will continue to enhance the robust marine mammal response network across the Gulf of Mexico. The Mitigation and Stewardship and Monitoring and Adaptive Management (MAM) Plans (see Appendices R1 and R2 to the Final EIS) include additional dedicated monitoring and response efforts in the Barataria Basin and across Louisiana. These resources will enhance the ability of Trustee agencies to respond to all threats to marine mammals and facilitate data collection in response to future spills. Under OPA, the LA TIG is tasked with holding responsible parties accountable for the damages to natural resources injured through discharges and threats of discharge.

Concern ID: 62926

Funding for a stranding program and UME response could be helpful for dolphins but will not help BBES dolphins.

Response ID: 16544

Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock of the EIS and Section 3.2.1.5 (Avoids Collateral Injury) of the LA TIG's Restoration Plan acknowledge that a large number of dolphins would become ill and strand or die in Barataria Bay as a result of the Project. Funding for the stranding program and elevated stranding response for the Barataria Basin dolphins has been developed in recognition of the anticipated effects of the Project; those efforts would provide valuable data to inform adaptive management actions that CPRA could consider to further minimize adverse impacts on BBES dolphins while meeting Project goals. These investments are necessary to effectively implement the Marine Mammal Intervention Plan developed by the LA

TIG and included in the Final EIS and Final Restoration Plan (see Appendix R5 to the EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions such as euthanasia may not offset the ultimate outcome of mortality, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

As described in the Draft EIS, the Monitoring and Adaptive Management (MAM) Plan identifies potential ways in which the LA TIG may reduce impacts to dolphins. The MAM Plan in the Final EIS has been updated to provide more detail about the strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols. However, the adaptive management strategies and actions are largely reliant upon data that would be collected during either the pre-construction monitoring period or once operations commence. Once operational data are available, they would be used to evaluate the potential Project modifications to further minimize impacts to marine mammals.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if

one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62929

Commenters suggested that the Project should consider moving the Menhaden Fishery to reduce interactions with BBES dolphins.

Response ID: 16545

The location of the Menhaden fishery is outside of the authority of the USACE or LA TIG. The LA TIG suggests that existing fishery task forces within the State of Louisiana, including the Joint Fisheries Task Force Working Group within the Louisiana Department of Wildlife and Fisheries and the Finfish Task Force would be an appropriate forum to suggest the re-examination of laws and policies related to the menhaden fishery, given the many factors involved in decision making around that fishery.

Concern ID: 62933

Commenter suggests monitoring of dolphin pods after any future large oil spill be required and that polluters be held liable as responsible parties under the Oil Pollution Act.

Response ID: 16548

The suggested actions are not within USACE's authorities.

The LA TIG's investments in monitoring and adaptive management and stewardship of key resources through the proposed Project and other recent and future efforts by the Deepwater Horizon Natural Resource Trustees have and will continue to enhance the robust marine mammal response network across the Gulf of Mexico. The Mitigation and Stewardship and Monitoring and Adaptive Management (MAM) Plans (see Appendices R1 and R2 to the Final EIS) include additional dedicated monitoring and response efforts in the Barataria Basin and across Louisiana. These resources will enhance the ability of Trustee agencies to respond to all threats to marine mammals and facilitate data collection in response to future spills. Under OPA, the LA TIG is tasked with holding responsible parties accountable for the damages to natural resources injured through discharges and threats of discharge.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and

refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62934

A commenter noted the role of gathering scientific information under the MMPA and stated that the research undertaken as part of the Project would be consistent with MMPA policies by calling for monitoring and follow-up research, long-term habitat improvement, and actions for the health and stability of the Gulf ecosystem.

Response ID: 16549

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS) contains a monitoring program. Congress required the State of Louisiana to establish a monitoring program to “[m]onitor and evaluate the impacts of the projects on [marine mammal] species and population stocks” as part of the legislation that required the Secretary of Commerce to issue a waiver for MMPA Sections 101(a) and 102(a). See Bipartisan Budget Act of 2018, Section 20201(a).

Concern ID: 63827

CPRA should consider constructing landscape features to provide higher-salinity refuge areas within the basin.

Response ID: 16552

Based on Coastal Master Plan modeling, CPRA does not anticipate that ridge restoration would effectively deflect freshwater flows from the larger basin. The size and scope of ridges necessary to isolate areas

in the basin from fresh water makes this solution infeasible. Construction of outfall features, including ridges, was identified as an alternative that was considered but eliminated in Section 2.6 Summary of Alternatives Considered but Eliminated from Detailed Analysis. No related edits have been made to the Final EIS.

SMM12000 - Oysters (Commercial Fisheries) SMM

Concern ID: 62961

Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.

Response ID: 16532

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62963

Mitigation compensation should prioritize those most affected, likely those who rely on oyster leases in the mid-basin areas or smaller operations, as well as economically vulnerable oyster fishers.

Response ID: 16533

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 Aquatic Resources, 4.14 Commercial Fisheries, 4.15 Environmental Justice and 4.16 Recreation and Tourism.

In response to public comments and resource agency input about proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and

stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed ground, \$15 million to enhance public and private oyster grounds, \$4 million to create or enhance broodstock reefs and \$8 million for alternative oyster culture. While the focus of the proposed mitigation and stewardship measures are on establishing sustainable fisheries, oyster mitigation and stewardship measures have been crafted to focus on those impacted by the Project specifically. For example, a portion of each of the stewardship measures for impacts to oyster harvesters would be expressly designated for use by low-income and minority oyster harvesters. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

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Concern ID: 62967

Commenters noted that moving reefs would not help oyster fishers because it takes years to develop a productive oyster reef.

Response ID: 16535

A productive oyster reef would take years to develop, which may include finding a suitable location for a new reef, establishing suitable substrate for oyster attachment and growth, and oyster growth to sack size (requiring about 18 months, or less if seed oysters are placed; see Chapter 3, Section 3.10.5 and Chapter 4, Section 4.10.4.5 of the EIS). Section 4.14.4.2.3 Eastern Oyster Fishery of the Final EIS has been updated to identify the timeframe for establishment for new oyster reefs. CPRA's oyster mitigation strategies are focused on establishing a sustainable oyster fishery for the long term, not on alleviating the short-term impacts to individual oyster growers. CPRA's oyster mitigation program allocates funding for public seed ground establishment, public and private seed ground enhancement prior to and after commencement of Project operations, creation or enhancement of broodstock reefs, and reimbursement for cultch or spat/shell to leaseholders choosing to rehabilitate leases. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA)

Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62971

Commenter recommends CPRA use oyster shells for reef construction.

Response ID: 16537

CPRA's oyster mitigation strategies recommend use of native materials, such as native oyster shell, where and when feasible. This is explained in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

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Concern ID: 62976

Oyster growers and other stakeholders must be involved and informed about Project progress, construction timing, and operation.

Response ID: 16538

CPRA has engaged numerous stakeholders, including oyster growers, throughout the development of the Project. USACE has ensured public participation during its permitting and environmental review. The LA TIG has invited public participation in its OPA Restoration Plan process. Chapter 7 Public Involvement of the Final EIS contains a summary of the various engagement efforts by CPRA, the LA TIG and USACE regarding the Project. In response to comments, CPRA has added a dashboard website (<https://cims.coastal.louisiana.gov/default.aspx>) to the measures included in CPRA's final Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS). The dashboard would allow CPRA to keep those interested informed about Project construction, operation, and monitoring.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by

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Concern ID: 62978

Collaboration is needed to minimize impacts on oyster industry, including developing innovative uses for bottom oysters and supporting collaboration between CPRA and LDWF.

Response ID: 16539

CPRA and other state agencies, such as LDWF, recognize the importance of collaboration to support the fishing industry in adapting the ongoing changes in the environment. As explained in Section 4.14.4.1 Commercial Fisheries of the Draft EIS, without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. CPRA and LDWF worked together with numerous oyster fishers as part of Louisiana Sea Grant's Seafood Futures Initiative to develop mitigation and stewardship measures aimed at maintaining a sustainable oyster fishery. CPRA anticipates working with other agencies, such as Louisiana Economic Development, on the workforce development, education and training programs included in the Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS). In addition, CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Refer to the Mitigation and Stewardship Plan for mitigation and stewardship measures to be implemented as a result of these engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 63961

The EIS' description of the negative impacts to commercial industries is very vague, lacking necessary information and any acceptable plan to mitigate, relocate, or adequately compensate affected individuals.

Response ID: 16540

The Draft EIS contains a detailed analysis on Project impacts to commercial fishing resources in Chapter 4, Sections 4.10 (Aquatic Resources) and 4.14 (Commercial Fisheries). The commenter has not identified which commercial industries he believes were not sufficiently evaluated or otherwise indicated any specific information or analysis missing from the Draft EIS; accordingly, no changes to this analysis were made in the Final EIS.

CPRA's mitigation strategies focus on establishing sustainable fisheries, particularly oysters and shrimp, rather than on compensating individual fishers for their particularized economic losses. In response to comments, CPRA has expanded and refined the Mitigation and Stewardship Plan since publication of the Draft EIS and LA TIG's Draft Restoration Plan. These additions, including a \$54 million funding allocation, can be found in the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62966

The MAM Plan and Mitigation Plan provide significant resources that can help the oyster industry adapt to Project impacts.

Response ID: 16534

The Mitigation and Stewardship Plan (Appendix R1) included in the Draft EIS proposed mitigation and stewardship measures to assist the

oyster industry to adapt to changing conditions. Since issuance of the Draft EIS, CPRA further expanded and refined the Mitigation and Stewardship Plan based on community and resource agency input (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62970

Commenters suggested that alternative off-bottom oyster culture is not a viable mitigation strategy for the oyster fishers who will be harmed by the diversion.

Response ID: 16536

Off-bottom culture is not intended to fully offset impacts on oysters from the Project. Rather, CPRA would fund alternative culture techniques as one piece of a multi-pronged strategy for establishing a long-term, sustainable oyster fishery. This would allow for individual decisions with

regard to strategies that are most effective in a particular area. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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SMM13000 – Brown Shrimp, Crabs, and Finfish (Commercial Fisheries)

SMM

Concern ID: 63131

Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation and stewardship measures, including: developing a formula to calculate lost

income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF 2016), and providing low cost internet.

Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.

Response ID: 16515

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63132

Organizations, such as GNO, Inc., Coastal Communities Consulting, and community-based organizations should serve as connectors between CPRA, other state and federal agencies, and fishers and the seafood industry to plan and implement mitigation, and to ensure mitigation reflects environmental, economic, and community needs and changes over time. Mitigation should include funding for community-based organizations to provide this support in developing and carrying out mitigation.

Response ID: 16516

CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations including Coastal Communities Consulting to assist in engaging minority fishers in reviewing and commenting on the Draft EIS, and soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded. CPRA also plans to create outreach materials in easy to read and understand formats for distribution to the public. This would include translated materials for members of the community who do not speak or read English.

CPRA's Mitigation and Stewardship Plan does not currently provide for use of community-based organizations to distribute mitigation funds or to implement mitigation and stewardship measures. However, community-based organizations have been engaged to assist in providing information to community members regarding available programs, to assist in developing eligibility criteria, and to assist in completing any application processes. CPRA will continue to coordinate with community-based organizations in implementing the Final Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies

which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63133**Commenters support the proposed mitigation and stewardship measures for the commercial fishing industry.****Response ID: 16517**

The comments received in support of the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)

- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63134

Commenters suggested that job training would not be helpful for older workers or for those facing language or technological barriers. Direct payments should be considered for these fisherman that cannot change careers easily.

Response ID: 16518

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp, in Chapter 4, Section 4.14

(Commercial Fisheries). In response to public comments and resource agency input about proposed mitigation and stewardship measures, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The revised mitigation and stewardship measures allocate approximately \$54 million to commercial fisheries, which supplement other restoration actions and programs being funded by the LA TIG and by the State through LDWF. This includes \$2 million for Workforce/Business training which can be used for older workers facing language or technical assistance barriers (see Appendix R1 to the Final EIS). Additionally, if the MBSD Project is permitted by the USACE and funded by the LA TIG, it would take approximately 5 years to complete construction of the Project and to begin operations. This relatively long period would provide affected senior fishers with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan to transition out of the fishing industry. The final fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any

mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63136

Commenters were concerned that proposed mitigation does not include measures for crab fishermen.

Response ID: 16520

As noted in Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, impacts on blue crab from the Project are anticipated to be neutral to beneficial. In addition, as stated in Section 4.14 Commercial Fisheries impacts on the blue crab fishery are anticipated to be negligible to minor beneficial. This determination considers potential impacts on blue crab abundance as well as the anticipated response from the commercial fishing industry. In response to public comments, CPRA has included \$1 million in funding for a crab marketing and outreach program and improvements to crab fishing gear as part of the Final Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in

instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63137

A commenter noted that the coast and shrimpers should be saved simultaneously and suggested that when USACE placed rocks behind Grand Isle, it should have left a channel behind Grand Isle for use by the fishers and placed the fill from that channel on Grand Isle as a levee.

Response ID: 16521

The commenter's suggestion to save the coast and fishers at the same time is noted. The Grand Isle work is not related to this Project.

Concern ID: 63139

Commenters noted that work is needed to promote Louisiana seafood, including collaborating with restaurants and distributors, and enforcing House Bill No. 335 (Regular Session 2019).

Response ID: 16522

Since publication of the Draft EIS and in response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). In its Mitigation and Stewardship Plan appended to the Final EIS, CPRA has included a total of \$5 million in funding for shrimp, crab, oyster, and finfish marketing as part of its Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS). The expenditure of those funds would be directed by LDWF, in coordination with the LDWF Crab, Shrimp, Oyster and Finfish task forces. Those groups would determine whether collaboration with restaurants and enforcement of House Bill 335/Act 372 (adopted as Louisiana RS 40.5.5.4 and which requires any food service establishment that serves imported shrimp or crawfish to post a notice that informs patrons that the seafood has been imported from a foreign place) is the best use of those funds.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63140

Commenters requested restoration assistance such as safe haven sites to offer protection to boats and assistance with dredging channels for safe vessel passage, including shrimp boats.

Response ID: 16523

The commenter's concern regarding vessel passage was considered in the Draft EIS. Chapter 4, Section 4.21 Navigation provided that the USACE would continue to maintain federal navigation channels in the Project area during Project operations. In response to public comments, CPRA's Mitigation and Stewardship Plan includes measures that CPRA states it would implement to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation

channels (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The impact analysis in the Final EIS does not suggest that the Project would create the need for safe haven sites.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63141

Commenter requests additional information on the \$33 million for the stewardship to fisheries.

Response ID: 16524

The Draft Mitigation and Stewardship Plan published with the Draft EIS (Appendix R1) contained mitigation and stewardship measures proposed by CPRA. In response to comments and resource agency input, CPRA has expanded and refined these measures, including allocating \$54 million for fisheries mitigation and stewardship measures. Details regarding these measures are set forth in the Final

Mitigation and Stewardship Plan published in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63142

Commenter requests information on how brown shrimp would shift in distribution in the basin and raised concern about the impact it would have on smaller shrimping boats that could not travel the added distance to catch them.

Response ID: 16525

Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS analyzed Project impacts on brown shrimp, including the decrease in habitat suitability of portions of Barataria Basin for brown shrimp and the potential of a shift in location for future brown shrimp fishing. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSB Project on commercial fisheries. As

summarized in Section 4.14.2, under the Applicant's Preferred Alternative, brown shrimp are expected to experience major, permanent, adverse impacts earlier, while white shrimp are expected to experience negligible to minor, permanent, beneficial impacts, relative to the No Action Alternative. However, because a number of the same commercial fishers catch both brown and white shrimp during different seasons, overall impacts on the shrimp industry as a whole (including brown and white shrimp) would be expected to be moderate to major, permanent, and adverse, with the potential for a substantial loss of income in some months due to the decreased abundance of brown shrimp. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential adaptive responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, as well as increasing the length of fishing trips. CPRA's Mitigation and Stewardship Plan includes measures to mitigate some Project impacts on the brown shrimp fishery, including funding to assist shrimpers with gear improvements necessary to travel farther distances (see Section 6.3 [Other Mitigation and Stewardship Measures] of Appendix R1 to the EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1), including allocating \$15 million] for vessel and facility improvements. There is no plan to relocate brown shrimp.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63144

A commenter recommended that additional cold storage in the seafood supply chain is needed.

Response ID: 16526

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included vessel refrigeration as a proposed measure to address the anticipated impacts of the Project. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1), including allocating \$15 million for vessel and facility improvements. This funding could be used to provide additional cold storage, as suggested by the commenters.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63145

Mississippi fisheries should also be included in mitigation compensation.

Response ID: 16527

Chapter 3, Section 3.1.1 Project Area of the Draft EIS identifies the analysis area for the EIS. This is the area in which the Project is anticipated to have discernable effects. For Commercial Fisheries, the Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Mississippi was not included in the analysis because no more than negligible impacts were projected to occur for Mississippi resources. See Chapter 3, Section 3.14 Commercial Fisheries of the EIS. All measurable impacts of the Project, both beneficial and adverse, are anticipated to occur in Louisiana and within Louisiana coastal waters. As a result, CPRA has not included mitigation for impacts to fisheries in Mississippi coastal waters in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

Commercial fishers that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. The Final EIS has been revised to acknowledge this in Section 4.14.4.2 Commercial Fisheries. The Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) provides a suite of mitigation and stewardship strategies applicable to fishers that may be impacted by the Project. Those mitigation and stewardship programs would be equally available to any impacted fisher who relies on fisheries in the Barataria Basin, regardless of whether or not they reside in the Basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally,

impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63147

Commenter requests information on steps being taken before Project construction to protect commercial and recreational fisheries.

Response ID: 16529

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on fisheries mitigation, including mitigation and stewardship measures that would be undertaken before and during Project construction. In response to public comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including providing additional detail on several fisheries mitigation and stewardship efforts that would be undertaken before Project construction, including funding for public and private oyster seed ground enhancement, funding for alternative oyster aquaculture, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence fishing access (see Appendix R1 to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63148

Commenter prefers implementation of alternative 1 (75k diversion) only when the low-income fishing communities surrounding Barataria Bay have established resilient, secure economies given their reliance on the commercial fishing industry. The commenter recommended emphasis on support for low-income, vulnerable communities and the need for a strategy for resiliency in the future ecosystem.

Response ID: 16708

The commenters' request that the implementation of the proposed Project occur only once the low-income fishing communities surrounding Barataria Bay have established secure and resilient economies is acknowledged.

While the Draft EIS acknowledged that oyster and brown shrimp fisheries would be adversely impacted by the proposed Project, it also concludes that the Project would create and maintain wetlands, and increase the abundance of SAV, that would provide refugia, foraging, and resting habitats, including essential fish habitats that support multiple managed species (see Chapter 4, Section 4.10 Aquatic Resources of the EIS). In addition, while the proposed Project would have minor to moderate increases in storm surge in areas south of the diversion, it would also help reduce the impacts of storm surge on

communities north of the diversion by creating and nourishing coastal marshes that would provide natural storm protection; see Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Reduction of the EIS for more details. The proposed Project is projected to have some temporary, moderate to major, beneficial impacts on the regional economy expected as a result of construction related spending, as described in Section 4.13 Socioeconomics of the EIS. Fishing communities in the Barataria Basin may experience some of these benefits.

As explained in the analysis of the No Action Alternative in the EIS and Section 1.6 (No Action Alternative) of the LA TIG's Restoration Plan, conditions in Barataria Basin would continue to deteriorate and destabilize under the No Action Alternative. While the proposed Project would not stop subsidence and sea-level rise and their associated impacts in the Barataria Basin, the proposed Project is projected to create and/or maintain approximately 12,700 acres of wetland by the year 2070 when compared with the No Action Alternative. In its Restoration Plan, the LA TIG has determined that slowing land loss in the Barataria Basin is essential to the overall ecological and economic sustainability of the Basin. More specifically, the proposed Project would help nearshore marine ecosystems, water column resources (including fish and invertebrates), and birds and terrestrial wildlife.

In recognition of the potential impacts that would occur due to the proposed Project, CPRA included mitigation and stewardship measures to address vulnerable communities in the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS). In response to public comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63254

To ensure that fishers have the best chance of maintaining their industries over the life of the MBSD Project, restrictions that prevent them from working in federal waters must be lifted.

Response ID: 16530

The federal moratorium will be up for renewal in 2025, and NOAA is committed to reviewing all relevant facts and circumstances at that time; however, adjustment to federal fishing moratoria is outside the purview of NRDA actions and USACE permitting actions.

Concern ID: 63135

Commenters state that they plan to sell their vessels.

Response ID: 16519

Because the Project is projected to impact commercial fisheries, the CPRA has developed a range of measures in its Mitigation and Stewardship Plan to minimize adverse effects on commercial fisheries resources. The intention of CPRA's mitigation and stewardship measures is to establish sustainable fisheries for oysters and shrimp. These measures are described in more detail in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), and include funding allocations for new oyster public seed grounds, to enhance public and private oyster seed grounds, for Alternative Oyster Cultures, and for oyster broodstock reefs. In addition, the mitigation and stewardship measures are aimed at assisting fishers to continue in the industry through measures such as equipping shrimping vessels with refrigeration to extend the time the vessel can transit to and remain on the fishing grounds (or fish new areas), marketing and outreach support, workforce training, and grants to help offset costs of rigging vessels with different types of gear or to substitute gear to improve efficiency and lower costs.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation,

stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 63146

Commenters suggested that CPRA should consider restoring natural landscapes such as ridges to minimize impact on oysters, shrimp, and other species (as well as the fisherman and communities that rely on them).

Response ID: 16528

As part of the Louisiana Coastal Master Plan, CPRA has funded a number of projects to restore landscapes such as natural ridges in appropriate locations, such as Spanish Pass Ridge and Marsh Restoration, and anticipates continuing to fund such projects in the future. However, based on Coastal Master Plan modeling, CPRA does not believe that ridge restoration would effectively deflect freshwater flows from the larger basin. The size and scope of ridges necessary to isolate areas in the basin from fresh water makes this solution infeasible. Therefore, no changes have been made to the Final EIS in response to this comment.

Concern ID: 63959

CPRA's stated \$300 million fund for mitigation of Project damages is wholly inadequate to mitigate the actual damages to the State's shrimp and shellfish industries as those speculative funds would only account for half of the seafood landings in the past 2 years.

Response ID: 16531

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp and oyster fisheries, in Chapter 4, Sections 4.14 Commercial Fisheries. Without the Project, adverse impacts on fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts on fisheries in the early years of the Project's operational life.

In response to public comments and resource agency input about the proposed mitigation and stewardship measures, CPRA has expanded and refined its fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS).

The provisions of CPRA's fishery mitigation plan, valued at approximately \$54 million, along with other restoration actions and programs being funded by the LA TIG and the State through LDWF, would alleviate some impacts of the Project. CPRA's final fishery mitigation plan can be found in its Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required

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SMM14000 – Recreational and Subsistence Use SMM

Concern ID: 63090

A commenter requests an explanation of steps that will be undertaken before construction to protect sustainability of commercial and recreational fisheries.

Response ID: 16513

The commenter's requested explanation of the steps that will be undertaken before construction of the Project to protect fisheries was addressed in CPRA's Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS). For example, CPRA's oyster mitigation program allocates a portion of the \$15 million in public and private seed ground enhancement funding to providing enhancement in areas adjacent to Barataria Basin prior to commencement of Project operations and to reimburse for cultch or spat/shell to leaseholders choosing to rehabilitate leases, or create new leases, in Lower Barataria Basin. In total, \$54 million has been allocated for mitigation and stewardship measures to address impacts to commercial and recreational fisheries. In addition, details on CPRA monitoring activities pre- and post-operations can be found in the MAM Plan (Appendix R2 to the Final EIS). In response to comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63091

The proposed mitigation to provide access points farther down the basin will not adequately address the impacts to subsistence fishers (for example, increased costs of fuel or additional wear and tear on vessels associated with the additional travel). CPRA should use community expertise to co-design community-specific adaptation programs to ensure that disparately impacted communities are able to effectively respond to Project near-term and long-term impacts.

Response ID: 16514

CPRA is including funding for additional access points within the basin as part of its Mitigation and Stewardship Plan (Appendix R1 to the EIS). As part of developing and evaluating this measure, CPRA engaged the subsistence fishing community potentially impacted by the Project through public meetings and utilized community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement

meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS.

Locations for the additional access points have not yet been selected, and CPRA would work with impacted subsistence fishers to ensure those access points are placed in appropriate locations. In addition, fishers would have access to other fisheries mitigation and stewardship measures, such as gear improvements and retraining, aimed at assisting them to adapt to changing conditions. See Sections 6.3.3 (Aquatic/Fisheries Impacts) and 6.3.8 (Environmental Justice) of the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 64832

A commenter is concerned about the negative impacts of the diversion on fishing near their home and request compensation for this loss.

Response ID: 16700

The Draft EIS considered how changes in the Project area both with and without implementation of the Project will potentially impact commercial fisheries in Chapter 4, Sections 4.14 (Commercial Fisheries) and recreational fisheries in Section 4.16 (Recreation and Tourism).

CPRA's proposed Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on potential fisheries mitigation, including mitigation that would be undertaken before Project construction. In response to public comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including providing additional detail on several fisheries mitigation and stewardship efforts that would be undertaken before Project construction, including funding for public and private oyster seed ground enhancement, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence and recreational fishing access (see Appendix R1 to the Final EIS for additional details). Specific to recreational fishing, CPRA will provide public access opportunities within the Barataria Basin and Mississippi River Basin. This is intended to address effects on proximity of resources for both consumptive and non-consumptive use. These effects will be primarily addressed through the provision of public shoreline access and watercraft launching around the Project area to assist recreational and subsistence fishing. In total, \$54 million would be allocated for mitigation and stewardship measures to address impacts to commercial and recreational fisheries.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA)

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

SMM15000 – Property Acquisition SMM

Concern ID: 63092

Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, “real estate plan” for impacted communities was not available.

Response ID: 16511

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA's initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA's Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know

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Concern ID: 63719

The valuation of any properties acquired for the construction of the Project should account for the value of borrow materials that could be excavated and sold by the owners of these properties.

Response ID: 16512

As part of any property rights acquisition to construct the Project, CPRA would compensate landowners for the property interest acquired in accordance with applicable law. Determining the appropriate amount that CPRA would pay for properties and rights it acquires for the Project is outside of the scope of the USACE EIS process and the LA TIG's OPA Restoration Plan.

SMM16000 – Environmental Justice SMM

Concern ID: 62878

The EIS and Mitigation Plan does not adequately consider or mitigate for impacts to Ironton. The EIS should include air pollution buffers for Ironton and flood protection easement areas for Ironton and other vulnerable communities outside of levee protection.

Response ID: 16505

The concerns raised by the commenters were considered in the Draft EIS in Chapter 3, Section 3.7.2 Air Quality, Existing Conditions; and Chapter 4, Sections 4.8 Noise, 4.13 Socioeconomics, 4.15 Environmental Justice, 4.22 Land-Based Transportation and 4.25 Cumulative Impacts. Chapter 3, Section 3.7.2 Air Quality - Existing Conditions identifies the existing air quality in the proposed Project area and provides that Plaquemines Parish is designated as "unclassifiable/in attainment" for all criteria pollutants. The resource sections in Chapter 4 address potential air quality, noise, transportation, and tidal flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 Socioeconomics Technical Report to the EIS provides contextual information about the Ironton community.

CPRA committed to implementing best management practices (BMPs) to minimize construction impacts in the EIS in Chapter 4, Section 4.27.1 Avoidance and Minimization and Appendix R1 Mitigation and Stewardship Plan; additional information on BMPs is also included in the Mitigation Summary Table in Appendix R3. Construction emissions would be highly localized, and consequently the Project is only anticipated to impact air quality within 0.5 mile of the construction footprint; however, Ironton is located approximately 0.5 mile from the construction footprint (see EIS, Chapter 4, Section 4.7.1 Area of Potential Impacts). As stated in the EIS in Chapter 4, Section 4.15 Environmental Justice, populations in Ironton would experience minor to moderate, temporary adverse, impacts due to increased noise levels, dust, and transportation delays during the approximately 5-year construction period. During operations, air emissions would be negligible since the diversion structure would be electric-powered (see EIS Chapter 4, Section 4.7.4.2).

Beyond the near-term impacts of construction, operation of the Applicant's Preferred Alternative may have impacts on Ironton. Because it is within the New Orleans to Venice (NOV) Non-Federal Levee (NFL) W-05a.1 (La Reussite to Myrtle Grove levee reach) levee system, Ironton is not expected to be impacted by increases in frequency and duration of tidal flooding due to Project operations (see Section 4.15.4.2.2 Storm Hazards and 4.20.4.2 Public Health and Safety). Further, guide levees constructed parallel to the diversion channel will be constructed to an elevation of approximately 15.6 feet and will serve as hurricane and storm damage risk reduction against storm surges. However, negligible to minor increases in risk of NOV-NFL Levee overtopping south of the immediate outfall area (following the delta formation in the outfall area) due to storm surge during certain 1 percent storms, may impact low-income and minority populations within Ironton. These potential impacts may be exacerbated to the extent that Ironton residents experience unique vulnerabilities.

To ensure that impacts on the community of Ironton have been adequately disclosed and to make that analysis readily accessible in one location within the EIS (rather than throughout the various resource sections), a section has been added to the Final EIS that provides a summary of impacts on the community of Ironton under the Applicant's Preferred Alternative (see Chapter 4, Section 4.15.5.1 Environmental Justice).

CPRA is not proposing specific mitigation to address or offset the negligible to minor increased risk in levee overtopping that could affect the community of Ironton inside the NOV-NFL system because this potential increased risk does not accrue until Project operations have resulted in the development of a delta (wetlands and marsh) in the area outside the NOV-NFL Levee adjacent to Ironton (circa 2040), and

because this risk was identified for only one of the 100-year storm scenarios modeled. However, to help Ironton prepare for and mitigate flood risk from storms generally, CPRA would designate a liaison to work with residents in Ironton prior to commencing operations of the Project on community preparedness for storm-based flooding and damage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts were undertaken to better understand and address potential impacts on communities with environmental justice concerns, such as low-income and minority populations, that may be disproportionately impacted by the Project, as discussed in Chapter 7 of the Final EIS. This included meetings in the community of Ironton. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted environmental justice communities and organizations concerning the implementation of the mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any

particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63703

Commenters request that the agencies involved with developing the EIS meaningfully engage with affected communities/organizations with EJ concerns to inform the development of EJ mitigation and stewardship measures. Specifically, it was requested that relevant materials are translated and presented in plain, non-technical language.

Response ID: 16508

CPRA engaged the communities potentially impacted by the Project, including low-income and minority communities, through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback from low-income and minority community members on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). CPRA will continue to engage with potentially impacted communities and organizations with EJ concerns concerning the implementation of the mitigation and stewardship measures. Additionally, CPRA has and will continue to provide requested translation and provide key documents and information on the Project in English, Spanish, and Vietnamese.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated

Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63693

Commenter requests that the EIS and Mitigation Plan include more details about EJ mitigation and stewardship measures specifically related to the construction of the diversion.

Response ID: 16506

The Draft EIS considered impacts to low-income and minority communities due to Project construction in Chapter 4, Section 4.15.3 Construction Impacts in Environmental Justice. The majority of construction impacts would be experienced within 0.5 miles of the Project construction footprint. The nearest community to the construction footprint is Ironton, which has a majority African American population. As explained in the EIS, populations in Ironton would experience minor to moderate, temporary, adverse impacts due to increased noise levels, dust and transportation delays during the approximately five-year construction period (see Chapter 4, Section 4.15.3.2 Applicant's Preferred Alternative).

CPRA committed to implementing best management practices (BMPs) to minimize construction impacts in the EIS in Chapter 4, Section 4.27.1 (Avoidance and Minimization) and Appendix R1 (Mitigation and Stewardship Plan); additional information on BMPs is also included in the Mitigation Summary Table in Appendix R3. In addition, since publication of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA undertook additional outreach to low-income and minority communities potentially affected by the Project to solicit their feedback regarding the mitigation and stewardship measures proposed by CPRA. Based on the feedback received through that process and

other sources of public comment, CPRA updated the Final Mitigation and Stewardship Plan to include those measures that CPRA would implement if the Project is approved and funded (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63697

Commenters request that the EIS and Mitigation Plan include more details about planned EJ mitigation and stewardship measures for diversion operations.

Response ID: 16507

The Draft EIS considered impacts to low-income and minority communities due to Project operations in Chapter 4, Section 4.15.4 Operational Impacts in Environmental Justice.

In addition, since completion of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA engaged the communities potentially impacted

by the Project, including low-income and minority community members, through public meetings to solicit input on CPRA's mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback from low-income and minority community members on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is provided in Chapter 7 of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (see Appendix R1). This includes additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted EJ communities and organizations concerning the implementation of the mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as

part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63706

A commenter noted that traditional notions of fair market value might not be sufficient or fair compensation for low-income and minority populations affected by the diversion.

Response ID: 16509

As part of any property acquisition to implement the Project, CPRA would compensate landowners for projected impacts to their properties caused by the Project in accordance with Louisiana and Federal law, including the Louisiana Constitution and the Fifth Amendment of the U.S. Constitution.

Recognizing the limitations on the degree of compensation permitted by federal and state law for property acquisition, CPRA's Mitigation and Stewardship Plan, Appendix R1 to the EIS, outlines numerous additional mitigation and stewardship measures aimed at assisting low-income and minority populations potentially affected by the Project. In particular, CPRA's Final Mitigation and Stewardship Plan (EIS, Appendix R1) includes additional mitigation and stewardship measures for the community of Grand Bayou, which is home to members of the Atakapa-Ishak Nation/Chawasha Tribe, including a ridge restoration canal backfilling project, and sidewalks and floating gardens. In addition, CPRA's Final Mitigation and Stewardship Plan prioritizes portions of funding from several of the mitigation and stewardship measures for low-income and minority community members.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any

particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63710

Commenter requests that EJ mitigation efforts be made specifically for economically vulnerable oyster fishermen, potentially by providing them with alternate lease locations.

Response ID: 16510

The Draft EIS (Chapter 4, Section 4.15.4.2 - Environmental Justice - Operational Impacts) identified the potential for the Project to result in disproportionately high and adverse impacts on some low-income and minority commercial oyster fishers. In response to these identified impacts and based on public comments, CPRA expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan. CPRA's Mitigation and Stewardship Plan included with the Final EIS provides additional details on specific mitigation and stewardship measures for impacts on oysters (see Appendix R1 of the EIS, Section 6.3.3). According to CPRA, a portion of the funding for several of these mitigation and stewardship measures would be prioritized for low-income and minority fishers to ensure that such fishers receive the benefits of these programs. Additionally, rulemaking by LDWF effective April of 2020 ended a moratorium on new leases on state-owned water bottoms enacted in 2002. The LDWF oyster lease process establishes a phased approach for settling previous applications and providing for new lease opportunities. More information on this program is available at <https://www.wlf.louisiana.gov/page/oyster-lease-moratorium-lifting> or within the LDWF Rule found in LAC 76:VII.505.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies

which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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AND JOHNNY	ALLEMAN, LAURA	ALMEIDA, ANDREA	AMBLER, SUSAN
ALDRICH, ADELE	ALLEN PHD DVM, JULIA	ALMEIDA, CATHY	AMBROSE, BILLIE
ALDRICH, CHRIS	N	ALMEIDA, LINDA	AMBROSE, JENNIFER
ALDRICH, JIM	ALLEN, AARON	ALMOND, JANET	AMBROSE, SHERI
ALDRICH, WILLIAM	ALLEN, AMY	ALMONTE, GABRIEL	AMBROSI, ELIZABETH
ALDRIDGE, STACEY	ALLEN, ANGIE	ALMONTE, MARIA	AMBROSIO,
ALES, ANN	ALLEN, ANN	ALMSTEAD, BARBARA	ANTOINETTE
ALET, FRANCES	ALLEN, BILLIE	ALMSTROM, SABINE	AMBOZY, JOSEPH
ALEX, D	ALLEN, CAROLE	ALON, JAN-PAUL	AMEEN, ARSHAD
ALEXANDER, ANDREA	ALLEN, CATHY		AMELL, SUSANNA

AMENT, DON	ANDERSON, DIANA	ANDERSON, THOMAS	ANN, LYNNE
AMES, KATHY	ANDERSON, DIANE	ANDERSON, VICTORIA	ANNE, CECILY
AMES, NANNETTE	ANDERSON, DOROTHY	ANDERSON, VIRGINIA	ANNECONE, LISA
AMES, STANIS	ANDERSON, EDNA	ANDERSON-KELLEY,	ANNONI, PAT
AMICK, KATHLEEN	ANDERSON, ELIZABETH	MAE	ANSARI, CHRISTINE
AMICO, TAM	ANDERSON, ELIZABETH	ANDERSSON, JOAN	ANSAY, GABRIELE
AMIEL, DIANE	L.	ANDES-GEORGES, LINDA	ANSBERGS, GINNY
AMIRJALALI, HOSSEIN	ANDERSON, ELSIE	ANDOLF, NANCY	ANSEL, JANA
AMIRY, SYED	ANDERSON, ERIN	ANDRADE, NANCY	ANSELL, HEIDI
AMISANO, CHRISTINE	ANDERSON, FAYE	ANDRE, CYNTHIA	ANSLEY, MARY BETH
AMJADI, DEBORAH	ANDERSON, FRANK B.	ANDREANI, MARY	ANSON, BLAIR
AMLASHI, BRENDA	ANDERSON, GILLIAN	ANDREAS, CAROLE	ANSON, GG
AMMON, CARA	ANDERSON, GLEN	ANDREASEN, KARINA	ANSON, GINA
AMOS, AARON	ANDERSON, GLORYA	ANDREATTA, TINA	ANSON, GINA
AMSEL, BRUCE	ANDERSON, HELEN	ANDREIUOLO, MARY	ANSON, VERNA
AMSLER, MAGGIE	ANDERSON, J	ANDRESEN, SHARRON	ANTHONY, ALVIN
AMSTUTZ, NAN	ANDERSON, JANET	ANDREW, BARBARA	ANTHONY, DONNA
ANACKER, CELESTE	ANDERSON, JANIE	ANDREWS, ANTHONY	ANTHONY, MICHELLE
ANAPOL, EDWARD	ANDERSON, JEANIE	ANDREWS, CAROLYN	ANTHONY, SCOTT
ANASTASIO, LAURA	ANDERSON, JEANNE	ANDREWS, CARY	ANTHONY, WANDA
ANCHORS, CARLA	ANDERSON, JEFFRY	ANDREWS, DEBBIE	ANTHONY-HUEBERT,
AND GUY, CINDY	ANDERSON, JIM	ANDREWS, DENISE	ANITA
AND PHIL MCPHERSON,	ANDERSON, JINX	ANDREWS, DIANE M	ANTIN, JUDITH
CINDY PARDEE	ANDERSON, JOHN	ANDREWS, DONNA	ANTONACCI, TERRY
ANDALIBI, MARIAM	ANDERSON, JUDITH S	ANDREWS, ELIZABETH	ANTONELLI, ANGELA
ANDALORO,	ANDERSON, JULIE	ANDREWS, HERB	ANTONGIOVANNI,
BERNADETTE	ANDERSON, KAREN	ANDREWS, JENNIFER	SHARON
ANDALORO, JIM	ANDERSON, KARI	ANDREWS, LINDA	ANTONIO, BEVERLY
ANDEN, GALE	ANDERSON, KATHRYN	ANDREWS, MARYELLEN	ANTOON, THOMAS
ANDERHOLM, JON	ANDERSON, KAYLA	ANDREWS, PEG	ANTUNEZ, EDDER
ANDERSEN, CHANTAL	ANDERSON, KEN	ANDREWS, PENELOPE	ANTUNEZ, JENNIFER
ANDERSEN, ERIC	ANDERSON, KIM	ANDREWS, ROBERT	ANZ, BETH
ANDERSEN, JENETTE	ANDERSON, LESLIE	ANDREWS, SILAS	AP REES, CAROLINE
ANDERSEN, STEPHEN	SCOPES	ANDREWS, SUE	APANAVAGE, SARA
ANDERSEN, TIFFANY	ANDERSON, LINDA K	ANDREWS, VIRGINIA	APEL, VALERIE
ANDERSON DEVITO,	ANDERSON, LINDA	ANDRING, PAT	APLASS, ALLEN
JEAN	ANDERSON, LINDA	ANDRIOTAKIS-	APODACA, ELEANOR
ANDERSON, AL	ANDERSON, LINDA	GROMADZKI, PAMELA	APONE, JAMES
ANDERSON, ALISON	ANDERSON, LYNNETTE	ANDRIS, DEBRA	APPELL, STEPHEN
ANDERSON, ALLISON	ANDERSON, MARGARET	ANDRULONIS, DIANE	APPLE, VALERIE
ANDERSON, ALVIN	ANDERSON, MARKETA	ANDRYCHOWSKI,	APPLEBAUM, DORIS
ANDERSON, AMY	ANDERSON, MELORA	STEVEN	AQUINO, TRACEY
ANDERSON, ANDREA	ANDERSON, MICHAEL	ANGEL, BETH	ARAGO, MIKE
ANDERSON, ANDREW	ANDERSON, NANCY L.	ANGEL, SUSAN	ARAGON, MARIA
ANDERSON, ANGELA	AND BERT A.	ANGELINI, MARIA	ARAGONA, DONNA
ANDERSON, ANNE	ANDERSON, NANCY	ANGELIS, LOUISE B	ARANEDA, IRENE
ANDERSON, BETTY	ANDERSON, RALPH	ANGELL, BRYONY	ARANIBAR, PATRICIA
ANDERSON, CAROL	ANDERSON, REV.	ANGELL, DONI	ARBO, GEORGIA
ANDERSON, CATHERINE	MEREDITH	ANGELL, JL	ARBOGAST, KATIE
ANDERSON, CHRISTINA	ANDERSON, RICHARD	ANGELL, LYNNETTE	ARBOLEDA, LILLIAN
ANDERSON, CHRISTINE	ANDERSON, ROBERT	ANGIONE, KENDRA	ARBOLEDA, MARIA JOSÉ
ANDERSON,	ANDERSON, RON	ANGLIN, COLIN	ARBOUR, CAROLE
CHRISTOPHER	ANDERSON, SCOTT	ANGRESS, MIRIAM	ARBUCKLE, BONNIE
ANDERSON, CLIFFORD	ANDERSON, SHARON	ANGULO, CHRISTINE	ARCARESE, JOANN
ANDERSON, DAVID	ANDERSON, SHEILA	ANICHINI, LUKE	ARCHER, NANCY
ANDERSON, DEBORAH	ANDERSON, STEPHANIE	ANIRUDH, SABI	ARCHER, TRACEY
ANDERSON, DELBERT	ANDERSON, SUSAN	ANIXT, ANDREA	ARCHIBALD, GERRY
ANDERSON, DENNIS	ANDERSON, SYLVIA	ANKER, ROGER	ARCHIBALD, SALLY

ARCHULETA, DELORES	ARNOLD, CARLOS	ASHLEY, ELIZABETH	AUL, GRETA
ARCHULETA, PATRICIA	ARNOLD, CHARLES	ASHMORE, SANDRA	AULT, JENNIFER
ARCIDIACONO, PAUL	ARNOLD, DELISA	ASHTON, ASHLEY	AUNKST, DANIEL
ARDITO, GARY WOLF	ARNOLD, DIANE	ASHTON, DAVID	AURIGEMMA, KAYE
ARENA, NILE	ARNOLD, JESSICA	ASHTON, DEBRA	AUSMAN, CANDI
ARENDS, CHRISTINE	ARNOLD, JOAN	ASHTON, LINDA	AUSTER, PETER
ARENDT, MARY	ARNOLD, KARIN	ASHTON, NANNETTE	AUSTIN, CHRISTINE
ARENS, GINA	ARNOLD, KATHLEEN	ASHTON, RICHARD	AUSTIN, DIANA
ARENT, RAYMOND	ARNOLD, SUZANNE	ASIMUS, DREW	AUSTIN, DONNA
AREVALO, RICARDO	ARNONE, MELANIE	ASKEW, GEORGENA	AUSTIN, MIMI
ARGAST, MARY	ARNQUIST, CAROL	ASKEW, JEAN	AUSTIN, NANCY
ARGENTA, C KENT	ARNTSON, MARK	ASKEW, PAMELA	AUSTIN, SARAH
ARGENTINO, MARIAN	ARNZEN, BARBARA	ASKINS, ED	AUSTIN, WANETTE
ARGO, ALLISON	ARONOW, MYRA	ASKINS, SUSANNA	AUSTIN, ZAHNAN
ARGUELLO, SYLVANA	ARONSON, ALLEN	ASLAKSON, SARAH	AUSTRY, SHARON
ARIAS, HECTOR	ARONSON, MARSHA	ASPERTI, SISSI	AUTREY, KIMBERLY
ARIAS, ROSA	ARONSON, MAX	ASPROYERAKAS,	AUTREY, MICHAEL
ARIAS-ANDERSON,	ARONSON, NANCY	ARTEMIS	AVALLONE, LORRAINE
JULIANA	ARONSON, ROBIN	ASSCHERICK, VIOLETA	AVEBURY, LISA
ARICK, VICKI	AROSARENA, ONEIDA	ASSELIN, MARGARET	AVELAR-SCHNELL,
ARIOLI, KRISTIN	AROSTEGUI, DIANA	ASTE, SARAH	MICHELLE
ARISAWA, SENNUWY	AROTSKY, NANCY	ASTON, ROBERT	AVELINO-DAVID, KAREN
ARK, BRANDY	ARP, CRYSTAL	ASTON, STEPHANIE	LIZA
ARKEMA, CARROLL	ARP, LILY	ASZKLER, PAULA	AVELLO, DAWN
ARKIN, LORI	ARPIN, SUSAN	ATAKOVA, TANOI	AVENDANO, SHARON
ARLEN, BARBARA	ARRA, MELISSA	ATCHLEY, DENISE	AVERHART, MELINDA
ARMAO, TERRI	ARRA, SHERRIE	ATEN, CYNTHIA	AVERRILL, LINDA
ARMBRUSTER, WILLIAM	ARRIETA, RUBEN	ATHA, TOM	AVERSA, THOMAS
ARMELIN, DALE	ARRINGTON, ANN	ATHENS, ALEXANDRA	AVERSANO, MELISSA
ARMENDAREZ,	ARROYO, CHRISTINE	ATHERTON, REBECCA	AVERY, JEAN
ELISABETH	ARROYO, JUAN	ATIENZA, FE L	AVERY, JEAN M.
ARMENDINGER, CLAIRE	ARSLAN, RACHELLE	ATKIN, ROGER AND	AVIGNONE, JUNE
ARMENTROUT, HARLEY	ARTEAGA, MARIA	PAULA	AVILA, DAYANA
ARMES, MARY	ARTHUR, CHERYL	ATKINS, ED	AVILA, ELIZABETH
ARMFELT, PATRICIA	ARTHUR, DUTCHER	ATKINS, GAIL	AVILA, VIRGINIA
ARMISTEAD, SUSAN	ARTHUR, MICHELLE	ATKINS, TODD	AVILES, ANA
ARMITAGE, SHELLEY	ARTHURS, ANDREA	ATKINS, VICKI	AVILES, JULIO
ARMITAGE, SUSAN	ARTIAGA, LINDA	ATKINSON, BARBARA	AVILLA, JAN
ARMITSTEAD, NANCY	ARTIS, KAZZ	ATKINSON, ELLEN	AVILLA, PHYLLIS
ARMKNECHT, LESLIE	ARTMAN SMITH, JOYCE	ATKINSON, LINDA	AVINO, ELIZABETH
ARMOUR, BRUCE	ARTMAN, CARA	ATLAS, DEBRA	AXBERG, LYNDA
ARMSTRONG, A.	ARVESON, MICHAEL	ATNIP, SUSIE	AXELROD RN, JAN
ARMSTRONG, APRIL	ARZE, NICO	ATTARIAN, JUNE	AXELROD, LYNN
ARMSTRONG, COLLEEN	ASBURY, CRAIG	ATTEBERRY, BARBARA	AXT, PHYLLIS
ARMSTRONG, MARLA	ASCHAUER, SHARLENE	ATTERHOLT, JUDY	AYALA, JESSABETH
ARMSTRONG, PATRICK	ASCOTT, MADELEINE	ATTKISSON, B	AYCOCK, JAMES
ARMSTRONG, STEPHAN	ASEL, JOSHUA	ATTWOOD, DONALD	AYDELOTT, STEVE
ARMSTRONG, SUSAN	ASH, KEVIN	ATTY, ROSEANN	AYERS, CHERI
ARN, DENISE	ASH, KRISTINA	ATWOOD, APRIL	AYERS, FRANK
ARNAL, DIANE	ASH, SHARON	ATWOOD, LYNN	AYERS, KELLY
ARNDT, BILL	ASHBEY, LUCINDA	AUB, KATHLY	AYERS, KENDALL
ARNDT, CHARLOTTE	ASHBROOK, DORIS	AUBIN, MARTHA	AYERS, ROBERT
ARNDT, DOLORES	ASHBURN, ANNA	AUER, PATRICIA	AYLARD, ADRIANNA
ARNDTSEN, BETH	ASHBY, ELIZABETH	AUERBACH, DELAYNE	AYLWARD, ANDIE
ARNESON, CYNTHIA	ASHBY, MARK	AUGERI, JAMES	AYOTTE, ROBERTA
ARNESON, DIMITRA	ASHLAND, LINDA	AUGHEY, ARLENE	AYOUB, CATHERINE
ARNETT, RENEE	ASHLEY, BARB	AUGUSTINO, JULIE	AYRES, GLENN
ARNHEIM, MADELEINE	ASHLEY, CLAUDETTE	AUGUST, JANE	AYRES, PETER

AYYAR, ADARSH	BADENHOP, ELIZABETH	BAKER, ANDREA	BALIN, DIANE AND
AZAR, CAROL	BADER, SANDRA	BAKER, ANNETTE	JERRY
AZIZ, MARK	BADER, WILLIAM	BAKER, ARLENE	BALISH, JUNE
AZZARELLO, CATHLEEN	BADGER, STEPHEN	BAKER, ASHLEE	BALK, GARRICK
B ROBINSON, ERIC	BADGETT, ANNETTE	BAKER, BARB	BALK, SUE
B, AURELIA	BADLU, MILDRED	BAKER, BARBARA	BALL, CONNIE
B, BARBARA	BADRIGIAN, ANDREA	BAKER, BRENT	BALL, ERIN
B, BRIAN	BADURA, CHRISTINE	BAKER, BRUCE	BALL, PAMELA
B, FINLEY	BADUS, THERESA	BAKER, DARLENE	BALL, ROBERT
B, IMANI	BADZIOCH, LINDA	BAKER, DAVID	BALLAH, JOAN
B, JOE	BAECHER BROWN, JEAN	BAKER, DELANE	BALLARD, ELIZABETH
B, K	BAER, ELLEN	BAKER, DIANA	BALLARD, KRISHA
B, LEE	BAERTLEIN, CINDY	BAKER, DIANE	BALLENGER, BARBARA
B, LIDIA	BAEZ, YESENIA	BAKER, DIRK	BALLENTINE, DIANE
B, LINDA	BAGBY, BARBARA	BAKER, GEORGE	BALLESTEROS, KELSY
B, LUCY	BAGENSKI, STEVEN	BAKER, JANICE	BALLEW, LOUANN
B, M	BAGGS, BO	BAKER, LYNN	BALLEW, THELMA
B, MELISSA	BAGLIN, THOMAS	BAKER, MARIANNE	BALLINGER, BARBARA
B, MICHELE	BAGNASCO, GAIL	BAKER, MARTHA	BALLO, JOHN
B, MICHELE	BAHNSEN, SUSAN	BAKER, MARY SUE	BALLON, DIANNE
B, R	BAHR, DENNIS	BAKER, MARY	BALLOT, MICHAEL
B, ROMANI	BAIAMONTE, JENNA	BAKER, MARY SUE	BALLOU, JEFFREY
B, SHARY	BAIE, MARGARET	BAKER, MIKE	BALOGH, SUSAN
B, Z	BAIER, CAROL	BAKER, NELSON	BALOGH, SYLVIA
B., CHRISTINE	BAIER, PALMETA	BAKER, PETRA	BALSER, GAIL
B., JILL	BAIER-BARNES, DEANNA	BAKER, RICHARD	BALTHASAR, SUSAN
B., MARTHIE	BAILEY, ANGELA	BAKER, THOMAS	BALTIMORE, TERRY S
BAACH, MICHAEL	BAILEY, BARBARA	BAKER, TIFFANY	BALTIN, BRIAN
BABAAHMADI, TERESA	BAILEY, DAVID	BAKER, UTE	BALTRUNAS, RONALD
BABAO, DONNA	BAILEY, DEBBIE	BAKER, VICKEY	BALTZ, BARBARA
BABB, JOYCE	BAILEY, JACKIE	BAKER, W	BALUNEK, SOPHIA
BABBITT, SUSAN	BAILEY, JILL	BAKER-SMITH, GERRITT	BALVIN, ELIZABETH
BABELI, CAROL	BAILEY, JOHN	AND ELIZABET	BALZANO, SHARON
BABENCO, ANN	BAILEY, LAURA	BAKKER, SARA	BAMBACH, BARBARA
BABINEAU, MARY	BAILEY, LYNNE	BAKKOM, MARCIA	BAMBERGER, STEPHAN
BABINEAU, THERESE	BAILEY, MARY	BAL, STEVEN	BAMFORD, STEPHEN
BABINGTON, DAVID	BAILEY, PETER	BALA, SHEREE	DALE
BABO, GREGORY	BAILEY, STEPHEN	BALABAN, SUSAN	BANCROFT, CHERYL
BABRIECKI, DOMINICA	BAILEY, SUSAN	BALABANIAN, JERRY	BANCU, MIHAIL
BABST, CHRISINA	BAILEY, TINA	BALAN, DAVID	BANDUCCI, DIANA
BABST, CHRISTINA	BAILEY, VANESSA	BALASKY, CATHY	BANE, MARCIA
BACEWICZ, JOSEPH	BAILIE, JANA E	BALCH, BARBARA	BANEVER, CAROL
BACH, DANIEL	BAILOR, ANN	BALCH, ROSEMARIE	BANGERS, INGRID
BACH, KIMBERLY	BAIN BACHNER, PATTY	BALDER, JAMES	BANGO, NIKKI
BACH, MADELINE	BAIN, CATHI	BALDERAMA, DISA	BANGS, MARY
BACHELDER, LISA	BAIN, KAREN	BALDOCK, BARBARA	BANHAM, BETTY
BACHELOR, JANET	BAIN, RENEE	BALDRIDGE, KIMBERLY	BANING, JEFF
BACHEN, DIANE	BAINTER, ANNA	BALDUS, BARBARA	BANK, HELENE
BACHMAN, CAROL	BAIR, JENNIFER	BALDWIN, B E	BANKIE, EDA
BACHMAN, ELIZABETH	BAIRD, BARBARA	BALDWIN, JOSEPHINE	BANKOVITCH, WALTER
BACHMAN, JAMES	BAIRD, HEIDI	BALDWIN, MARILYNN	JOHN
BACHMAN, MARY	BAIRD, JUDITH	BALDWIN, MARK	BANKS, DARLENE
BACHMAN, RICHARD	BAISDEN, ALEXANDER	BALENTINE, CYNTHIA	BANKS, DONNA
BACILA, VICKI	BAISE, NANCY	BALEY, PATRICIA	BANKS, ERIC
BACKMAN, LARA	BAJ-LINDSEY,	BALFOORT, DARLE	BANKS, JANICE
BACON, LOIS	CATHERINE	BALFOUR, JOAN	BANKS, KATHRYN
BACON, PAULA	BAKA, RYAN	BALFOUR, LINDA	BANKS, MARY
BADAMI, JAIME	BAKER BLAGG, MERNA		BANKS, ROBERT

BANKS, VICKI	BARLEY, CHRYSTAL	BARRETT, FRANCES	BARTLETT, CAROL
BANKS, WESLEY	BARLOW, JESSICA	BARRETT, HARRIETT	BARTLETT, DEBRA
BANNER, REBECCA	BARLOW, STERLING	BARRETT, JACKIE	BARTLETT, JAY
BANNERMAN, MARC	BARMANN, ADRIENE	BARRETT, KATHARINE	BARTLETT, JIM
BANNING, KATHARINE	BARNARD, JERRI	BARRETT, KATIE	BARTLETT, MARY
BANNON, KEVIN	BARNARD, SYLVIA	BARRETT, LEIGH	WARREN
BANNON, LYNNE	BARNASH, KATHERINE	BARRETT, LISA	BARTLETT, REBECCA
BANS, A	BARNES, ALLISON	BARRETT, MARLENE	BARTLEY, BRUCE
BANTA, KARI	BARNES, ANN	BARRETT, NICK	BARTLEY, SHANNON
BANTA, KRISTINE	BARNES, ANN- ELIZABETH	BARRETT, PAUL	BARTLEY, WILLIAM
BANYAS, DIANE	BARNES, CAROL	BARRETT, SHAUNDA	BARTNICKI, MARILYN
BARAJAS, GRACIELA	BARNES, CHRISTY	BARRETT, TAMMY	BARTOLOMEO, RICHARD
BARAJAS, JESSICA	BARNES, DENISE	BARRETTE, CAROL	BARTOLOTTA, NATASHA
BARAJAS, JOANNE	BARNES, JAMES	BARRETTO, RANDY	BARTON, AMY
BARANCHUK, NINA	BARNES, LYNN	BARRIE, LORRAINE	BARTON, BETTY
BARATS, BETTY	BARNES, NOEL	BARRIENTOS, LINDA	BARTON, CATHY
BARBARA, JENNIFER	BARNES, PATTI	BARRIENTOS, MARY	BARTON, GARY
BARBER, CYNTHIA	BARNES, SHARLEEN	BARRINGER, BRITTANY	BARTON, GREGORY
BARBER, FRANCES	BARNES, STAN	BARRINGER, DEBRA	BARTON, LOUISE
BARBER, JOANNE	BARNES, WALTER	BARRINGTON, DEIRDRE	BARTON, LOUISE
BARBER, LENORA	BARNETT, ANN	BARRINGTON, TIM	BARTON, MARJORIE
BARBER, LYNDA	BARNETT, BARBARA	BARRINGTON-HABER, AOIFE	BARTON, SANDRA
BARBER, MARILYN	BARNETT, BARBARA	BARRIOS, ENZO	KANELA
BARBERA, DIANE	BARNETT, ELIZABETH N	BARRON, JANE	BARTOS, BETTY
BARBERI, LILLYAM	BARNETT, JANICE	BARRON, PAULA	BARTOSH, RON
BARBERIO, MELANIE	BARNETT, JULIA	BARRON, PEGGY	BARTSCH, JEANNE
BARBEZAT, MARY	BARNETT, LYNN	BARRON, PEGGY	BARULICH, MARYANN
BARBIE, VALERIE	BARNETT, PAMELA	BARRON, STEPHANIE	BAS, LAUREN
BARBIER, SANDRA	BARNETT, VICKIE	BARROS, JOSE	BASANTA, LAURA
BARBIERI, LYNN	BARNETTE, RENEE	FRANCISCO	BASCIANO, JOYCE
BARBONE, SHANNON	BARNEY-GASSMAN, KIMBERLY	BARROS, LUCIANA	BASEMAN, JOAN
BARBOUR, MICHELLE	BARNHARDT, DEBRA	BARROS, MICHELLE	BASH, RANDALL
BARBOUR, WILLIAM	BARNHART, ANN	BARROW, JOHN	BASHAM, MARIA
BARCILON, DANIELLE	BARNHART, PATRICIA	BARROWMAN, PENNY	BASHEN, MELINDA
BARCLIFT, GLENN	BARNHART, S.	BARROWS, KELLY	BASHYNSKI, BRIAN
BARCOTT, NICK	BARNHART, S.	BARRY, ALLISON	BASILE, CAITLIN
BARD, GREG	BARNHILL, CARA	BARRY, JOYCE	BASILE, CAMILLE
BARDIN, CONSTANCE	BARNHILL, DON	BARRY, KATHLEEN	BASILE, DIANE
BAREA, CECILIA	BARNHOUSE, JOHN	BARRY, MARINA	BASKAY, FRANK
BARELA, DANA	BARNS, SUZANNE	BARRY, MARION	BASLER, BARBARA
BARENSE, DIANE	BAROLSKY, DEBORAH	BARRY, SHEILAH	BASS, JAMES
BARFIELD, BONNIE	BARON, ANDREW	BARSE, JIM	BASS, LAURA
BARFIELD, WALTER	BARON, ANISE	BARSHIS, JAN	BASS, LISA
BARGER, JULIE	BARON, JOANN	BARSNES, DARNELL	BASS, NANCY
BARGER, KARIN	BARONE, CAROLYN	BARSY-ECKMAN, CHRISTINE	BASSAT, CANDACE
BARGIEL, PAULA	BARONE, MARK	BARTEL, CAROLYN E.	BASSETT-HITE, ANN
BARHAM, LORRAINE	BARONI, CHERIE	BARTELS, JANIS	BAST, NICHOLE
BARILE, RITA	BARR, CAROL	BARTELS, JOHN	BASTEK, STEPHEN
BARIS, SONJA	BARR, GAROLD	BARTELT, JILL	BASTIAN, DIANE
BARKER, AMY	BARR, JUDITH	BARTH, DALE	BASYE, MAE
BARKER, ANNE	BARR, MARIE	BARTH, JOLINE	BATCHELDER, CAROL
BARKER, CAROL	BARRE, LAURIE	BARTH, JOLINE	BATCHELOR, EMILY
BARKER, CHRISTINE	BARRE, MATTHEW	BARTH, TERESA	BATCHELOR, JENNY
BARKER, DONALD	BARRERA, ANITA	BARTHOLOME, DAVID	BATCHELOR, SUE
BARKER, JOSEPH	BARRETO, STANLEY	BARTHOLOMEW, ELIZABETH	BATE, JO ELLEN
BARKER, LISSA	BARRETT, CYNTHIA	BARTINDALE, J	BATEMAN, GUY
BARKER, RICHARD	BARRETT, DONNA	BARTKOWICZ, RICHARD	BATES, GINA
BARKOW, CAROLYN	BARRETT, ELAINE		BATES, JAMES

BATES, JENNIFER	BAYENS, CAROL L	BEAULIEU, JEANNETTE	BEEMER, SANDRA
BATES, JUNE	BAYER, JUDITH	BEAUREGARD, LINDA	BEER, AARON
BATES, KELLEY	BAYERL, WHITNEY	BEAVER, DONALD	BEER, JULIE
BATES, LISA	BAYLES, KATHY	BEAVERS, JOHN A	BEERHEIDE, ERNA
BATES, MICHAEL	BAYNES, D	BEAZLEY, BRANDY	BEERS, CATHY
BATKAY, WILLIAM	BAYON, DALINA	BECHARD, ANGELA	BEERS, JODI
BATSON, TRACIE	BAYONA, ANTONIO	BECHTEL, DEB	BEERS, JUDITH
BATT, KAREN	BAZLOVA, POLINA	BECHTER, ALEXANDRA	BEERS, LINDA
BATTAGLIA, ALISA	BAZYLEWSKI, CONRAD	BECK, DANA	BEERS, SHARON
BATTAT, BEN	BEACH, JOE	BECK, DAVID	BEERS, SHEILA
BATTISTE, MS. JO-ANN	BEAD, ROBIN	BECK, JAMES	BEESON, MALISSA
BATTLE, DOROTHY	BEAL, LINDZEY	BECK, KAREN	BEESON, STEEV
BATTLESWORD,	BEAL, PAMELA	BECK, MARY	BEESONG, TREE
JOSEPHUS	BEAL, TRICIA	BECK, SANDY	BEEVER, SUSAN
BATWAY, JEWELL	BEALKE, JUDITH	BECK, SHERRY	BEHAR, BARBARA
BAUCOM, KATHERINE	BEALL, DENNIS	BECKER, BARBARA	BEHAR, MELISSA
BAUCOM, LINDA	BEALL, KAREN	BECKER, BEV	BEHAR, VICTORIA
BAUCOM, WANDA	BEALS, LORRAINE	BECKER, CAROL	BEHL, DANIEL MAX
BAUER, DAVID	BEAMAN, DEENA	BECKER, CHANDANA	BEHM, LILI
BAUER, ERNST	BEAMER, JOHN	BECKER, CHRISTINE	BEHNKE, HEIDI
BAUER, FRANK	BEAMISH, KAREN	BECKER, CHRISTOPHER	BEHRENDT, THOMAS
BAUER, GERARD	BEAN, F	BECKER, ELAINE	BEHRENS, CARLA
BAUER, HENNING	BEAN, HEATHER	BECKER, JEFF	BEHRENS, JOANNA
BAUER, KELLY	BEAN, HEIDI	BECKER, JESSICA	BEIERL, BARBARA
BAUER, LANI	BEAN, KELLY	BECKER, KAREN K	BEIL, SUSAN
BAUER, LEAH	BEANE, ANN	BECKER, KENNETH	BEIN, ANN
BAUER, NANCY	BEANE, LARRY	BECKER, LAUREN	BEINLICH, TAMARA
BAUER, PAUL	BEAR, EVA	BECKER, MARTIN	BEISIGL, RICHARD
BAUER, PHILIP	BEAR, NANCY	BECKER, MICHAEL	BEJGROWICZ, THOMAS
BAUER, RUTH	BEÁR, LIZA	BECKER, RENEE	BELCHER, DIXIE
BAUER-ELAND, TERESA	BEARD, KATHERINE	BECKER, SARAH	BELCHER, EDITH
BAUGH, CONSTANCE	BEARD, LARA	BECKER, SUZANNE	BELCOURT, JAMIE
BAUGHMAN, CHARLES	BEARDEN, JOE	BECKER, THOMAS	BELDIN, JOANIE
BAUHS, JACQUELINE	BEARDSLEY, BECKY	BECKER, VICKI	BELDNER, BRAD
BAUM, BILL	BEARDSLEY, FRAN	BECKER, WILLARD	BELEW, LYNETTE
BAUM, MIRIAM	BEARDSWORTH,	BECKERMAN, GARY	BELFORD, DIXIE
BAUMAN, SARAH	RHONDA	BECKET, KATHY	BELGARD, MORRIS
BAUMANN, CHARLES W	BEASLEY, GEORGE	BECKET, ROGER	BELGARDE, JOHN
BAUMANN, MICHELLE	BEASLEY, RENA	BECKLEY, CINDY	BELINSKI, ED
BAUMANN, SCOTT	BEASLEY, TODD	BECKMANN, ANNIE	BELINSKI, LINDA
BAUMGARDNER,	BEATON, SUZANNE	BECKTON, SCOTT	BELITZA-VAZQUEZ,
WILLIAM	BEATTIE, SHARON	BEDARD, LINDA	SANDRA
BAUMGARTNER, DIANA	BEATTY, BARBARA	BEDARD, RAYMOND	BELIVEAU, CHRISTINA
BAUMGARTNER, GAYLE	BEATTY, LORNE	BEDEAUX, CORY	BELKNAP, WILLIAM
BAUMHAUER, RICHARD	BEATTY, MOLLIE	BEDFORD, PAULINE	BELL, BRETT
BAUMUNG, CLAY	BEAUBIEN, KEETA	BEDIENT, CARLENE	BELL, CATHIE
BAUSCH, DAWN	BEAUCHAMP, ASHLEIGH	BEEBE, GORDON	BELL, DARRYL
BAUTISTA, MELVIN	BEAUCHAMP,	BEEBE, KAROLYN	BELL, DAVID
BAVIER, LOUISE	CATHERINE	BEEBE, SHANE	BELL, GREGG
B-AVSAR, LISA	BEAUCHAMP, DARLENE	BEEBE, TINA	BELL, JAMES
BAXA, JULIE	BEAUCHAMP, JOE	BEECKEN, TIM	BELL, JAN
BAXLEY, CLAUDIA	BEAUDET, DEBORAH	BEEDLE, TINA	BELL, JIM
BAXTER, ANDY	BEAUDET, MELISSA	BEEGLE, SANDY	BELL, LAUREN
BAXTER, APRIL	BEAUDETTE, JANIS	BEEKER, RENAE	BELL, LISA
BAXTER, BARBARA	BEAUDOIN, ELIZABETH	BEELER, JAMES	BELL, MARILEE
BAXTER, JOAN	BEAUDOIN, JAMES	BEELER, JANET	BELL, SHEILA
BAYARD, TRINA	BEAUDOIN, TODD	BEEMAN, JOANNE	BELL, STACEY
BAYBORDI, MANUCHER	BEAUFORT, SHIRLEY	BEEMAN, LAURA	BELL, STEVE

BELL, VALERIE	BENNETT, BROOKS	BERENS, JEANNE	BERLIN, ANNE
BELLE, ANA	BENNETT, CAROL	BERENSON, MARSHA	BERLIN, MEG
BELLEAU, CINDY	BENNETT, CRYSTAL	BERG, DAVID AND	BERLIN, SEVITA
BELLEFONTAINE, JULIA	BENNETT, DANIEL	JUDITH	BERLINER, DIANE
BELLEMARE, RENEE	BENNETT, DEBORAH	BERG, DEBRA	BERLINER, HILARY
BELLERS, NANCY	BENNETT, ERICA	BERG, ELAINE	BERLING, LYN
BELLI, KAREN	BENNETT, GEOFF	BERG, JERRI	BERLS, JODI
BELLI, MICHAEL	BENNETT, JEREMY	BERG, JON	BERMAN, DIANE
BELLINA, KAY	BENNETT, JOAN	BERG, RACHEL	BERMAN, LEAH
BELLIS, IAN	BENNETT, JOSHUA	BERG, WAYNE	BERMAN, LILA
BELL-KAUL, JOAN	BENNETT, LYNN	BERGDOLL, KATHARINA	BERMAN, SIEGRID
BELLO, D	BENNETT, MARIS	BERGE, TRACY	BERMEO, ADOLFO
BELLOSO-CURIEL, JORGE	BENNETT, PAM	BERGEN, JAYE	BERMINGHAM, STACY
BELLOTTI, ALICE	BENNETT, REGINA	BERGEN, PEGGY	BERMUDEZ, JOAQUIN
BELLVILLE, BONNY	BENNETT, RICHARD	BERGER, BARBARA	BERMUDEZ, MANUEL
BELSHAW, MARY ANN	BENNETT, SHANAN	BERGER, CHRISTINE	BERNACHE, MARIE
BELSON, MIKE	BENNETT, VICTORIA	BERGER, KAREN	BERNAL, MICHELE J.
BELSON, SHARON	BENNETT, VIRGINIA	BERGER, LINDA	BERNARD, CYNTHIA
BELT, ELIZABETH	BENNIGHT, ALEXIS	BERGER, LISA	BERNARD, JANICE
BELTRONE, PAULA	BENNINGSON, BARBARA	BERGER, NANCY	BERNARD, LOIS
BELZ, PAUL	BENNON, RHONDA	BERGERON, ADRIAN	BERNARD, RANDY
BELZA, STEFAN	BENSCHOTER, JOHN	BERGERON, JEANETTE	BERNARD, SUZANNE
BEMER, CLARA	BENSIMHON, JAN	BERGERON, JUDY	BERNARDO, KATHLEEN
BEMER, LYNNE	BENSON, ALLISON	BERGERON, SYLVIA	BERNAS, EDWARD
BEMILLER, GRETA	BENSON, ARLENE	BERGERSEN, KEVIN	BERNATH, JANET
BENCH, ROBERT	BENSON, ARTHUR	BERGEY, DON	BERNER, KRIS
BENDEL, PEGGY	BENSON, CARA	BERGH, DARCY	BERNET, MAURITA
BENDER, DOUGLAS	BENSON, DOROTHY	BERGHOLT, SHARYN	BERNETT, CYNTHIA
BENDER, GARY	BENSON, ERIC	BERGIN, GRACE	BERNHARD, BILL
BENDER, KATHRYN	BENSON, ERIK	BERGLES, MATTHEW	BERNIKER, BETH
BENDER, NANCY	BENSON, JOANNE	BERGLUND, CAROL	BERNING, ELIZABETH
BENEDETTO, GLORIA	BENSON, MARGARET	BERGMAN, MINIAN	BERNING, KAREN
BENEDETTO, MONA	BENSON, MAUREEN	AND DAWN	BERNSTEIN, ABBIE
STEPHANIE	BENSON, PAMELA	BERGNER, BARRY	BERNSTEIN, ANN
BENEDICT, ANTHONY	BENSON, SARA	BERGNER, RICHARD	BERNSTEIN, HILLARY
AND MAUREEN	BENSON, SARAH	BERGSTROM, BRENDA	BERNSTEIN, LIZ
BENEDICT, DEREK	BENSON, TAYLOR	BERGSTROM, BRITTNEY	BERNSTEIN, LORIK
BENES, MICHELLE	BENTLEY, KATHLEEN	BERGSTROM,	BERNSTEIN, SANDY
BENET, MERCEDES	BENTLEY, MARIANNE	LAWRENCE	BERONSKI, BARB
BENEVENTO, GINA	BENTLEY, MELISSA	BERGSTROM, RUTH	BERRY, ALICE
BENEVICH, LINDSEY	BENTON, ANNETTE	BERGUM, BRITNEY	BERRY, DALE
BENGSTON, LYNN	BENTON, DEVON	BERINGER, GEORGE	BERRY, DILAN
BENHAM, JACKIE	BENTON, PAMELA	BERISTAIN, ERIKA	BERRY, JEANNE
BENHART, VERN	BENTZEL, JEN	BERK, MARILYN	BERRY, JIM
BENINSON, ILENE	BENVENUTI, LARRY	BERK, PAULINE	BERRY, JONATHON
BENITEZ, ANA	BENZEL, JUDY	BERKE, HARRIET	BERRY, JUDITH
BENJAMIN, BARB	BERAN, LISA	BERKELEY, CAROL	BERSELL, BARBARA
BENJAMIN, BARBARA	BERARD, CAROL	BERKELEY, PAULINE	BERSON, NINA
BENJAMIN,	BERARD, SANDRA	BERKEY, KATHRYN	BERTEAUX, ELIZABETH
CHRISTOPHER	BERARDOZZI,	BERKHEIMER, NICOLE	BERTHIAUME, DENISE
BENJAMIN	CONCETTA	BERKOWITZ, DEBBIE	BERTHOLD, R N
BENJAMIN, ELAINE	BERARIO, MYRA	AND CARL	BERTI, CHRIS
BENKMAN, CRAIG	BERBERI, JULIE	BERKOWITZ, HENRY	BERTOIA, MONICA
BENNEIAN, JOB	BERCHEM, GENO	BERKOWITZ, SUZY	BERTOLA, LISA
BENNEIAN, JON	BERCHEM, MARIE-ANGE	BERKSHIRES, NOVA	BERTONI, NATALIE
BENNER, SUSAN	BERCHEM, SHELLY	BERKSON, JULIE	BERTRAM, CHARLES
BENNETT HAUSER,	BERCZELLER, OLGA	BERL, DIANE	BERTRAM, HARRISON P
NANCY	BERDEAUX, KELLY	BERLANT, REBECCA	BERTRAM, JOYCE

BERTRAMS, MICHAEL	BIDDLE, BELINDA	BIRD, JUDI	BLACKBURN, JEAN
BERTRAND,	BIDINIAN, JANE	BIRD, KENNETH	BLACKBURN, PAUL
CHRISTOPHER	BIDSTRUP, ELAINE	BIRDSALL, BETTY	BLACKBURN, SHEILA
BERTRAND, GORDON	BIDWELL, TROY	BIRDWELL, MICHELE	BLACKFORD, DIANA
BERTSCH, DAR	BIEDERMAN, JANICE	BIRGE, SUE	BLACKISTON, ROBERT
BERZAC, SUSAN	BIEDERMAN, SUE	BIRINYI, GIGI	BLACKLEY, MICHELLE
BESADNY, SARAH	BIEKSHA, JO ANN	BIRKBY, DOUG	BLACKLOCK, CRAIG
BESCHLER, ELLEN	BIELAUS, EDWARD	BIRKBY, STACEY	BLACKLOCK
BESCRYPT, LINDA	BIELECKI, ANDREA	BIRKEMEIER, AARON	BLACKMAN, LAURA
BESSETTE, AMANDA	BIELMA, PAMELA	BIRMINGHAM, DENISE	BLACKMAN, MARY
BESSEY, PAUL	BIELSIK, MARY	BISER, JAMES	ANNE
BESSKO, BENDE	BIENIEK, MIKE	BISHER, NANETTE	BLACKMAN, RUTH
BEST, DHARMA	BIERN, LAURI	BISHOP, CHRIS	BLACKMORE, BARBARA
BEST, DIANE	BIESZKE, ANITA	BISHOP, DEBORAH	BLACKSTONE, BRENT
BEST, IRENE	BIFRO, JUDITH	BISHOP, ELIZABETH	BLACKWELL, BRUCE
BEST, SHIRLEY	BIGGERSTAFF, SHIRLEY	BISHOP, JACQUELINE	BLACKWELL, MICHELE
BETANCOURT, DOLORES	BIGGINS, HENRY	BISHOP, JEB	BLACKWELL-
BETANCOURT, SONIA	BIGGINS, JANE	BISHOP, JULIA	MARCHANT, PATRICIA
BETH, KAREN	BIGGINS, NANCY	BISHOP, KARAN	BLACKWOOD, BARBARA
BETTI, MARK	BIGGIO, STEVEN	BISHOP, LIBERTY	BLAGEN, JESSICA
BETTIS, KATHERINE	BIGGS, ALAN	BISHOP, LINDA	BLAIN, RICHARD
BETTS, CATHY	BIGGS, AMY	BISHOP, MELISSA	BLAINE, RICHARD
BETTS, DONALD	BIGGS, APRIL	BISHOP, S	BLAIR, DEBBIE
BEUKEMA, KRISTI	BIGGS, SUSANNAH	BISHOP, SUSAN	BLAIR, DIANA
BEUTEL, TERESA	BIGLEY, KIM	BISHTON, DAVID	BLAIR, ELKE
BEVAN, JOAN	BIJAS, PATRICIA	BISIO, PAUL	BLAIR, FLOY
BEVERLY, J.	BILHEIMER, CYNTHIA	BISNER, KERRI	BLAIR, FRANCES
BEVERSDORF, GAYLE	BILHEIMER, THARON	BISSETT, LINDSEY	BLAIR, GARY
BEVILLE, RICHARD	BILICKE, KATHY	BISSONNETTE,	BLAIR, GRACE
BEVINGTON, RITA	BILISKE, ELIZABETH	RAYMOND	BLAIR, JUDITH
BEVIS, STACEY	BILISOLY, KANDICE	BITNER, DAVE	BLAIR, KEN
BEWLEY, MARK AND	BILL, EILEEN	BITTNERMANN, SUSAN	BLAIR, PATTI
CELIA	BILLEAUD, ED	BITTKAU, TERESA	BLAKE, AL
BEY, LISA	BILLET, CAROL	BITTNER, MICHAEL	BLAKE, ANNE-KRISTINE
BEYDA, WENDY	BILLICK, RALPH	BITTOLO, GILDA	BLAKE, CAROLINE
BEYER, JANICE	BILLS, BARBARA	BJERREGAARD, GLORIA	BLAKE, FRANK
BEYER, MONICA	BILLS, GWEN	BJORNBAK, SHARRON	BLAKE, NANCY
BEYERSDORF, ANGELA	BILSBOROUGH, COOKI	BKEVINS, CHARLENE	BLAKE, SR. VERONICA
BEYLEN, DIANE	BILYEU, GEORGE	BLACK, ANGELA	BLAKE, VERONICA
BHAIJI, CRISTINE	BIMROSE, RON	BLACK, BARBARA	BLAKELY, CARMEN
BHARADWAJ, RAMA	BINDAS, JANET	BLACK, CAROL	BLAKEMAN, HANNAH
BHATT, RUSSANN	BINDERIM, GARY	BLACK, CHRISTA	BLAKEMORE, ADREANA
BHENCE, BLAZE	BINETTE, JANET	BLACK, CLAUDETTE	BLAKEMORE,
BHUSRY, SANJIV	BING, DONNA	BLACK, ELIZABETH LEA	STEPHENIE
BIAFORE, SAM	BINGHAM, MARYANNE	BLACK, ELLEN	BLAKESLEE, EDITH
BIAGI, JOSEPHINE	BINGHAM-DEUTSCHER,	BLACK, EVELYN J	BLAKESLEY, ROBIN
BIALCZAK, DEANNA	BARBARA	BLACK, LEE	BLAKEY, SALLY
BIALE, CHERYL	BINGLER, BONNIE	BLACK, LISA	BLAKLEY, HEATHER
BIANCALANA, JUNE	BINHACK, KATIE	BLACK, MICHELLE	BLALACK, KRISTIN
BIBLE, SARA	BINKLEY, CELINA	BLACK, MORRIGAN	BLALOCK, JEFFREY
BICCU, SUSAN	BINKLEY, LINDA	BLACK, SAM	BLANCETT, DEB
BICE, LOLA	BINKLEY, SHELLY	BLACK, SERA	BLANCHARD, ANN
BICKEL, KENNETH	BINSTEAD, ELIZABETH	BLACK, SERA ERLYS	BLANCHARD, ELIZABETH
BICKERS, KEVIN	BIRCHARD, TINA	BLACK, STEPHEN	BLANCHARD, JUDIE
BICKFORD, MARK	BIRCH-WILLIAMS,	BLACK, VIKI	BLANCHARD, ROBERT
BICKLEY, SUZANNE	PENNY	BLACK, WILLIAM	BLANCHARD, TRACY
BICKNELL, PAUL	BIRD, BARBARA	BLACKBURN, DESIRAY	BLANCHER, EDDIE
BICKNELL, SUE	BIRD, HARRY	BLACKBURN, JAMES	BLANCHETT, NANCY

BLANCHETT, RICK	BLOOMINGDALE,	BOEHM, LYNNE	BOND, GINA
BLANCO, LOURDES	ARIENNE	BOEHM, RICHARD	BOND, JAMES
BLANDFORD, MARK	BLOOMQUIST,	BOEHM, SIGRID	BOND, KAREN
BLANE, DIANNE	KRISTOFOR	BOES, SONDR	BOND, LAUREN
BLANK, GAIL	BLOSSER, FREDERICK	BOESKY, GAYLE	BONDOC, MICHAEL
BLANK, MICHAEL	BLOYER, ROBERT	BOGARDUS, JUDI	BONDY, SANDRA
BLANK, MICHAEL BLANK	BLUBAUGH, JOSEPH	BOGART, BARBARA	BONES, AMY
BLANK, MICHAEL	BLUDWORTH, HOPE	BOGART, LESLIE	BONETA, JENNIFER
BLANK, PATRICIA	BLUE, CINDY	BOGDANOVICH, SUSAN	BONETTI, DONNA
BLANK, REBECCA	BLUE, JAMES	BOGGIO, FRANK	BONFIELD, BARBARA
BLANK, SUSAN	BLUHM, JUDITH	BOGGS, NANCY	BONGE, DALE
BLANKENSHIP, MARTHA	BLUM, DENNY	BOGGY, ROBERT	BONHAM, SHEILA
BLANKINSHIP, RAMONA	BLUMBERG, GAIL	BOGIN, RONALD	BONNELL, KIMBERLY
BLANTON, JEFFERY	BLUMBERG, SHELLY	BOGIOS, CONSTANTINE	BONNELL, PAULA
BLANTON, ROBIN	BLUME, WILL	BOGLE, WENDY	BONNER, TRACEY
BLASINGAME, JESSICA	BLUMENFELD, TOM	BOGNAR, PAT	BONNET, DEBRA
BLASINGIM, JAIME	BLUMENSCHINE,	BOGOLUB, LARRY	BONNINGTON, JOAN
BLASKE, JILL	KATHLEEN	BOGS, CYNTHIA	BONoyer, K
BLASZKIEWICZ, DAVID	BLUMENTHAL, HARRY	BOGUSKE, MATTHEW	BONTA, PAULINE
BLATNIK, LINDA	BLURTON, JIM AND	BOGUSKY, RAE	BONTINEN, PAT
BLATT, GWEN	BLUST, BARRY	BOHANNAN, LAUREN	BONUS, NATALIE
BLAZANIN, JAN	BLY, CHERI	BOHANNON, MARTHA	BOOHER, SAM
BLAZER, MARK	BLY, CHERYL	BOHANNON, PHYLLIS	BOOK, CAROL
BLEASING, DAN	BLY, DAVID	BOHLEY, CHRISTINE	BOOKER, EMILIE
BLECKINGER, DANA	BLYTHE, FRANCES	BOHLMAN, NICOLE	BOOKHEIMER, SANDRA
BLEDSON, RICHARD	BLYTHE, LINDA	BOHN, NINA	BOOKS, JENNIFER
BLEECKER, SAM	BNYANT, ELIZABETH	BOHNER, VIRGINIA	BOOMHOWER,
BLENCH, GLORIA	BOARD, MARY JANE	BOHNERT, ALLEN	DEBORAH
BLESSING, BILL	BOAS, JANET	BOICE, RUTH	BOON, LEESA
BLESSING, KAMILA	BOATMAN, DAN	BOKA, ERIKA	BOONE, ELISABETH
BLEVINS, BEV	BOATRIGTH, SHARON	BOKHOVEN, JUDY	BOONE, JAMES
BLEVINS, PATRICIA	BOATSMAN, CAROLYN	BOLAND, MARYJANE	BOONE, JIM
BLEVINS, PATTI	BOBAK, LANA	BOLDEA, DENISE	BOONE, MARK
BLEVINS, WANDA	BOBBITT, TAMMY	BOLEMBACH, KEVIN	BOONE, MARY
BLEWETT, CHRISTINA	BOBE, PABLO	BOLEN, DK	BOONE, MERRILL
BLICK, WILLIAM	BOBIER, JOAN	BOLES, CRYSTAL J	BOORADY, ALBERT
BLITZER, MARK	BOBOW, LIL	BOLETCHER, STEPHEN	BOORMAN, GAIL
BLIZZARD, MISTY	BOBRUFF, DAVID	BOLEY, KATHIE	BOORTZ, BRIAN
BLOCH, ALICE	BOCANEGRA, PATRICIA	BOLGREN, PATRICK	BOOS, LAUREN
BLOCH, BRAD	BOCCALON, JANA	BOLIN, CALEB	BOOT, PATRICK
BLOCH, BRAD	BOCCHETTI, RALPH	BOLIN, CLARENCE	BOOTH, BARBARA
BLOCH, NINI	BOCHANTIN, LEONA	BOLLAND, ROBERT	BOOTH, CAROLIE
BLOCK, BRIANNA	BOCH-DWYER, RAVY	BOLLEN, RUTH	BOOTH, DAVID
BLOCK, KATHRYN	BOCKHAHN, COLLEEN	BOLLES, MATT	BOOTH, DOUGLAS
BLOCK, KIM	BOCKINO, ALIDA	BOLLIN, HOLLY	BOOTH, ROBERT
BLOCKER, JOSH	BOCKO, MINDY	BOLLMANN, ELIZABETH	BOOTHE, DAWN
BLOCKER, SARAH	BODARKY, ESTERINA	BOLO, MARY JANE	BOOTON, JULIE
BLODGETT, GREGG	BODDICKER, RON	BOLSER, SUSIE	BOOZER, CAROL
BLOM, CHARLOTTE	BODDY, KAREN	BOLTON, LINDA	BORABY, ALI
BLOMSTAD, SUSAN	BODE, LIZ	BOLTZ, BARBARA	BORCHERDING, PAUL
BLONDELL, MARCELL	BODENSTAB, STEVEN	BOLTZ, RANDALL	BORDEAUX, LEONARD
BLOOM, DOUG	BODERICK, NANCY	BOMARITO, MARYANN	BORDELON, RJ
BLOOM, MARTIN	BODETTE, SUZANNE	BOMBA JR, THEODORE J	BORDELON, TIKA
BLOOM, MELINDA	BOE, SUSAN	BOMBACI, THOMAS	BORDEN, CAROLYN
BLOOM, R	BOECK, MARIETTA	BOMBARD, AMY	BORDEN, JAMES
BLOOM, TAMMY	BOECKMAN, EVELYN	BONAR, DIANE	BORDEN, SUSAN
BLOOMFIELD, KAREN	BOEH, WILLIAM	BONAR, MARLA	BORDENAVE, MICHAEL
	BOEHM, CLAIRE	BOND, GEORGE	BORDER, KAITLYN

BORDER, MONICA	BOTELLO, MARIA	BOWMAN, CHRIS	BRAAMS, L
BORDIN, CAROL	BOTH, BILL	BOWMAN, DENNA	BRABAND, TARYN
BORELLI, JANET	BOTT, MARGARET	BOWMAN, JENNIFER	BRABHAM, LORRAINE
BORELLO, C.	BOTTO, DAVID	BOWMAN, KATHY	BRABSON, BILL
BOREN, PATRICIA	BOTTOM, JULIA	BOWMAN, LEE	BRACE, VIRGINIA
BORER, CARRIE	BOTTOM, JULIE	BOWMAN, MADDIE	BRACEY, ELWOOD
BOREW, PAULETTA	BOTTOMLEY, DAVID	BOWMAN, MEGAN	BRACKEN, CHELSEA
BORGE, MARY ANNE	BOTTORFF, VIRGINIA	BOWMAN, ROBERT	BRACKEN, FAY
BORGEN, LYNN	BOTTS, J	BOWMAN, RYLAND	BRACKEN, SARAH
BORGES, KENT	BOTTS, PAMELA J.	BOWMAN, STACEY	BRADACH, ROBERTA
BORGESON, DEAN	BOUCAS NETO, SARAH	BOWMAN, WILLIAM	BRADBURY, JEANNE
BORLAND, BETH	BOUCEK, MARY	BOWMAN-VICKERS,	BRADBURY, THERESA
BORLAND, JOHN	BOUCHARD, GAYLE	VICKI	BRADFORD, ANTHONY
BORLAND, JOHN W	BOUCHARD, MICHELE	BOWNASS, KATHRYN	BRADFORD, MARGARET
BORLO, ANN	BOUCHARD-SHAPIRO,	BOWSER, JOHN	BRADFORD, SONIA
BORN, JUDY	KIMBERLY	BOWSER, LINDA	BRADLEY, ALAN
BORNE, CARMEN	BOUCHER, DEBBIE	BOX, KEN	BRADLEY, ALICE
BORNHOLDT, ANN	BOUCHER, KATHLEEN	BOX, STEVE	BRADLEY, BARBARA
BORNHOLTZ, GAVIN	BOUCHER, LAUREL	BOXMAN, JERRY	BRADLEY, JAMES
BOROSHOK, RUTH	BOUDREAUX,	BOYCE, CHERYL	BRADLEY, JULIET
BORRELLI, SILVANA	KATHERINE	BOYCE, DAVE	BRADLEY, KATHLEEN
BORRERO, PEDRO	BOUGHTON, LAELONNIE	BOYCE, HARMONY	BRADLEY, KATHY
BORRERO, SHIRLEY	BOULES, DAVE	BOYCE, JERI	BRADLEY, KIMBERLY
BORSKE, CINDY	BOUND, AIDA	BOYCE, JOAN C	BRADLEY, KRISTIN
BORSO, PAM	BOUNOUS, DENISE	BOYCE, RICHARD	BRADLEY, LORI
BORTOLUSSI, SUSAN	BOURA, THEODORA	BOYD, CHRISTOPHER	BRADLEY, MARY
BORTON, LINDA	BOURASSA, VERONICA	BOYD, DARCY	BRADLEY, MARYA
BORTREE, A.	BOURDELLE, STEPHANIE	BOYD, ERNEST	BRADLEY, MICHAEL
BORTREE, ADRIENNE	BOURET, JOHNNY	BOYD, GLORIA	BRADLEY, RHONDA
BORTS, ANNE	BOURG, LAUREN	BOYD, JEANNIE	BRADLEY, STACEY
BORUCKI, BARB	BOURGEA, RENEE	BOYD, JORDYN	BRADLEY, TINA
BORUCKI	BOURGEOIS, MICHELE	BOYD, NANCY	BRADLEY-BENNETT, KAT
BORUCKI, BARB	BOURKS, CLAUDIA	BOYD, PATTI	BRADSHAW, ANN
BORZENSKI, SUSAN	BOURLOTOS, GEORGE	BOYD, SARAH	BRADSHAW, BARBARA
BORZIK, JOETTE	BOURNE, GILL	BOYD, STEVE	BRADSHAW, DAVID
BOS, KATHERINE	BOUSKA, KATHRYN	BOYD, VIRGINIA	BRADSHAW, JACQUI
BOSCH, KEN	BOUSSY, IAN	BOYDSTON, CHARLENE	BRADSHAW, KATHRYN
BOSE, JOANNA	BOUVETTE, KARLA	BOYDSTON, JEAN	BRADSHAW, LAEL
BOSLER, JUSTIN	BOVEE, EMILY	BOYDSTUN, NATALIE	BRADSHAW, SUSAN
BOSLER, KATHRYN E	BOWDEN, SHELLEY	BOYER, AMELIA	BRADY, EILEEN
BOSLEY, CATHY	BOWDOIN, JAMES	BOYER, DAVID	BRADY, KATHLEEN
BOSNOS, LORNA	BOWEN, ADAM	BOYER, JAYNE	BRADY, MARGARET
BOSS, HERBERT	BOWEN, JESSIE	BOYER, ROBERT	BRAGG, DIANNE
BOSSERMAN, IAN	BOWEN, NORMAJEAN	BOYER, SUSAN	BRAGG, KELLY
BOSSERT, ELIZABETH	BOWEN, PAM	BOYER, TOD	BRAHAM, BRENDA
BOSSERT, KRISTEN	BOWERS, BRANT	BOYER-FRY, LYNETTE	BRAICO, KATHLEEN
BOSTAPH, STACEY	BOWERS, CAITLYN	BOYKIN, ANDREA	BRAINERD, KAY
BOSTER, ARLENE	BOWERS, DAVID	BOYLE, APRIL	BRAITHWAITE, GEORGIA
BOSTIC, CAROL	BOWERS, DENNIS	BOYLE, DENNIS	BRALY, LAURA
BOSTIC, MARTY	BOWERS, LAURA	BOYLE, JILL	BRAMHALL, RICK
BOSTICK, LORRAINE	BOWLBY, JIM	BOYLE, LEA	BRAMMER, KATIE
BOSTICK, MARY	BOWLET, ELISA	BOYLE, TRACY	BRAMORSKI, TADEUSZ
BOSTOCK, VIC	BOWLEY, ADRIENNE	BOYLE, VIRGINIA	M.
BOSTON, CAROLINE	BOWLEY, KAT	BOYLE-SCHMIDT,	BRAMWELL, GEORGE Y.
BOSTON, CAROLINE	BOWLIN, BARBARA	KATHERINE	BRANAM, PATTY
BOSTON, PAUL	BOWLINE, JOE	BOYLSTON, SANDRA	BRANCHAU, ERIKA
BOSWELL, KAREN	BOWLING, SABRINA	BOYMEL, PAUL	BRANCO, LESLIE
BOTELER, WILLIAM	BOWMAM, PAMELA	BOYNTON, LYNNE	BRAND, KIM

BRANDARIZ, ANITA	BRAYFIELD, DAVID	BREWER, B	BRIZZI, PAUL
BRANDES, GERMANO	BRAZEAU, JESSICA	BREWER, DAVID	BRO, MARK
BRANDES, MICHAEL	BRAZIE, JOE	BREWER, ELAINE	BROAD, JULIA
BRANDES, SUSAN	BRAZIER, SARAH	BREWER, GEORGIA	BROADBENT, DAWN
BRANDIN, ALLISON	BRAZLE, MARGARET	BREWER, GINGER	BROADHURST, ALAN
BRANDLI, HEATHER	BREAKFIELD, SANDRA	BREWER, JOYCE	BROADWELL, NIKKI
BRANDON, GRAHAM	BREAUX, JANICE	BREWER, PEGGY	BROCHE, LEORA
BRANDON, VICTORIA	BREAZEALE, BEAR	BREWER, RICHARD	BROCIOUS, PAMELA
BRANDOW, SHANNA	BREAZEALE, JOSEPH	BREWER, SAMUEL	BROCK, BILL
BRANDT, ALEXANDRA	BRECCIA, DONNA	BREWSTER, BRENDA	BROCK, PATRICIA
BRANDT, CATHY	BRECH, PATRICIA	BREYEN, HANNAH	BROCK, PAULETTE
BRANDT, ELAINE	BRECHT, TERRI	BRICKEL, CAROL	BROCK, SANDRA
BRANDT, GITTA	BREDA, BO	BRIDWELL, CARLEEN	BROCK, STEFANIE
BRANDT, PAMELA	BREDEMEYER, ERIC	BRIDGEMAN, SHARON	BROCKDORF, YULIA
BRANDT, SARA	BREECKNER, ASHLEY	BRIDGERS-RIVOIRE,	BROCKELL, BARBARA
BRANDT, TERRI	BREEDLOVE, ROSEMARY	TINA	BROCKETT, DAVID
BRANDT, TOM	BREEN, CARRIE	BRIDGES, ANDREA	BROCKMAN, BLAISE
BRANDWEIN, SUSAN	BREEN, DEBRA L	BRIDGES, JANIE	BRODA, PATRICIA
BRANDWEN, HOLLY	BREHM, A.M.	BRIDGES, LINDA	BRODERICK, DEBORAH
BRANHAM, MARTHA	BREHM, LISA	BRIDGES, ROMIEY	BRODERICK, KATHLEEN
BRANICK, BOB	BREHNE, GAIL	BRIDGEST, JOHN	BRODEUR, LINDA
BRANNAN, JOYCE	BREIT, DONNA	BRIDGETT, NICHOLAS	BRODIE, JENNI
BRANNEKY, JANIS	BREIT, JOAN BREIT	BRIDGFORD, LAURET	BRODLOWIC, JULIE
BRANNIAN, RILEY	BREITBARD, SUSAN	BRIDWELL, JACK	BRODLOWICZ, JULIE
BRANNIGAN, KELLY	BREITENBACH, PAUL	BRIETZKE, ADRIENNE	BRODSKY, FRED
BRANNON, ELIZABETH	BREITWIESER, DEETTA G	BRIGANDI, JOSEPH	BRODSKY, FREDERICK
BRANSFORD, GLADYS	BRELSFORD, SUSANNA	BRIGATI, VICKI A	BRODSKY, PATRICIA
BRANSON, JACK	BREMAUNTZ, MARY	BRIGGS, CYNDI	BRODY, JANE
BRANSON, LARRY	TERE	BRIGGS, DORIS	BROENDEL, JANE
BRANSTETTER, KEVIN	BRENDEMUEHL,	BRIGGS, JACKIE	BROMBACH, ELIZABETH
BRANT, DANIEL	DANZEL	BRIGGS, MAURE	BROMELL, JOHN
BRANT, KAREN	BRENNALT, MARGARET	BRIGGS, SUSAN	BROMER, PETER
BRANT, SANDRA	BRENNAN, DENISE	BRIGHAM, RICK	BROOK, JUDY
BRANTHAVER, BETH	BRENNAN, MAGGIE	BRIGHT, LORI	BROOK, MOLLIE
BRANTLEY, ROBIN	BRENNAN, MARY	BRIGHTWATER, GILLIAN	BROOKE, DEBORAH
BRANTLEY, TARA	BRENNAN, TIMOTHY	BRILL, BETSY	BROOKE, DEVIN
BRAOUDAKIS, SPYROS	BRENNER, ABIGAIL	BRILL, PETER	BROOKE, JAMES
BRASEL, KAREN	BRENNER, JARED	BRIMECOMBE, LYNNE	BROOKE, MICHAEL
BRASHEAR, HEATHER	BRENNER, LYNN	BRINER, HELEN	BROOKER, GARY
BRATCHER, JULIANN	BRENNER, MARCY JEAN	BRINGLOE, ANNIE	BROOKER, MARK
BRATTON, PAMELA	BRENNER, THOMAS	BRINK, BETTINA	BROOKINS, TEBIAS
BRAUDE, MICHAEL	BRENO, TERI	BRINKER, DEBRA	BROOKS, ABBIE
BRAUER, SHARON	BRENSINGER, PATRICIA	BRINKER, ERICA	BROOKS, ANGELINA
BRAUN, CHELSEA	BRENT, DEBBIE	BRINKLEY, BARBARA	BROOKS, DANIEL
BRAUN, CLAIT E	BRENZA, TINA	BRINKMAN, JOHN	BROOKS, DARCY
BRAUN, DONNA	BRESKY, ROBERT	BRINKMAN, LISABETTE	BROOKS, DAVID
BRAUN, JOAN	BRESLAUER, LISA	BRISBY, SUSAN	BROOKS, DEE
BRAUN, NICOLE	BRESNAHAN, JERRY	BRISEBOIS, ELISABETH	BROOKS, DONNA
BRAUN, PAULA	BRESSAN, KATHERINE	BRISSY, LEE	BROOKS, DOROTHY
BRAUNWARTH, ROBERT	BRESSLER, DAVID	BRISTOW, MARY	BROOKS, DR JOHN
BRAVO, KAREN	BRESSLER, ROBIN	BRITT, DAN	BROOKS, JANET
BRAVO, OLY	BREThERICK, RONALD	BRITT, NAOMI	BROOKS, JANICE
BRAWNER, DEBBIE	BRETON, COLETTE	BRITTAIN, TRISHA	BROOKS, KRIS
BRAY, DONNA	BRETON, MARCELA	BRITTON, ASHLEIGH	BROOKS, MORTON
BRAY, EVELYN	BRETTELL-VAUGHN,	BRITTON, KATHARINE	BROOKS, PATRICIA
BRAY, KAY	MARIANNE	BRITTON, MICHAEL	BROOKS, PATRICK
BRAY, LAURA A.	BREVIG, LYNN	BRITTON, TANJA	BROOKS, PAUL
BRAY, LEEANNA	BREW, CATHLEEN	BRIX, WERNER	BROOKS, REGINA

BROOKS, SANDRA	BROWN, LESLIE	BRUCE, JUDITH	BUCHANAN, DOUG
BROOKS-FETTY,	BROWN, LESLIE	BRUCE, SAHIRY	BUCHANAN, ELLA
CYNTHIA	BROWN, LOUISE	BRUCE, WILLIAM	BUCHANAN, GAIL
BROOKSTONE, JENNIFER	BROWN, MARGARET	BRUCHHAUSER,	BUCHANAN, JEAN
BROPHY, HEATHER	BROWN, MARIA	KATHRYN	BUCHANAN, LISA
BROPHY, TRACY	BROWN, MARIE	BRUCK, TIMOTHY	BUCHANAN, MIKE
BROSE, JANICE	BROWN, MARILYN	BRUCKER, BARBARA	BUCHANAN, SUSAN
BROSELOFSKY, KARYN	BROWN, MARYETTA	AND ROBERT	BUCHER, PATRICIA
BROSIUS, ANN	BROWN, MARYGRACE	BRUCKER, BOB	BUCHER, VICTORIA
BROSIUS, JANE	BROWN, MATTHEW	BRUCKERT, CLAUDIA	BUCHHOLTZ,
BROSS, CT	BROWN, MAYA	BRUCKNER, VICTORIA	KATHARINE
BROTEN, KAREN	BROWN, NANCY	BRUEGGE, DEBRA	BUCHTA, JANE
BROTHAG, PATTY	LOCKHART	BRUEL, IRIS	BUCHWALD, VICTORIA
BROUGHMAN, DEBRA	BROWN, NANCY	BRUINS, O WILLIAM	BUCKINGHAM, BILLY
BROUGHTON, BEATRICE	BROWN, PATRICIA	BRUKNER, BARBARA	BUCKINGHAM,
BROUGHTON, MARILYN	BROWN, PAUL	BRUM, MORRIS	LAURENCE
BROUGHTON-SMITH,	BROWN, PAULA	BRUMLEY, CHARLENE	BUCKINGHAM, LINDA
SHANNON LEIGH	BROWN, PHILIP	BRUMMETT, PALMIRA	BUCKLAND, JONATHAN
BROUSSARD, MELANIE	BROWN, R	BRUN, NANCY	BUCKLAND, LINDSY
BROWER, JOHN	BROWN, RANDALL	BRUNELL, BARBARA	BUCKLAND, MARION
BROWER, KIM	BROWN, RANDI	BRUNETTI, TINA	BUCKLER, LORI
BROWER, LESLIE	BROWN, REBECCA AND	BRUNN, VIRGINA	BUCKLEY, AMY
BROWN, ALAN	DAVID	BRUNNER, CHRIS	BUCKLEY, HELEN
BROWN, ARIANA	BROWN, REBECCA	BRUNO, GABRIEL	BUCKLEY, LEO
BROWN, BARBARA	BROWN, ROBERT	BRUNO, JOANNE	BUCKLEY, MARY
BROWN, BERTICE	BROWN, ROBIN	BRUNO, VICKI	BUCKLEY, TOM
BROWN, BETS	BROWN, RONALD	BRUNO-SMALL, JANET	BUCKNER, WAYNE
BROWN, BRIAN	BROWN, ROSE	BRUNSKILL, NAN	BUCKO, IRENE
BROWN, CATHERINE	BROWN, ROSS	BRUNTON, JIM	BUDDE, SHARON
BROWN, CECILIA	BROWN, RUTH	BRUSCIA, ANN	BUDELIER, DEE
BROWN, CHARLES	BROWN, SANDRA	BRUSTER, T	BUDINGTON, JOAN
BROWN, CHRISTOPHER	BROWN	BRUTON, BABELLE	BUDNE, PHYLLIS
BROWN, CORDALE	BROWN, SHERI	BRUZIK, S	BUDNIK, BRADLEY
BROWN, DAMON	BROWN, STEPHEN	BRYAN, ANN	BUDRUNAS, MARY
BROWN, DANA	BROWN, STEVE	BRYAN, DANNY	BUDRY, ROBIN
BROWN, DAVID	BROWN, SUSAN	BRYAN, ELISABETH	BUECH, HEIDI
BROWN, DAVID	BROWN, SYLVIA	BRYAN, JOHN	BUEHLER, LYNN
BROWN, DENISE	BROWN, SYLVIA	BRYAN, KAROL	BUEHRING, CECILE
BROWN, DOROTHY	BROWN, TERRI	BRYAN, MELISSA	BUELL, KIM
BROWN, DUNCAN	BROWN, TINA	BRYAN, PAT	BUELL, TIFFANY
BROWN, EDITH	BROWN, VALERIE	BRYANT, ANITA	BUENO, CHRISTINA
BROWN, GARY	BROWN, VIRGINIA	BRYANT, B	BUENROSTRO, ANNA
BROWN, GREG	BROWN, WENDY	BRYANT, COLY	BUER, CIERRA
BROWN, H	BROWN, WILLIAM	BRYANT, DIANNE	BUERCK, BRAD
BROWN, INGRID	BROWNDOG, LILA	BRYANT, ELIZABETH	BUESCHER, JOANN
BROWN, JANET	BROWNE, DONA	BRYANT, MICHAEL	BUESCHER, MICHAEL
BROWN, JANICE	BROWNE, PATRICIA	BRYANT, NORALEE	BUFFKIN, GWEN
BROWN, JEFFREY	BROWNE, SHARON	BRYDGES, SARA	BUGGY, MARTIN
BROWN, JILL	BROWNELL, ROBIN	BRYSON, BERNARD	BUHINICEK, JENNIFER
BROWN, JIM	BROWNFIELD, HARRY	BRZEZINSKI, MATT	BUHLER, MELISSA
BROWN, JOHN	AND JILL	BUBEL, MARTHA L	BUHNER, WALTER
BROWN, K	BROWNLEE, JULIET	BUBEL	BUHOWSKY, JOSEPH
BROWN, KARYN	BROWNLIE, TIFFANY	BUCCINO, SHERYL	BUIWE, EMILY
BROWN, KATHLEEN	BROWN-NESBIT,	BUCH, ANTHONY	BUJOLD, JEANETTE
BROWN, KEVIN	PARKER	BUCH, DOTTIE	BUKALA, DIANA
BROWN, KRIS	BOYLES, SHARI	BUCH, TINA	BUKER, AUBREY
BROWN, LAURIE	BRUCE, BARBARA	BUCHANAN, ANNE	BUKTENICA, JODY
BROWN, LEIGH	BRUCE, DENISE	BUCHANAN, COLETTE	BULEY, SARA

BULL, SHERRON	BURGESS, BARBARA	BURNS, ELDRIDGE	BUSH, JIM
BULLA, PAT	BURGESS, KELLY	BURNS, KATHRYN	BUSH, JULIE
BULLA, TERRY	BURGESS, MICHAEL	BURNS, ROBERT	BUSH, RICKY
BULLICK, DONNA	JEAN	BURNS, ROBERT	BUSH, SUSAN
BULLINGER, PAULA	BURGESS, SARA	BURNS, SANDRA	BUSHER, SHARMAYNE
BULLOCK, BEVERLY	BURGESS, SZU	BURNS, THOMAS	BUSHEY, DEBORAH
BULLOCK, DENISE	BURGEVIN, ANNE	BURNSD, BETTY	BUSHMAN-COPP, LILY
BULLOCK, TAMMY	BURGMANN, LYLE	BURNS-WALTERS,	BUSHWAY, CATHERINE
BULVER, KATHRYN	BURGOON, JIM	JACKIE	T
BUMANIS, CHRISTY	BURGOYNE, DANIEL	BURR, MARTHA	BUSLER, NILES AND
BUMGUARDNER, EDDIE	BURIANEK, LINDA	BURR, STEPHEN	MICHELE
BUNDE, JACK	BURICH, MICHELLE	BURRIDGE CHEM.	BUSSE, LEAH
BUNDY, CLARK	BURKARD, BRUCE	ENGINEER, JOHN	BUSSEAU, CAROL
BUNESS, CYNTHIA	BURKE, CAROL	BURRIS, CONNIE	BUSSELLS, KATHLEEN
BUNGARZ, KATHY	BURKE, CHERYL	BURR-LONNON,	BUSSING, LENORE
BUNGE, DENISE	BURKE, CINDY	JACQUELINE	BUSTERNA, ROSEMARY
BUNIN, JANE	BURKE, DANIEL	BURROUGHS, AMANDA	BUSTOS, ANDREA
BUNKER, SARAH	BURKE, DIANE	BURROWS, DONNA	BUTCH, TOM
BUNNER, CHRIS	BURKE, LAUREN	BURROWS, JOHN	BUTCHE, JULIE
BUNTING, MARY	BURKE, LINDA	BURROWS, WAYNE	BUTERBAUGH, KEVIN
BUNTING, SARAH	BURKE, MARY	BURSHTEYN, SIMONA	BUTKUS, JOANN
BUONGIORNO, JOHN	BURKE, MAUREEN	BURSLER, MILDRED	BUTLER SCIENTIST,
BUONOCORE, JIM	BURKE, MICHELE	BURSON, SANDRA	WILLIAM AND NANCY
BURBACH, BARBARA	BURKE, PATRICIA	BURSTEIN, MIRIAM	BUTLER, AVA
BURBACK, CELINA	BURKE, REGINA	BURSTROM, RUTH	BUTLER, BETTY
BURBANK, CONNIE	BURKE, ROSE	BURT, GARY	BUTLER, CAROLE
BURBES, JUDI	BURKE, SAM	BURT, PHYLLIS	BUTLER, CONNIE
BURCA, GEORGETA	BURKE, SHARON	BURT, SUSAN	BUTLER, DAVID
BURCAW, ALYSON	BURKEPHILLIPP, KIM	BURTON, ANITA	BUTLER, DEBORAH
BURCH, KATHY	BURKETT, CAROLE	BURTON, BARBARA	BUTLER, DORIS
BURCH, PIPER	BURKEY, BRUCE	BURTON, CAROL	BUTLER, ELIZABETH
BURCHARD, DENISE	BURKEY, ERIN	BURTON, DAVID	BUTLER, FELICE
BURCHARDT, APRIL	BURKHARDT, HELGA	BURTON, DIANNA	BUTLER, JANE
BURCIAGA, JULIE	BURKHARDT, KERRY	BURTON, ELIZABETH	BUTLER, KIM G
BURD, KAREN	BURKHART, IMOGENE	BURTON, JAN	BUTLER, LINDA
BURDETTE, CLINTON	BURKHART, JENS	BURTON, MARTHA	BUTLER, LISA
BURDICK, CONNIE	BURKHART, KATHRYN	BURTON, PATRICIA	BUTLER, MARY JO
BURDO, RICHARD	BURKHOLDER, JOHN	BURTON, SARA	BUTLER, MICHELLE
BURDSALL, HELEN	BURKS, CAROLYNNE L	BURTON, STEPHEN	BUTLER, MONIKA
BURDZIAK, LISA	BURLASON, CYNTHIA	BURTON, VIC	BUTLER, PATRICK
BURES, FRANK	BURLESON, DARYL	BURWELL, AIMEE	BUTLER, RITA
BURESH, NANNETTE	BURMAN, RUTH	BURYSZ, MARILYN	BUTLER, SAM
BURG, MAX	BURN, D	BUSBY, C.	BUTLER, SANDRA
BURGA, SHIRLEY	BURN, JG	BUSBY, CHRIS	BUTLER, SHEILA
BURGARD, MARGO	BURNASH, GEORGE	BUSBY, DEBORAH	BUTLER, SUSAN
BURGDORF, GREGORY	BURNETT, BARRY	BUSBY, LORRAINE	BUTTENHOFF, TAMI
BURGE, DENNIS	BURNETT, JUSTIN	BUSBY, MICHAEL	BUTTERFIELD, JOYCE
BURGE, JAMES	BURNEY-BISETT, TERRI	BUSCEMI, DONNA	BUTTERS, ARLENE
BURGE, SHARON	BURNHAM, DAVID	BUSCH, AMANDA	BUTTERY, RICKEY
BURGER, CAROLE L	BURNS, ALICE	BUSCH, NANCY	BUTTNER, DEETT
BURGER, MICHAEL	BURNS, ARLENE AND	BUSCHMAN, EDWARD	BUTTON, PAT
BURGER, NANCY	STEPHEN	BUSCIO, KEVIN	BUTTS, BONNIE
BURGER, NANCY-LIANE	BURNS, BOBBI	BUSEN, KAREN	BUTTS, DEAN
BURGER, SCOTT	BURNS, CATHLEEN	BUSH, CLAIRE	BUTTS, JUDITH
BURGER, THEODORE	BURNS, CHARLIE	BUSH, CONSTANCE	BUXTON, GEORGE
BURGER, WOLFGANG	BURNS, CHRIS	BUSH, DOROTHY	BUXTON, RAQUEL
BURGERT, PATRICIA	BURNS, CHRISTY	BUSH, JANE	BUZA, MICHAEL
BURGESS JR, GHOLIE	BURNS, DAVID	BUSH, JERRI	BUZBY, JEAN

BUZZELL, LEWIS	CAHNMAN, JOANNE	CAMARDO, MARY	CAMPBELL, PATRICIA
BVD, J	CAIANO, AURORA	CAMARILLO, CAROLINA	CAMPBELL, RENE'
BYCZEK, CHRIS	CAIANO, CECILIA	CAMARILLO, SUZANNE	CAMPBELL, ROBERTA
BYE, MARY	CAIANO, CILOCAS	MARCELLA	CAMPBELL, SARAH
BYER, HEATHER RAE	CAIANO, RUTOCAS	CAMBOURIS, JEANNE	CAMPBELL, SARAH
BYERLEY, REBECA	CAICCO, J	CAMBRIA, JOAN	CAMPBELL, SHARON
BYERS, ANGEL	CAICCO, JODY	CAMC, S	CAMPBELL, SUSAN
BYERS, SHARON	CAIN, ANDREA	CAMELIO, CHRIS	CAMPBELL, THERESE
BYNDAS, PHYLLIS	CAIN, ANNETTE	CAMERON, DEBBIE	CAMPBELL, TOM
BYRAM, KAY	CAIN, BARBARA	CAMERON, DEBRA	CAMPBELL, VARDAY
BYRD, CAROLE	CAIN, KYLIE	CAMERON, DENISE	CAMPBELL, VENA
BYRD, DEBRA	CAIRNS, KATHLEEN	CAMERON, DIANNA	CAMPBELL, WILLIAM
BYRD, EILEEN	CAIRNS, LUCY	CAMERON, GLORIA	CAMPBELL, BRIGID
BYRD, FREDRICK	CAIRNS, RACHEL	CAMERON, JEAN	CAMPEAU, CRAIG
BYRD, JACKIE	CAJAS, DENNIS	CAMHI, GAIL	CAMPO, JANE
BYRD, JOAN	CALABRO, LOUISE	CAMINITI, REBEKAH	CAMPOLETTANO,
BYRD, KAREN	CALAMBRO, ALFRED	CAMMACK, CARRIE	MARILYN
BYRD, RANDI	CALAMBRO, LESLIE	CAMMISA-PARKS,	CAMPOS, ISAAC
BYRD, WALTER	CALBREATH, LINDA	HELEN	CAMPOS, PAUL
BYRNE, C	CALDERON, EDYE	CAMP, JANELLE	CAMPTON, BRITTA
BYRNE, DEBORAH	CALDERON, JOSE	CAMP, JEANE	CAMUS, NATHALIE
BYRNE, GRACE	CALDERON, MARCIA	CAMP, JULIE	CANADA II, RILEY
BYRNE, JIM	CALDERON, ROSEMARY	CAMP, LINDA	CANADA, BARBARA
BYRNE, JOHN	CALDERON, SHEILA	CAMP, RICK	CANADA, SUSAN
BYRNE, LINDA	CALDERONE, DIANA	CAMP, ROBERT	CANALES, MARY
BYRNES, COLEMAN	CALDRON, JESSE	CAMPANELLA,	CANARIS, CYNTHIA
BYRON, ARTHUR	CALDWELL, BETH	MARLENE	CANAVAN, GINNY
BYRON, RANDI	CALDWELL, VICKEY	CAMPBELL, A	CANCELL, JUNE
C, BEN	CALDWELL, YOGI	CAMPBELL, ALLAN	CANCILLA, DEBRA
C, CASSIE	CALENDAR, JODY	CAMPBELL, AMANDA	CANCILLA, PATRICIA
C, CC	CALHOON, MICHAEL	CAMPBELL, ANNE	CANDLER, STEVEN
C, D	CALHOUN, CHARLES	CAMPBELL, BRENDA	CANEDA, BRIAN
C, EM	CALISE-SIMMONS,	CAMPBELL, BRIAN	CANFIELD, CHRIS
C, ETHAN	LORETTA	CAMPBELL, CHARLOTTE	CANFIL, ELLEN
C, J	CALKA, CHRISTINE	CAMPBELL, DONNA	CANHAM, ANDREW
C, MICHAEL	CALKOSZ, PATRICIA	CAMPBELL, DUDLEY	CANHAM, NORMAN
C. BROWN, CARLA	CALLAHAN, AMALIE	AND CANDACE	CANITE, AMBER
C., LYNNE	CALLAHAN, ELLEN	CAMPBELL, ELAINE	CANNARD, SHARON
CABALLERO, LUIS	CALLAHAN, HERBERT	CAMPBELL, GREG	CANNATA, AMY
CABAN, LAUREN	CALLAHAN, JACK	CAMPBELL, ISABEL	CANNETO, ROSE
CABANA, BERNARD	CALLAHAN, MONA	CAMPBELL, JACQUELINE	CANNON, SONDR
CABLE, KERRI	CALLAHAN, SANDRA	CAMPBELL, JAMES	CANRIGHT, MARK
CACCIA, DAVID	CALLAHAN, SHARON	CAMPBELL, JAN	CANRIGHT, REBECCA
CACHOPO, PATRICIA	CALLAS, LINDA	CAMPBELL, JESSE	CANTER, M.
CACIOPPO, JUDY	CALLAWAY, SUSAN	CAMPBELL, JOANN	CANTEY, JANE
CADDELL, MARY	CALLE, TINA	CAMPBELL, JOYCE	CANTINO, JOYCE
CADE, TINA	CALLEN, MARY	CAMPBELL, KAROLYN	CANTON, JACKY
CADENA, MONICA	CALLEN, ROXANNE	CAMPBELL, KERRY L	CANTRELL, CAROL
CAETANO, MIKE	CALLENDER, NEIL	CAMPBELL, KRISTIN	CANTRELL, DAN
CAFFENTZIS, LAURA	CALLIARI, CHERYL	CAMPBELL, LINDA	CANTRELL, ELAINE
CAFIERO, KATHI	CALLISON, MARY	CAMPBELL, LIZ	CANTRELL, SUELLEN
CAGAN, BETH	CALLISTA, LYNDA	CAMPBELL, LOYD	CANTU, EVA
CAGEY, SHARON	CALLOWAY, ALICE	CAMPBELL, MAGGIE	CANTU, ROEL
CAGLE, CYNTHIA	CALLOWAY, DEBORHAH	CAMPBELL, MARTHA	CANTU, ROGELIO
CAGLE, MARK	CALVI, JUDI	CAMPBELL, MARY	CANTWELL, DIANE
CAHILL, EUGENE	CALVINO, TOM	CAMPBELL, MAUREEN	CANTY, KEN
CAHILL-MAKOWSKY,	CALVO, ANDRES	CAMPBELL, MICHELLE	CAOLO, ROSEMARY
ANN	CAMARA, MARY	CAMPBELL, NORMA	CAPALDO, CHRISTINE

CAPAN, CIGDEM	CAREY, PETER	CARNEY-FELDMAN,	CARROLL, JOYCE
CAPAN, PATRICE	CAREY, REBECCA	CATHERINE	CARROLL, KEVIN
CAPEHART, MARY	CAREY, RHEA	CARO, YVONNE	CARROLL, LINDA
CAPEK, ALENA	CAREY-KEARNEY, DAVID	CAROL, CHRISTINE	CARROLL, LYNN
CAPELLA, EMILY	CARICO, JENNIFER	CARON, ANJANETTE	CARROLL, MARK
CAPENER, BLISS	CARICO, JOEL	CARON, CATHERINE	CARROLL, PATRICIA
CAPEZZUTO, JANICE	CARIELLO, KAREN	CAROTHERS, KIM	CARROLL, SARA
CAPONIO, MARY	CARIGNAN, KIMBERLY	CAROTHERS, ROBERT	CARROLL, SHERRY
CAPORASO, KATHLEEN	CARION, NICOLE	CAROTHERS, STEVE	CARROLL, SYLVIA
CAPP, R.	CARITA, ANGELES	CARPANETO, DANNY	CARROLL
CAPPAS, MARINA	CARL, NATHAN	CARPENITO, LISA	CARROLL, TOM
CAPPER, CATHERINE	CARL, SHERI	CARPENTER, AMY	CARSE, MERV AND
CAPRA, MARY JO	CARLE, ALYSSA	CARPENTER, CRAIG	MARILYN
CAPRA, MICHELE	CARLETON, CATHY	CARPENTER, JEREMY	CARSON SHANKARA,
CAPRI, RUE	CARLEY, JAMES	CARPENTER, LAURA	KRISTA
CAPRIO, PAMELA	CARLILE, CAROL	CARPENTER, NATE	CARSON, CAROL
CAPROTTI, MARY	CARLIN, BRIAN	CARPENTER, STEVEN	CARSON, GLENN AND
CAPSHAW, ANITA	CARLINO, THOMAS	CARPENTER, SUE	DEBBIE
CAPSTICK, HILARY	CARLISLE, PEGGY	CARPENTER, SUSAN	CARSON, KAREN
CAPUA, JAY	CARLISLE, SHELLEY	CARPENTER, VICTORIA	CARSON, MIRIAM
CAPUTO, MICHAEL	CARLSEN, CINDY	CARPENTIERE, CHRISTA	CARSTENSEN, SANDY
CARABALLO, BELINDA	CARLSON, ALLEN	CARPER, LORI	CARTER, AMANDA
CARABALLO, JOSE	CARLSON, AMY	CARR, BETH	CARTER, ANGELA
CARACCIO, ROBERT	CARLSON, CHERI	CARR, CALVIN	CARTER, ASHLEY
CARACO, VIRGINIA	CARLSON, DAVID	CARR, CRYSTAL	CARTER, ASHLI
CARAVELLA, ROSEMARY	CARLSON, ELAN	CARR, D	CARTER, CALESSE
CARAVEO, PAULA	CARLSON, FRANK	CARR, HOPE	CARTER, CATHERINE
CARBIA, VANESSA	CARLSON, JEAN	CARR, JACQUELINE	CARTER, CINDY
CARBIENER, KAREN	CARLSON, JEANNE	CARR, KATHLEEN	CARTER, DAVID
CARBLEY, WILLIAM	CARLSON, JOEL	CARR, LAURIE	CARTER, DEBRA
CARBONE, ANNE	CARLSON, JUDY	CARR, MARGARET	CARTER, KELLIE
CARBONE,	CARLSON, KAREN	CARR, RICHARD	CARTER, KIMBERLY
CHRISTOPHER	CARLSON, NANCY	CARR, SARAH	CARTER, KIMM
CARBONE, DESIREE	CARLSON, PAULA	CARRABUS, RON	CARTER, MARIAN
CARCELLI, DENNIE	CARLSON, PEGGY	CARRASCO, CARMEN	CARTER, MICHAEL
CARD, D	CARLSON, PRUDENCE	CARRELL, TONI	CARTER, MICHELLE
CARD, GERALDINE	CARLSON, RAVIN	CARRERA, KAREN	CARTER, PENELOPE
CARD, KATHLEEN	CARLSON, RITA	CARRIBEAN, LORRAINE	CARTER, RHONDA
CARD, SUSAN	CARLSON, ROBIN	CARRIBEAN	CARTER, ROB
CARD, THOMAS	CARLSON, SANDRA	CARRICK, ELAINE C	CARTER, ROBERT
CARDELLA, SYLVIA	CARLSON, SHARON	CARRICK, JACK	CARTER, RONALD
CARDENAS, ALINA	CARLSON, SUSAN	CARRICO, WILLIAM	CARTER, STEVE
CARDILLO, ROGER	CARLSON, WARREN	CARRIER, PAULA	CARTLEDGE, PAMELA
CARDINAL, ENID	CARLSON, WILLIAM	CARRIER, REBECCA	CARTWRIGHT, BARBARA
CARDINALI, DAVID	CARLYLE, DIANE	CARRIERE, GREG	CARTWRIGHT, CARL
CARDNO, ANDREW	CARMAN, HEATHER	CARRILLO, DANIEL	CARUANA, LORETTA
CARDONA, GLORIA	CARMAN, IRIS	CARRILLO, DENISE	CARUSO, DI
CARDONA, KAY	CARMAN, LINDA	CARRINGTON, SALLY	CARUSO, DIANA
CARDONA, NYDIA R	CARMANY, HONEY	CARRITHERS, LINDSAY	CARUSO, STEPHEN
CARDONE, MICHELE	CARMEAN FLOYD,	CARROLL, CANDACE	CARUTHERS, BEN
CARDONES, SEAN	ROXANN	CARROLL, CARLA	CARVAJAL, MAURICIO
CARELLA, LEN	CARMICHAEL, NINA	CARROLL, COLLEEN	CARVALHO, ELIZABETH
CAREY, BARBARA	CARMIGNANI, KAMILLA	CARROLL, DANIEL	CARVER, ROBERT
CAREY, DEBORAH	CARMODY, GLORIA	CARROLL, DEBBIE	CARWILE, SARA
CAREY, JANET	CARMONA, DIANE	CARROLL, ELISABETH	CARY, PAULA
CAREY, LYNN	CARMOSINO, DENISE	CARROLL, ELIZABETH	CASABONA, MARY
CAREY, MADALYNN	CARNEY, CHERYL	CARROLL, JACQUELINE	CASADAY, GARTH
CAREY, PATRICIA	CARNEY, PATRICIA	CARROLL, JOHN	CASALE, MARY

CASALY, CANDICE	CASTO, RAY	CELLER, CAROLYN	CHANDELLE, SHARON
CASARETT, VICKI	CASTORO,	CELLER	CHANDLER, CAROL
CASE, BARBIE	CHRISTOPHER	CELLI, EI	CHANDLER, HELEN
CASE, CHRISTINA	CASTRO, KATHERINE	CELLI, ELI	CHANDLER, JANET
CASE, KAREN	CASTRO, LORIE	CELLI, SANDRA	CHANDLER, LESLIE
CASE, NANCY	CASTRO, WALDO	CELLUCCI, PAM	CHANDLER, SUSAN
CASEY, DIANE	CASTY, JILL	CELORIO, CELIA	CHANDLER, SYLVIA
CASEY, JANE	CASWELL, CHARLIE	CENCAK, KASEY	CHANDLER, WENDY
CASEY, JENIFER	CASWELL, GAIL	CENTER, JEANINE	CHANDLER, WILLIAM
CASEY, JOANNE	CASWELL, SUSAN	CENTORE, MARY E	CHANDRA, MELISSA
CASEY, MARY	CASWELL	CENTORRINO, LINDA	CHANEY, KATHRYN
CASEY, MEG	CATACUTAN, ARNEL	CERCHIE, L	CHANEY, KEVIN
CASEY, STEWART	CATALDO, LEXIE	CERMAK, AMANDA	CHANEY, KIM
CASEY, SUSAN	CATALDO, ROSANNE	CERNIGLIA, SUZANNE	CHANG, ELIZABETH
CASEY, SYDNEY	CATANIA, PAMELA	CERNY, JAYNE	CHANG, KANGMIN
CASEY, TIMOTHY	CATE, SARA	CERRI, RICHARD	CHANLEY, LATRY
CASH, DAVID	CATES JR, TOMMY	CERVANTES, BRENDA	CHAO, AGNES
CASH, MELANIE	CATES, DAVID	CERVERA, ISABEL	CHAO, BETH
CASHDAN, EVA	CATHELL, F KATHRYN	CESSNA, VICTORIA	CHAPELLIER, NANCY
CASHIER, GINA	CATHERINE, MOLLY	CESTARO, ROBERT	CHAPIN, LAURA T.
CASHMAN, ADRIANA	CATHEY, MARGARET	CETIN, ERICA	CHAPIN, SUSAN
CASHMAN, JANE	CATLIN, JULIA	CEUTERICK, COLETTE	CHAPMAN, BRIDGET
CASH-PROCELL, GLORIA	CATRON, CAROL	CEVASCO, JOHN	CHAPMAN, CAROL
CASIELLO, KATHY	CATRON, CECILIA	CEVETELLO, JESSICA	CHAPMAN, JAMES
CASKEY, DEBORAH	CATT, CLAIRE	CHABOT, WILLIAM	CHAPMAN, JANET
CASLER, KENNETH	CATT, SHANNON	CHACON, CARMEN	CHAPMAN, JO
CASLER, TIFFANY	CAUDELL, SHARYN	CHACONAS, KIRSTEN	CHAPMAN, JOHN
CASO, MARK	CAUDILL, COLLEEN	CHADBORNE, LOUISE	CHAPMAN, KEVIN
CASOLARA, CORINNE	CAUGHLAN, SUSAN	CHADDOCK, LISA	CHAPMAN, LINDA
CASON, BARBARA	CAUGHRON, JANNA	CHADWICK, CARINA	CHAPMAN, NANCY
CASPER, CHRIS	CAULER, RHONDA	CHAFFEY, WILLIAM	CHAPPELL, CAROL
CASPERSEN, DANA	CAULWAY, SHARON	CHALFIN, D.	CHAPPELL, CHRISTINA
CASSATO, CANDICE	CAVAGE, MARK	CHALKER, MIKKI	CHAPPELLE, ALETA
CASSERLY, LAURIE	CAVAGNARO, PAULA	CHALL, EUNICE	CHAPPUIS, ROBERT
CASSIANO, NATHAN	CAVALLARO, LENNY	CHALLINOR, SBS	CHARBONNEAU, ANNE
CASSIDY, EMILY	CAVALLARO, MONICA	CHALOUPKA, SUSAN	CHARBONNEAU,
CASSIDY, PATTI	CAVALLARO, SHELLIE	CHAMBERLAIN, M	VALERIE
CASSIDY, REV. CAT	CAVALLO, JANET	CHAMBERLAIN,	CHARD, JOHN
CASSIDY, VIRGINIA	CAVALLONE, LUIS	MARLENE	CHAREST, LORRAINE
CASSIS, PATRICIA	CAVANAUGH, PEGGY	CHAMBERLIN, JAN	CHARKOWSKI, ELAINE
CASTANEDA-MENDEZ,	CAVEZZA, CARMEN	CHAMBERLIN, LINDA	CHARLEBOIS, STACIE
KICAB	CAVIGLIA, G	CHAMBERS, ANNE	CHARLES, GARY
CASTEEL, JESSIE	CAYA, TONI	CHAMBERS, BONITA	CHARLES, JUDITH
CASTELLANOS, ANDREA	CAZENAS, DAVID	CHAMBERS, CLAIRE	CHARLES, WANONA
CASTELLI-HILL, SUSAN	CCOKE, JIM AND JAN	CHAMBERS, EDITH	CHARLET LESSARD,
CASTELLO, OLGA	CEASARINE, PETER	CHAMBERS, JOHN P	FRANCINE
CASTELLON, LEIGH	CEASE, JANE	CHAMBERS, PENNY	CHASE ZEFF, FELICIA
CASTIGLIA, DENISE	CEASER, TINA	CHAMBO, TIM	CHASE, ELIZABETH
CASTILLO, ALEXANDRA	CEBIC, DANIJELA	CHAMLOU, PARISA	CHASE, JANET
CASTILLO, ELIZABETH	CECERE, LORRAINE	CHAMPAGNE, HAZEL	CHASE, JAYNI
CASTILLO, JOSIE H.	CECERE, SUSAN	CHAMPAGNE, VALERIE	CHASE, JOHN
CASTILLO, WENDY	CECHIN, TUIRE	CHAMPION, KEN	CHASE, LINDA
CASTILLO, WILLIAM	CECIL, DECHENNE	CHAMPION, MARGARET	CHASE, MARTA
CASTINE, TIMOTHY	CECIL, MICHAEL	CHAMPION, RICHARD	CHASE, MARY
CASTLE, GLORIA	CEDENO, SHERRI	CHAN CARR, PHYLLIS	CHASE, TONY
CASTLE-REY, CHRISTINA	CEJA, MIA	CHAN, CHERIE	CHASE, KATRINA
CASTNER, EMILY	CELAYA, JEANNIE	CHAN, ROBIN	CHATARD,
CASTNER, JENNIFER		CHANCEY, BARBARA	CHRISTOPHER

CHATER, PAMELA	CHESNEY, DIANA	CHMARA-HUFF,	CHRISTOPHER, ANN-
CHATTERJI, SUJIT	CHESSEY, CATHY	GWYNYTH	MARIE
CHAUVIN, DANIEL	CHESTER, BRENT	CHMIELEWSKI, MARK	CHRISTOPHER,
CHAVARRIA RAND,	CHESTER, PHILIP	CHOATE, CAMILLE	CAROLYN
RENATE	CHESTLER, TIFFANY	CHOATE, JAMES	CHRISTOPHER, JOHN
CHAVARRIAGA,	CHESTNUT, DIANA	CHODOSH, JANIE	CHRISTOPHER, JOHN
ALEXANDRA MARÍA	CHEW, CYNTHIA	CHOI, BRENDA	CHRISTOPHER, MICHAEL
CHAVEZ, CHARLOTTE	CHEW, DEBORAH Y	CHOI, KELLY	CHRISTOPHER, PATSY
CHAVEZ, PHYLLIS	CHEYNEY, MELISSA	CHOI, KELLY	CHRISTOPHER, ROBIN
CHAVEZ, SALISSA	CHIAPPE, SONIA	CHOINSKI, VALERIE	CHRISTOPHER, SANDRA
CHAVEZ, SALISSA	CHIARELLI, SAM	CHOISSER, SHARON	CHRISTOPHER, SANDRA
CHAVEZ, SALISSA	CHIAVOLA, KATHY	CHOLEWA, MITCHELL	CHRISTOPHER,
CHAVEZ, SALISSA	CHICHESTER, BARBARA	CHONKA, BRAD	SHANNON
CHAVEZ, SALISSA	CHILCOAT, CARVEL	CHOTINER, RENEE	CHRISTWITZ, WILLIAM
CHAVEZ, SALISSA	CHILCOAT, DENISE	CHOU, ANA	CHRISTY, MARY
CHAVEZ, SALISSA	CHILDERS, DEBORAH	CHOUDHURY, KATHRYN	CHRISTY, MELANIE
CHAVEZ, SALISSA	CHILDERS, MARTHA	CHOW, ERICA	CHU, ANDREA
CHAVEZ, SALISSA	CHILDERS, TORI	CHOWDHRY, CAROL	CHU, JINHEE
CHAVEZ, SALISSA	CHILDERS, VICTORIA	CHRIS, CAROLYN	CHU, LINDA
CHAVEZ, SALISSA	CHILDS, ANDRIA	CHRISLER, MEG	CHU, LINDA
CHAVEZ, SALISSA	CHILDS, CAROLE	CHRISMAN, PAUL	CHUBB, ISABELLA
CHAVEZ, SANDRA	CHILDS, ELENA	CHRISMAN, WENDY	CHUBB, ISABELLA
CHAYES, MARION	CHILDS, KAY	CHRISTAKOPOULOU,	CHUDNOW, EDWARD
CHEALANDER, CAROL A.	CHILDS, PETE	ALEXANDRA	CHUNG, SUSAN
CHECCHIA, SUZANNE	CHILES, PAMELA	CHRISTENSEN, DEBBI	CHUPLIS, CINDY
CHEEK, BRONWEN	CHILIKAS, ELLEN	CHRISTENSEN, DIANE	CHURCH, DAVID
CHEEK, DEBORAH	CHILLE, ANNETTE	CHRISTENSEN, EILEEN	CHURCH, DAVID
CHEEK, PAMELA	CHIMIS, ROBERT	CHRISTENSEN, FREYA	CHURCH, JAN
CHEESMAN, JEAN	CHIN, MARGARET	CHRISTENSEN, JUDY	CHURCH, JANELLE
CHEESMAN, KAREN	CHIN, VIVIAN	CHRISTENSEN, JULIE	CHURCH, RHONDA
CHEESMAN, KAREN	CHING, ROBIN R	CHRISTENSEN,	CHURCH, TERRY
CHEFFI, GISELE	CHINITZ, JOAN AND	MARGARET	CHURCHILL, CAROL
CHEKLICH, DIANE	JOEL	CHRISTENSEN,	CHURCHILL, DENISE
CHEKLICH, DIANE	CHINN, KAREN	MONIQUE	CHURCHILL, JANE
CHELOSKY, MARY	CHINN, LAURIE	CHRISTENSEN, PAMELLA	CHURCHWELL-
CHEN, ALLAN	CHINOFOSKY, LAURA	CHRISTENSEN, SHIRLEY	PATTERSON, DIANNE
CHEN, JULIANNE	CHINOFOSKY, LAURA	CHRISTENSEN, SUSAN	CHURCHWELL-
CHEN, SU-WEN	CHINOFOSKY, LAURA	CHRISTIAN, BRIAN	PATTERSON, DIANNE
CHEN, SU-WEN	CHINOFOSKY, LAURA	CHRISTIAN, DANIEL	CHURCHWELL-
CHENEY, KATHLEEN	CHIODO, GINA	CHRISTIAN, DAVID	PATTERSON, DIANNE
CHENG, JEFFREY	CHIODO, SAMUEL	CHRISTIAN, DEBORAH	CHURCHWELL-
CHENG, RONALD	CHIOLINO, LORI	CHRISTIAN, JANET	PATTERSON, DIANNE
CHENNAULT, RAYE	CHIOLINO, LORI	CHRISTIAN, KAREN	CHURCHWELL-
CHEONG, LEON	CHIONG, LAUREN IVY	CHRISTIAN, KATHRYN	PATTERSON, DIANNE
CHERI, JANYA	CHIRGWIN, DEB	CHRISTIANSSEN, KAREN	CHURRAY, RICHARD
CHERI, JANYA	CHIRIBI, ELIZABETH	CHRISTIE, BILL	CHYBA, MIKE
CHERNETZ, GEORGE	CHIRLIN, GARY	CHRISTIE, COLETTE	CIACCIO, MARIE
CHERNETZ, GEORGE	CHIRPIN, BOB	CHRISTIE, SUSAN	CIAMPI, HELEN
CHERRIER, LISA	CHISARI, ANDREA	CHRISTMAN, DAVID	CIARAMITARO, JOSEPH
CHERRY JR, JOHN	CHISARI, ANDREA	CHRISTMAN, MARY	CIARCIA, CHRISTINA
CHERRY, J. HOWARD	CHISHOLM, DARLENE	CHRISTMAN, MARY	CIBELLIS, TAMARA
CHERRY, J. HOWARD	CHISHOLM, DAVID	ELLEN	CICARELLI, MARIA
CHERRY, JUDITH	CHISHOLM, ROBBY	CHRISTMANN,	CIEMPOLA, CHRISTINE
CHERRY, JUDITH	CHISMAR, NANCY	DOUGLAS	CIERECH, THOMAS
CHERRY, WAYNE	CHITTENDEN, JERALD	CHRISTNER, DEBRA	CIESIELSKI, J.B.
CHERUKURI, SUMA	CHMARA-HUFF,	CHRISTOFARO, SHERRI	CIESLA, CHRISTINA
CHESIRE, CHRISTINE	GWYNYTH	CHRISTOFF, STEPHANIE	CIFELLI, ALEX
CHESIRE, CHRISTINE			CILLUFFO, ANTHONY

CIMINO, MARYROSE	CLARK, JUDITH	CLAUNCH-MEYERS,	CLINCH, PAUL
CIMINO, PATRICIA	CLARK, JUDY	JENNIFER	CLINE, CASS
CINATO, DOROTHY	CLARK, JULIE	CLAUNCH-MEYERS,	CLINE, SUZY
CINI, ROBERT	CLARK, JULIE	JENNIFER	CLINTON, AARON
CINI, ROBERT	CLARK, KAREN	CLAUSEN, EVAN	CLIPP, HANNAH
CINQUIGRANNO, SHARI	CLARK, KATHLEEN	CLAUSEN, JUDI	CLIVER, ANNE
CINQUINO, DEBORAH	CLARK, KATHLEEN M	CLAUS-MCGAHAN, ELLY	CLONCH, DESIRREE
CIOCI, JAN	CLARK, KATHY	CLAWSON, WALTER	MARLENA
CIOFANI, VICTORIA	CLARK, KRISTINA	CLAY, KIMBERLY	CLOSS, JAMES
CIOFANI, VICTORIA	CLARK, LEIGHTON	CLAY, SUSAN	CLOTWORTHY, SHAWN
CIOSICI, STEFAN	CLARK, LINDA	CLAY, SUSAN	CLOUD, JARRETT
CIOSICI, STEFAN	CLARK, LORALEE	CLAYBORNE, CHRIS	CLOUD, MICHAEL
CIOSICI, STEFAN	CLARK, LUCY	CLAYBOURN, COLLEEN	CLOUD, PETER
CIPRIANI, KAREN	CLARK, MARILYN	CLAYCOMB, G	CLOUD, SALLY
CIRESI, MADELINE	CLARK, MARY	CLAYFIELD, NOELINE	CLOUGH, ANDREA
CIRI, SHARON E.	CLARK, MAYA	CLAYMAN, J.A.	CLOUGH, CYNDI
CIRI, SHARON E	CLARK, NANCY	CLAYMAN, J.A.	CLOUGHERTY, JANICE
CIRIGLIANO, JOYANN	CLARK, NOLA	CLAYMAN, J.A.	CLOW, LAURENT
CIRIGLIANO, JOYANN	CLARK, PATRICIA Y	CLAYMAN, J.A.	CLUCAS, KENNETH
CISNA, TODD	CLARK, PRISCILLA D	CLAYPOOL, MARGARET	CLUKEY, CHARLENE
CISNA, TODD	CLARK, REBECCA	CLAYPOOL, ROBERTA	CLUPPER, ALEX
CITO, RAQUEL	CLARK, REBECCA	CLAYTON, DAWN	CLUTE, SHYLAH
CITO, RAQUEL	CLARK, RENEE	CLAYTON, DAWN	CLUTTER, MARCIE
CITRON, JEAN	CLARK, RICK	CLAYTON, DIERDRE	CLUTTER, MARCIE
CIUCCI, C	CLARK, ROBBIN	CLAYTON, FRANKIN	CLYMER, JANICE
CLAESSON, ROBERT	CLARK, ROBERT	CLAYTON, JAYE	CLYNE, ROGER
CLAIR-HOWARD, MARIA	CLARK, ROBIN	CLEARY, MARLENA	CO, MICHELLE
CLANCY, JEANINE	CLARK, ROBYN	CLEAVELAND, BETH	COAHRAN, SCOTT
CLANTON, DEBORAH	CLARK, SHERRY	CLEAVELAND, BETH	COAKLEY, MICHELE
CLANTON, WILLIAM	CLARK, STEPHANIE	CLEAVELAND, CATHY	COATES, PORTLAND
CLAPP, JONATHAN	CLARK, STEPHANIE	CLEERE, ERIN	COATES, PORTLAND
CLAPPER, CRAIG	CLARK, STEPHANIE	CLEESATTEL, DEANA	COBB, DIANA
CLAPPER, DAVID	CLARK, STEPHANIE	CLELAND, CELIA	COBB, DIANA
CLAPPER, DAVID	CLARK, SUSAN	CLEMENS, ROBERT	COBB, ELAINE
CLAPS, MICHAEL	CLARK, TODD	CLEMENS, TERRI	COBB, KYLIE
CLAPSADDLE, ANDRA	CLARK, VIRGINIA	CLEMENT, CHRISTINA	COBB, REBECCA
CLARE, JUDY	CLARK-COOPER,	CLEMENT, KAY	COBB, ROBERT
CLARK, C	BRIDGET	CLEMENT, LAURA	COBB, ROBERT
CLARK, C	CLARKE TORRES,	CLEMENTS, JENNIFER	COBB, ROBERT
CLARK, CAROL	COLETTE	CLEMENTSON,	COBB, ROBERT
CLARK, CAROL	CLARKE, CINDY	HARRIETT	COBB, ROZ
CLARK, CAROLYN	CLARKE, DAWN	CLEMMER, MELISSA	COBB, SANDRA
CLARK, CHERYL	CLARKE, DEAN	CLEMMY, ELIZABETH	COBB, SANDRA
CLARK, CHRISTOPHER	CLARKE, EITHNE	CLEMONS, THOMAS	COBB, SHARON
CLARK, CONNIE	CLARKE, FINN	CLENDENEN, GAIL	COBLE, DEBORAH
CLARK, CRAIG	CLARKE, JEANNE	CLERICI, LAURA	COBLEIGH, SUSAN
CLARK, D	CLARKE, JERI	CLERIE, PASCALE	COBURN, DELLA
CLARK, DENISE	CLARKE, KIP	CLEVEN, HEIDI	COBURN, DELLA
CLARK, DENNIS	CLARKE, VIRGINIA	CLEVER, NETTIEB	COBURN, DELLA
CLARK, E	CLARK-MCKITRICK,	CLIFFORD, CHRISTI	COBURN, SYLVIA
CLARK, ELIZABETH	BLYTHE	CLIFFORD, KATIE	COCCARI, ALISON
CLARK, FERN	CLARKSON, AERIS	CLIFFORD, KATIE	COCHILLA, BRIAN
CLARK, IRENE	CLARKSON, AERIS	CLIFFORD, WILLIAM	COCHRAN, CASEY
CLARK, IRINA	CLARKSON, COURTNEY	CLIFFORD, WILLIAM	COCHRAN, CASEY
CLARK, JACKIE	CLARY, KATHRYN	CLIFTON, ANNE	COCHRAN, SUE
CLARK, JEAN	CLASS, ROBYN	CLIFTON, HELENE	COCHRAN, SUSAN
CLARK, JENNIFER	CLASS, ROBYN	CLIFTON, JO	COCHRAN, VICKI
CLARK, JUDITH		CLIFTON, NICOLE	COCHRANE, BARBARA

COCKERILL, JOANNE	COIL, SANDRA	COLLETTI, KATHY	COLPAS, MARCIE
COCKERILL, VICKIE	COINER, DIANE	COLLEY, BELINDA	COLSON, ROSEMARY
COCKLEY, ERIN	COKER, JEFF	COLLEY, KEVIN	COLTMAN, EVELYN
COCKRELL, MARTI	COKER, PAMELA	COLLIER, CAROL	COLTON, CAMMY
COCKSHOTT, SHIELA	COLANGELO,	COLLIER, CAROL	COLTRANE, WAYNE
COCO, ERICA	ANNAPOORNE	COLLIER, CAROL	COLVIN, CONNIE
COCORES, CARMEN	COLBERT, AMANDA	COLLIER, DON COLLIER	COLVIN, LAUREN
CODY, CINDY	COLBERT, HARLEY	COLLIER, MICHAEL	COLVIN, MARIE
CODY, CINDY	COLBURN, JIMMIE	COLLIER, RALPH	COLWELL, FRANCIS
COE, JANE	COLBY, AMY	COLLIGAN, PAMELA	COLWILL, KATHLEEN
COE, JOYCE	COLDWELL, SHERILYN	COLLINS, AMANDA	COLYER, JOHN
COEN, SUSAN	COLE, ANGELA	COLLINS, BEATRICE	COMANICH, CAMILLA
COFFEY, IRENE D.	COLE, ANGELA	COLLINS, CAROL	COMAZZI, TRACEY
COFFI, SUSAN	COLE, BEVERLY	COLLINS, CAROL	COMAZZI, TRACEY
COFFIN, REGINA	COLE, CAL	COLLINS, DEAN	COMAZZI, TRACEY
COFFIN, STEPHEN	COLE, CATHERINE	COLLINS, DEBBIE	COMBS, DEBI
COFFINBARGER, ALISON	COLE, DANIEL	COLLINS, DEBBIE	COMBS, DEBI
COFFMAN, ALBERT	COLE, DAVID	COLLINS, GRETA	COMBS, MITZI
COFFMAN, KATHY	COLE, DORI	COLLINS, J.	COMEAU, SHEILA
COFFMAN, KATHY	COLE, J	COLLINS, JANE	COMER, MATTHEW
COFFY, MARILYN	COLE, JOAN	COLLINS, JANET	COMER, PATRICK
COFFY, MARILYN	COLE, JOHN	COLLINS, JANIS	COMISKEY, DENISE
COFRESI, SHIRLEY	COLE, LINCOLN P	COLLINS, JANIS	COMMONS, JUDY
COGAR, TAMMY	COLE, LINCOLN P	COLLINS, JANIS	COMMONS, SANDY
COGGAN, MARY	COLE, LINCOLN P	COLLINS, JANIS	COMNINOS, SOHEILA
COGGINS, NANCY	COLE, LINDA	COLLINS, JANIS	COMPTON, CAROLYN
COGSWELL, DAN	COLE, SHELLEY	COLLINS, JUDITH	DRAKE
COHEN, BRIAN AND	COLE, SHELLEY	COLLINS, JUDY	COMPTON, CATHERINE
RITA	COLE, SHELLEY	COLLINS, KAITLYN	COMPTON, JANEL
COHEN, BRIAN AND	COLE, SHELLEY	COLLINS, KAREN	COMPTON, MARY ANNE
RITA	COLE, SHELLEY	COLLINS, KAY	COMPTON, PAT
COHEN, BRUCE	COLE, TRACY	COLLINS, KIT	COMPTON, PAT
COHEN, CLAIRE	COLEMAN, CHRISTINE	COLLINS, LAURA	COMRACK, JANINE
COHEN, DANA	COLEMAN, DAVID	COLLINS, MAUREEN	COMSTOCK, CHRISTIAN
COHEN, ELAINE	COLEMAN, DEANU	COLLINS, MAUREEN	COMUNALE, ELLIOT
COHEN, ELAINE	COLEMAN, DONNA	COLLINS, MO	COMUNTZIS, GLEN
COHEN, ELIHU	COLEMAN, ELLIS	COLLINS, PATRICIA	CONANT, DEBORAH
COHEN, HARRIET	COLEMAN, GEORGE	COLLINS, PAUL	CONANT, DOUGLAS
COHEN, JANET	COLEMAN, KATHY	COLLINS, PAUL	CONANT, MARTHA
COHEN, JUDITH	COLEMAN, MARIANNE	COLLINS, PAULETTE	CONARD, LINC
COHEN, JUDY	COLEMAN, MARIANNE	COLLINS, RAYMOND	CONBOY, SARAH
COHEN, JUDY	COLEMAN, MARY	COLLINS, REBA	CONCA, JOAN
COHEN, KAREN	COLEMAN, NANCY	COLLINS, SHERYL	CONCA, JOAN
COHEN, KARIN	COLEMAN, RICK	COLLINS, STEFANIE	CONCA, JOAN
COHEN, LINDSEY	COLEMAN, ROBIN	COLLINS, SUSAN	CONDE, MARY
COHEN, MELANIE	COLEMAN, ROBIN	COLLINS, SUSAN	CONDE, MARY
COHEN, MYRNA	COLEMAN, VICTORIA	COLLINS, TERESA	CONDELLO, FLORALEE
COHEN, PETER	COLE-SMARRITO,	COLLODEL, DEBORAH	CONDO, JENNIFER
COHEN, PETER	LEEANNE	COLLODEL, DEBORAH	CONDON, MARY
COHEN, TOVA	COLEY, DANIEL	COLLORD, PAMELA	CONELLEY, B.
COHEN, WAYNE	COLGAN-DAVIS, JOHN	COLOMB, FRANÇOIS	CONELLY, JULIE
COHEN, WENDY	COLIA, DEBBIE	COLON, JOSEPHINE	CONEY, PAMELA
COHENOUR, DOLORES	COLINGSWORTH, JULIA	COLON, LORI	CONFECTIONER, VIRA
COHN, DARCY	COLL, CHRISTINA	COLONY, M	CONFECTIONER, VIRA
COHN, JANET	COLL, KAREN	COLONY, MARILYN	CONFORTI, BROOKS
COHN, LOUISE	COLLAZO, CHARISSA	COLONY, MARILYN	CONFORTI, BROOKS
COHN, NANCY	COLLETON, EDWARD	COLONY, PAMELA	CONGDON, JOAN
COHN, RAE	COLLETTE, ANJA	COLPAS, MARCIE	CONGDON, LAURA

CONGDON, LAURA	CONSIDINE, KATE	COONEY, JAMIE	COREY, BONNIE
CONGDON, NOELLE	CONTI, CAROLYN	COONEY, JAMIE	COREY, BONNIE
CONGER, LUCY	CONTI, CAROLYN	COONEY, PATRICIA	COREY, KAREN
CONGER, WILLIAM	CONTI, CAROLYN	COONEY, TOM	COREY, LAURA
CONGLIO, B.	CONTI, CAROLYN	COONS, DEVIN	CORIO, KATHRYN
CONGO, ELIZABETH	CONTI, CAROLYN	COOPER, BARBARA	CORKERY, GEORGIE
CONGREVE, J	CONTI, JOANNE	COOPER, CHARLENE	CORLISS, NAN
CONGREVE, J	CONTRERAS, GIGI	COOPER, FRANK	CORMIA, MORGAN
CONIGLIO, B.	CONTRISCIANO,	COOPER, GAIL	CORMIA, NANCY
CONITZ, BARBARA	THOMAS	COOPER, GARY	CORMIA, NANCY
CONKLE, KEN	CONTRISCIANO, TOM	COOPER, HIETT	CORMIA, NANCY
CONKLIN, JOYCE	CONVERSE, BLAINE	COOPER, JAMES	CORMIER, THOMAS A.
CONKLIN, JULIA	CONVERSE, BLAINE	COOPER, JAMES	CORMIER
CONKLIN, LU	CONVERSE, PAUL	COOPER, JOHN	CORN, MISSIE
CONKLIN, MELISSA	CONWAY, MARY E.	COOPER, JOHN	CORNAIRE, IRISH
CONLAN, PENELOPE	CONWAY, MARY E.	COOPER, JUDITH	CORNELIA, JARED
CONLEY, BEN	CONWAY, MAUREEN	COOPER, JULI	CORNELIUS, CYNTHIA
CONLEY, LORI	CONWAY, MAURENE	COOPER, LANA	CORNELIUS, DON AND
CONLIN, GLORIA	CONWAY, PATRICK	COOPER, LINDA	KAREN
CONN, CRAIG	CONWAY, ROBERT	COOPER, PATRICIA	CORNELIUS, MARGARET
CONN, CRAIG	COOGAN, JOYCE	COOPER, RHONDA	CORNELIUS, STACY
CONN, PATRICK	COOGAN, PEG	COOPER, TINA	CORNELIUSEN, ELLEN
CONNELL, LAWRENCE	COOGAN, PEG	COOPER, VALERIE	CORNELL, SUSANNE
CONNELLY, ELIZABETH	COOGAN, PEG	COOPER-MULLIN,	CORNELY, JOHN
CONNELLY, NED	COOK, ANICE	CLARA	CORNETT, ALYZA
CONNER, BARBARA	COOK, BARBARA R	COOTER, CLIFFORD	CORNETT, JESSICA
CONNER, JOHN	COOK, BERYL R	COPE, SANDRA	CORNETT, TANDY
CONNER, KRISTEN	COOK, BETH	COPELAND, CINDY	CORNISH, PAMELA
CONNOLLY, APRIL	COOK, CAROL	COPELAND, CINDY	CORNWALL, DIANE
CONNOLLY, LINDA	COOK, CATHY	COPELAND, GEORGIA	CORONA, LAURA
CONNOLLY, MAGGIE	COOK, CATHY	COPELAND, JEANETTE	CORONA, MARITZA
CONNOLLY, MARY	COOK, DONALD	COPELAND, JUANITA	CORPENING, PHELECIA
CONNOLLYHOWES,	COOK, GORDON	COPELAND, NAOMI	CORR, ANN
SUZANNE	COOK, JANET	COPELAND, NAOMI	CORR, ANN
CONNOR, BARB	COOK, JANET	COPELLO, JANELL	CORRALES, YMA
CONNOR, BARBARA	COOK, JOY	COPENHAVER, PAT	CORREA, HANA
CONNOR, JOHN	COOK, MARILYN	COPENHAVER, PAT	CORREA, MANUEL
CONNOR, ROZ	COOK, MARY	COPLAN, ROSEMARY	CORREALE, MARIA ANN
CONNOR, ROZ	COOK, PATRICIA	COPLEY, JACK	CORREIA, ABIGAIL
CONNOR, ROZ	COOK, RENE	COPLEY, MARGARET	CORREIA, CECILIA
CONOSCENTI, PAULA	COOK, RICHARD	COPPER, DAVE	CORREIA, CECILIA
CONOSCENTI, PAULA	COOK, ROBERT	COPPERSMITH, TERRI	CORREIA, EILEEN
CONRAD, BARBARA	COOK, S	COPPOLA, CINDY	CORREIA, M RUTE
CONRAD, BONNIE	COOK, S	COPPOLA, DAWN	CORREIA, M
CONRAD, CASSONDRA	COOK, S	COPPOTELLI, FRED	CORREIA, M.RUTE
CONRAD, GEOFFREY	COOK, STEVEN	COPPOTELLI, HEIDE	CORREIA, M.RUTE
CONRAD, GEOFFREY	COOKE JR., ROBERT	CORBETT, ANNEKE	CORREIA, M.RUTE
CONRAD, LORI	COOKE, DELIA	CORBETT, CECLY	CORREIA, M.RUTE
CONRAD, MARILYN	COOLEY, PEGGY	CORBETT, FRANCES	CORREIA, M.RUTE
CONRAD, RUTH	COOLS, JANET	CORBINO, PETE	CORREIA, M.RUTE
CONRADY, DONNA	COOMBER, ANNETTE	CORBY, KATHLEEN	CORREIA, MARIA
CONROY, ELE	COOMBER, ANNETTE	CORCORAN, LINDA	CECILIA
CONROY, ELE	COOMBER, ANNETTE	CORCORAN, LINDA	CORREIA, MARIA
CONROY, FAITH	COOMBS, JOYCE	CORDASCO, KAREN	CECILIA
CONROY, JIM	COOMER, STEVEN	CORDEIRO, BROCK	CORRICK, CONNIE
CONROY, THOMAS	COON, CATHARINE	CORDER, LYNNE	CORRIE, G
CONROY, THOMAS	COON, STEPHEN	CORDERO, CHARLENE	CORRIERE, CARYN
CONSRUCK, BARBARA	COONEY, DONALD	CORDOVA, KRIS	CORRIERE, JAMES

CORRIGAN, JENNIFER	COTTRELL, SHEILA	COWART, REBECCA	CRAIG, BRIAN
CORRIGAN, JENNIFER	COUCH, JUDITH	COWDEN, SHEILA	CRAIG, CAROL
CORRILL, ELZA	COUCH, SANDRA	COWEE, ALESSIA	CRAIG, DANA AND
CORRIS, JOSHUA D	COUCH, SANDRA	COWELL, DOLORES	EDWIN
CORRY, RONIT	COUEY, DENISE	COX, CW	CRAIG, DANA AND
CORTEZ, PABLO	COUEY, DENISE	COX, CW	EDWIN
CORTEZ-SABIA, CORAL	COUEY, DENISE	COX, CYNDI	CRAIG, DIANE
CORTIMILIA, UTA	COUGHLIN, DONNA	COX, FRED	CRAIG, GLORIA
CORUM, KAY	COUGHLIN, JACKI	COX, HOLLY	CRAIG, MAGDALENA
CORUM, WENDY	COUGHLIN, SALLY	COX, JERALYNN	CRAIG, MARGARET
CORYA, PHIL	COUGHLIN-MISURELLI,	COX, JOHN	CRAIG, MARY
COSCIA, JO	JUDE	COX, KATRINA	CRAIG, PATRICK
COSENTINO, DEBRA	COUILLEROT, FABRICE	COX, LANIE	CRAIG, RUTH LYNN
COSENTINO, LAURA	COULES, MICHAEL	COX, LANIE	CRAIGEN, JUNE
COSGRIFF, MARK	COULOURIS, FAY	COX, LINDA	CRAIL, PATRICIA
COSGROVE, JOHN	COULTER SEARER,	COX, LINDA	CRAIN, JULIA
COSS, SHELLEY	KIMBERLY	COX, MARY	CRAKER, NANCY
COSSETTINI, LISA	COULTER, DAVID	COX, NANJI	CRAMER, LINDA
COSSINS, SUE	COULTER, PATTY	COX, RACHEL	CRANDALL, ANALISA
COSTA, LYNN	COUMARIAN, ANDREA	COX, RACHEL	CRANDALL, ANALISA
COSTA, LYNN	COUNCIL, BARBARA	COX, RACHELLE	CRANDALL, ANALISA
COSTA, MICHAEL	NINA	COX, ROSALIE	CRANDALL, GARY
COSTA, WENDY	COUNCIL, RITA	COX, ROSALIE	CRANDALL, MARIE
COSTANZO, BETTY JO	COUNCIL, RITA	COX, ROSALIE	CRANE, BARBARA
COSTELLO, GARY	COUNTER, CAROL	COX, SAMUEL	CRANE, BOB
COSTELLO, JAMES	COUNTERMAN, JESSE	COX, SUSAN	CRANE, BRIAN
COSTELLO, JANE	COUNTRYMAN-MILLS,	COX, SUSAN	CRANE, GAIL
COSTELLO, JOHN	G.	COY, CAROL	CRANE, HOLLACE
COSTELLO, LANA	COUNTRYMAN-MILLS,	COY, CAROL	CRANE, JOLINDA
COSTI, STEPHANIE	G.	COYLE, DIANE	CRANE, JOLINDA
COSTLOW, ELIZABETH	COUNTRYMAN-MILLS,	COYLE, NORA	CRANE, JOLINDA
COSTLOW, ELIZABETH	GAYLE	COYLE, ROBERT	CRANE, KIMBERLY
COSTLOW, ELIZABETH	COURNEEN, JAMES	COYLE, SUE	CRANE, MANLEY
COSTOFF, SUE	COURSER, NELSON	COZ, ANN	CRANE, MARCELLA
COSTOFF, SUE	COURSER, NELSON	COZ, ANN	CRANE, MARGARET
COSTOLO, ELAINE	COURTAWAY, ROBBI	COZENS, LISA	CRANE, PHYLLIS
COSTON, CHARLES	COURTAWAY, ROBBI	COZZA, LAURRIE	CRANE, STEPHEN
COSTON, JOAN	COURTNEY, MS.	COZZA, LAURRIE	CRANE, SUSAN
COTA, NANCY	COURTS, GEORGEANN	COZZA, LAURRIE	CRANE, TRACI
COTE, BARBARA COTE	COUSIN, JEFF	COZZI, ALETHEA	CRANMER, CASSANDRA
COTE, DIANE	COUTURE, LINDA	COZZI, STEVEN	CRANMER, JULIA
COTE, DIANE	COUTURIER, JOHN	CRABTREE, CHAD	CRANMER, JULIA
COTHALIS, ELENA	COVARRUBIAS, ELISA	CRABTREE, SUMMER	CRANMER, JULIA
COTHAM, KEITH	COVELLO, CHRISSEY	CRABTREE, SUSAN	CRANMER, LENE
COTTEN, GERI	COVELLO, CHRISTINA	CRACCHIOLO, DANIEL	CRARY, ALEASA
COTTER, JOYCE	COVELLO, EMILY	CRACIUN, GEORGE	CRATTY, BRUCE
COTTER, JOYCE	COVERDALE, ELIZABETH	CRAFFEY, EILEEN	CRAVEN, MARLA
COTTER, JOYCE	COVERT, MARGARET	CRAFFORD, CHRIS	CRAWFORD, ANDRA
COTTER, MARY	COVEY, JOHN	CRAFT, ALICE	CRAWFORD, DANIEL
THERESA	COVEY, TIM	CRAFT, CATHY	CRAWFORD, DAVE
COTTER, NANCY L	COVILLE, BETSY	CRAFT, CATHY-JO	CRAWFORD, HOLLY
COTTERELL, KAREN	COVINGTON, LINDA	CRAFT, CORI	CRAWFORD, JASON
COTTINGHAM, ELSPETH	COVINO, ROBIN	CRAFT, JOE	CRAWFORD, JUDITH
COTTON, DAVID	COWAN, CHRISTINA	CRAFT, ROBIN	CRAWFORD, KAREN
COTTRELL, DAVID	COWAN, JAN	CRAGE, KRISTIN	CRAWFORD, L T
COTTRELL, DOROTHY	COWAN, JODI	CRAGE, KRISTIN	CRAWFORD, LANI
COTTRELL, KIM	COWAN, MARION	CRAGO, MARCELLE	CRAWFORD, MARIANNE
COTTRELL, RICO	COWAN, SCOTT	CRAIG, ANNE	CRAWFORD, MICHAEL

CRAWFORD, VALERIE	CROCKER, HOWARD	CROWLEY, JOYCE	CUNDIFF, MELANIE
CRAWFORD, WILLIAM	CROCKER, JEFFREY	CROWLEY, KATE	CUNEO, SHERRELL
CRAWFORD-POYNER, DEBORAH	CROCKER, KYLE	CROWLEY, KATE	CUNEO, SHERRELL
CRAWLEY, KEISHA	CROCKER, MARY	CROWLEY, LAWRENCE	CUNICO, AUDREY
CREA, BRITT	CROCKETT, GREGORY	CROWLEY, THERESE	CUNNINGHAM, ANN MARIE
CREASEY, AMANDA	CROCKETT, LANDIS	CROWLEY, TIM	CUNNINGHAM, ANNIE
CREBASE, JOYCE	CROCKETT, LANDIS	CROWN, JUDITH	CUNNINGHAM, BARB
CREEL-MARTINEZ, JIMMIE	CROCKETT, WANDA	CRUCHON, GWENDOLYN	CUNNINGHAM, BARBARA
CREGER, KELLY	CROFT, DIANNE	CRUICKSHANK, ELIZABETH	CUNNINGHAM, BRIN
CREGGER-MARSHALL, KATHERINE	CROMBIE, JOHN	CRUM, CATHY	CUNNINGHAM, BRIN
CREGGER-MARSHALL, KATHERINE	CROMEANS, THERESA	CRUM, DOYNE	CUNNINGHAM, BRIN
CREMIN, BERNIE	CROMWELL, LAWRENCE	CRUM, DOYNE	CUNNINGHAM, CASEY
CREMIN, GAYLA	CRONIN, ANDREW	CRUM-FREUND, LISA	CUNNINGHAM, JANETTE
CREMIN, GAYLA	CRONK, NANETTE	CRUM-FREUND, LISA	CUNNINGHAM, JASON
CREPEAU, LINDA	CROOKS, CHRIS	CRUMM, MARK	CUNNINGHAM, JENNIFER
CREPEAU, PATRICIA	CROOKS, CHRIS	CRUMM, MARK	CUNNINGHAM, LYNDA
CRESCENZO, JANINE	CROOKS, DEBORAH	CRUMP, DONNIS	CUNNINGHAM, MARY
CRESCIONE, HOPE	CROOKS, LAURIE	CRUMP, JENNIFER	CUNNINGHAM, MAUREEN
CRESKO, IVANKA	CROOM, LINDSAY	CRUMP-DOYLE, DEBORAH	CUNNINGHAM, RAY
CRESPO, DAVID	CROOMS, SANDY	CRUZ, CAROLYN	CUNNINGHAM, RAY
CRESS, FAYE	CROOMS, SANDY	CRUZ, DAVID	CUNNINGHAM, RAY
CRESSEVEUR, JESSICA	CROPPER, CHRISTOPHER	CRUZ, DENISE	CUNNINGHAM, RICHARD
CRESSMAN, LAURIE	CROSBY, JOHN	CRUZ, MARIAN	CUNNINGHAM, SUSAN
CRESSWELL, KEVIN	CROSS TEDESCO, BARBARA	CRUZ, MARIAN	CUPRIKS, JOSH
CRESWELL, RICHARD	CROSS, ADNEY	CRUZ, RICARDO	CUPRIKS, JOSH
CRESWELL, RICHARD	CROSS, DANIELLE	CRYER-PHILLIPS, APRIL	CUPRIKS, JOSH
CRESWELL, RICHARD	CROSS, DAVE AND RITA	CRYSTAL, LAKOTA	CUPSA, FLORINA
CREW, AMY	CROSS, DAVE AND RITA	CUADRADO, LOLA	CURCI, DEBRA
CRIBBINS, JUDY	CROSS, DAVE	CUBEIRO, LISA	CURCI, DEBRA
CRIBLEY, DIANE	CROSS, DAVE AND RITA	CUCOLO, KRISTIN	CURCI, DEBRA
CRICHTON, C	CROSS, DEBRA CROSS	CUCURILLO, MARIA	CURCI, DEBRA
CRICHTON, KAT	CROSS, KATHIE	CUDSKO, PATRICIA	CURIA, PETER
CRICHTON, KAT	CROSS, KATHRYN	CUELLAR, ELIZABETH	CURLAND, JIM
CRIDER, NANCY	CROSS, KIM	CUELLAR, ELIZABETH	CURLEY, JUNE
CRIDER, NANCY	CROSS, RITA	CUFF, KERMIT	CURNOW, CONNIE
CRIDER, NANCY	CROSS, RUSS	CUFFARI, JO	CURNOW, CONNIE
CRIDER, NANCY	CROSS, SONIA NOEMI	CUFFE, MARY	CUROTTO, JOHN
CRIDER, NANCY	CROSS, SONIA NOEMI	CULBERT, LAURETTE	CUROW, FRED AND JUDY
CRIDER, NANCY	CROSS, SUSAN	CULLEN, KATHRYN	CURPENSKI, CAROL
CRIDER, NANCY	CROSS, TSHY	CULLER, LINDA	CURRAH, NANCY
CRIE, DENISE	CROSSMAN, DONNA	CULLINAN, MEGAN	CURRAH, NANCY
CRIMI, MARIA	CROTHERS, THOMAS	CULMORE, MATTHEW	CURRAN, ANN
CRISAFULLI, ALEXANDRA	CROTSEY MD, CONLETH M. C.	CULP, KRISTIN	CURRAN, ERIN
CRISMAN, KEVIN	CROUCH, ERIC	CUMINE, SALLY	CURRAN, FRED
CRISSMAN, FRANCES	CROUCH, JULIANA	CUMINGS, ELINORE	CURRAN, GAVIN
CRISTAN, DANIELA	CROUCH, PAUL	CUMMINGS, GERALD	CURRIE, JACKIE
CRISTOBAL, JOSEPHINE	CROUSE, LORIE	CUMMINGS, JACOB	CURRIE, JANICE
CRITCHLOW, LISA	CROUSE-HAAS, PAMELA	CUMMINGS, JACOB	CURRIE, JERRY AND TERRI
CRITSER, JACKIE	CROW, CAROLYN	CUMMINGS, LINDA	CURRY, KAREN
CRITSER, JACKIE	CROWDER, BOBBI	CUMMINGS, LINDA	CURRY, DENISE
CRITZ, CATHERINE	CROWDER, REBECCA	CUMMINGS, LORETTA	CURRY, DENNIS
CROASDALE, KATHLENE	CROWE, EDIE	CUMMINGS, PAULA	
CROCENZI, ELISA	CROWE, EDITH	CUMMINGS, SHELAGH	
	CROWELL, MARGARITA	CUMMINGS, TERRENCE	
	CROWLEY, JADE	CUMMINS, MILLA L	

CURRY, DONNA J	D, LYN	DALE, ROMAN	DANIEL, KIAN
CURRY, DONNA J	D, LYN	DALE-HARGRAVES,	DANIEL, KIAN
CURRY, MARY	D, LYN	DIANA	DANIELCZYK, MATTHEW
CURRY, PHILIP	D, N	DALESSANDRO,	DANIELL, DAVID
CURRY, PHILIP	D., GLORIA	CYNTHIA	DANIELS, BILL
CURRY, SONYA	D., LAURA	DALESSANDRO,	DANIELS, CICELY
CURTIN, JUDI	D., LAURA	CYNTHIA	DANIELS, DARLENE
CURTIS, CATHY	DAAB, ANTOINETTE	D'ALESSANDRO, KEITH	DANIELS, ELLEN
CURTIS, COLLEEN	DABANIAN, KATHY	DALEY, ELAINE	DANIELS, ELLIOT
CURTIS, ERICA	DABANIAN, KATHY	DALEY, PAULA	DANIELS, ELLIOT
CURTIS, JAMES	DABNEY, DONNA	DALEY, PAULA	DANIELS, ERIC
CURTIS, JANET	DABROWSKI, CLEMENS	DALEY, PAULA	DANIELS, LISA
CURTIS, MARIE	DABROWSKI, IZABELLA	DALEY, PAULA	DANIELS, LYNDA
CURTIS, MARNELLE	DABROWSKI, MARCIA	DALINOWSKI, M.	DANIELS, MICHELLE
CURTIS, WILLIAM	DABROWSKI, MARÍA	KIMBERLY	DANIELS, MICHELLE
CURTISS, FRANCIE	DACOSTA, VIRGINIA	DALINOWSKI, M.	DANIELS, SHANNON
CURTRIGHT, SHARI	DACUS, CHRIS	KIMBERLY	DANIELSON, LORI
CUSELLA, CHERYL	DACUS, CHRIS	D'ALISERA, LAURA	DANIELSON, THAD
CUSHARD, COURTNEY	DADGARI, JOSEPH	DALKE, BLAINE	DANILAK, EVA
CUSHING, MICHAEL	DADOURIAN, ELISE	DALLA, JOHN	DANILEVSKY, TONI
CUSHMAN, DEBORAH	DADURKA, CAROLE	DALLA, JOHN	DANKO, DARLENE
CUTCHER, JAMES	DAEDALUS, LEO	DALLIN, ERIC	DANKO, PATRICIA
CUTHBERTSON,	DAGATI, DORIAN	DALLIN, ERIC	DANN, KAREN
WILLIAM	DAGEN, SARAH ROSE	DALLIN, ERIC	DANNA, MARIE
CUTLER, BARRY	DAGHER, CARRIE	DALOIA, LISA	DANNA, MARIE
CUTLER, BARRY	DAGUE, BARBARA	DALOIA, LISA	DANNA, MARIE
CUTLER, DR ROBIN S	DAHL, ELIZABETH	DALPE, ERIN	D'ANNA, MARIE
CUTLER, KEITH	DAHL, JILL	DALPINO, IDAJANE	D'ANNA, ROBIN
CUTLER, KEITH	DAHL, VICTORIA	DALTON, BRIAN	DANNELLY, SUSAN
CUTTLER, ELAINE	DAHLGREN, DEBORAH	DALTON, LEE	DANNER LENTZ, EVE
CUTTLER, ELAINE	DAHLGREN, MR.	DALTON, MARY ANN	DANNHAUSER, JANICE
CUTTLER, ELAINE	SHELLEY	DALTON, SUZANNE	DANNHAUSER, JANICE
CUTTS, BILL	DAHLINGER, MARTHA	DALY, CHARLES	DANNIES, PRISCILLA
CUTTS, BRUCE	DAHLINGER	DALY, DORREEN	DANOS, MONIKA
CYBULSKI, STEPHANIE	DAHLMAN, DIANA	DALY, DORREEN	DANOS, TERI
CYMA, DEB	DAHLMAN, JILL	DALY, LINDA	DANOWSKI, K
CYPHER, STEVEN	DAHLSTROM, MICHAEL	DALY, SUSAN	DANOWSKI, K
CYPHERS, PEGGY	DAHMAN, ANN	DAMIANOS, LYNNE	DANOWSKI, K
CYR, ANETTE	DAHMER, ANDREA	DAMIN, SARAJANE	DANOWSKI, K
CYR, BEVERLY	DAIBER, JO	DAMM, EMILY	DANSIE, KARINA
CZAJKOWSKI, GREGORY	DAIDONE, SUSAN	DAMON, BETHANY	DANSIE, KARINA
CZASTER, GINO	DAIGLER, LYNN	DAMON, RHEA	DANTE, AMY
CZASTER, GINO	DAIL, MICHELLE	D'AMOUR, JAMES	D'ANTONIO, LISA
CZECHOWSKI, ALICIA	DAILEY, BARBARA	DAMRON, SUSAN	DANTUONO, DONNA
CZERLANIS, JOLANTA	DAILEY, CHRISTY	DAMRON, SUSAN Q	DANZIG, PAMELA
CZICHOS-SLAUGHTER,	DAILEY, JOAN DAILEY	DANAN, CYNTHIA	DANZKER, GREGORY
ROMONA	DAILEY, LAURA	DANAN, CYNTHIA	DAPORE, WENDY
CZICK, MAUREEN	DAILEY, LAURA	DANCAK, KEN	DAPRA, VERA
D, DANIEL	DAILEY, SANDRA	DANCER, TIFFANY	DARANSKY-KANTER,
D, GLORIA	DAILY, DIANE	DANCINGWOLF,	MARIANNE
D, GLORIA	DAILY, DIANE	KARLENE	DARANSKY-KANTER,
D, LLL	DAIN, HOLLY	DANDELES, DEBRA	MARIANNE
D, LLL	DAIRIKI, JANIS	DANDER, KATHERINE	DARANSKY-KANTER,
D, LLL	DAKOTA, JEAN	DANDER, KATHERINE	MARIANNE
D, LYN	DAL CERO, MARIANNE	DANE, AASE	DARBRO, MICHELLE
D, LYN	DALE, BYRON	DANE, DOROTHY	DARBY, CHAN
D, LYN	DALE, KAREN	DANE, WILLIAM	DARBY, CHAN
D, LYN	DALE, REBECCA	DANGLE, PATRICIA	DARBY, CHAN

D'ARCO, LAWRENCE	DAVIDSON, M	DAVIS, JOHN R	DAY, D.
D'ARCO, LAWRENCE	DAVIDSON, NORA	DAVIS, JON	DAY, DENISE
D'ARCO, LAWRENCE	DAVIDSON, NORA	DAVIS, JUDY	DAY, JAMES
DARDARIAN, JESSICA	DAVIDSON, NORA	DAVIS, KIM	DAY, JOHN
DARE, CHERYL	DAVIDSON, SARAH	DAVIS, KIM	DAY, JULIA
DARGA, BEVERLY	DAVIDSON, TERI	DAVIS, LINDA	DAY, KATHY
DARIA, LYNETTE	DAVIDSON, TERI	DAVIS, MARIE	DAY, LESLIE
DARISH, SUSAN	DAVIDSON, TERI	DAVIS, MARK	DAY, MARY
DARLAND, CHERI	DAVIE, STEPHEN	DAVIS, MARK	DAY, NEIL
DARLING, DEANN	DAVIES, CHARLENE	DAVIS, MARK	DAY, PETER
DARLING, DEANN	DAVIES, CHRISTOPHER	DAVIS, MARK	DAY, STEPHEN
DARLING, DEANN	DAVIES, DOREEN	DAVIS, MARY	DAY, SUSAN
DARLING, RACHEL	DAVIES, JERRY	DAVIS, MATTHEW	DAYE, MARVA
DARLINGTON, ALYSSA	DAVIES, KARIN	DAVIS, MELISSA	DAYRE, JOEL
DARLINGTON, BETH	DAVIES, LAURA	DAVIS, MICHELLE	DAYTON, R.A.
DARLINGTON, KIMBLE	DAVIES, MORGAN	DAVIS, MIKE	DC, ANDREA
DAROCHA, IVONE	DAVIES, SCOTT	DAVIS, PAUL	DE ARTEAGA, JOSE
DARRAH, KATHLEEN	DAVIES, SHARON	DAVIS, PAUL	DE ARTEAGA, JOSE
DART, WENDY	DAVIES, STEVEN	DAVIS, PAUL	DE BACA, SYLVIA
DASS, CAROL	DAVIES, STEVEN	DAVIS, PAUL	DE BECK, ROBERT
DATE, ALISON	DAVINE, JILL	DAVIS, RAMONA	DE BONA, GETTY
DATE, ALISON	DAVIS, A	DAVIS, REBECCA	DE BUCK, FRANCYNE
DATNOW, CLAIRE	DAVIS, ABIGAIL	DAVIS, RICHARD	DE CARLO, PHILIP
DATTARO, JUDITH	DAVIS, ABIGAIL	DAVIS, RICKY	DE CAROLIS, YVONNE
DATTISMAN, WILLIAM	DAVIS, ASHLEE	DAVIS, ROBIN	DE CECCO, JORGE
DAUBERMAN, ANITA	DAVIS, CANDACE	DAVIS, ROD	DE COSTER, DONNA
DAUGHDRILL, ANNETTE	DAVIS, CARLA	DAVIS, SANDRA	DE FARIA, ELISA O
DAUGHERTY, ELIZABETH	DAVIS, CHERYL	DAVIS, SCHEREE	DE FORGES, IRENE
N	DAVIS, CHRISTINA	DAVIS, SHARREN	DE FRANCIS, PATRICIA
DAUGHERTY, IRIS	DAVIS, CINDY	DAVIS, SHERRY	DE GAMA, FRANCISCO
DAUGHERTY, SHARON	DAVIS, DEBBIE	DAVIS, SHIRLEY	DE GRANDPRÉ,
DAUGHETY, RAY	DAVIS, DEBBIE	DAVIS, SHONNA	CHANTAL
DAUMAS, ROSSANA	DAVIS, DEBRA	DAVIS, SOFIE	DE HART, CAROL
DAUPHINEE, INGA	DAVIS, DIANA	DAVIS, STEVEN C.	DE HEUS, CERELDA
DAVEE, HEIDI	DAVIS, DIANNE	DAVIS, SUSAN	DE JASU, BARRY
DAVENPORT, CINDY	DAVIS, E MYLES	DAVIS, SUSAN	DE LA CASA, DANIEL
DAVENPORT, DONNA	DAVIS, ED	DAVIS, TIMOTHY	DE LA CUESTA, KAREN
DAVENPORT, JUNE	DAVIS, ELIZABETH	DAVIS, VIRGINIA	DE LA GARZA UND
DAVENPORT, JUNE	DAVIS, ELIZABETH	DAVIS, WENDY	SENKEL, PATRICK
DAVENPORT, MARY	DAVIS, ELLEN	DAVIS, WILLIAM	DE LA GIRODAY,
BETH	DAVIS, ERIC	DAVISON, D	FRANCOIS
DAVENPORT, PATRICIA	DAVIS, FRED	DAVISON, HEIDI	DE LA ROSA, RAUL
DAVENPORT, PATRICIA	DAVIS, GAIL	DAVISON, WAYNE	DE LA ROSA-YOUNG,
DAVENPORT, RITA	DAVIS, GARY	DAVIS-WARNER,	MARIA
DAVID, CONNIE	DAVIS, GARY	FLORENCE	DE LEON, AMANDA
DAVID, LINDA	DAVIS, GARY	DAVYDOVA, MALKA	DE LUCA, ANTOINETTE
DAVID, SHAWN	DAVIS, GWEN	DAWES, MARTA	DE MIRJIAN, CAROLYN
DAVIDGE, GEOFFREY	DAVIS, HARRY	DAWID, ANNIE	DE MIRJIAN, CAROLYN
DAVIDSEN, JUDITH	DAVIS, HEIDI	DAWLEY, SANDRA	DE MIRJIAN, CAROLYN
DAVIDSON, AMBER	DAVIS, IAN	DAWLEY, THOMAS	DE MIRJIAN, CAROLYN
DAVIDSON, ANNIE	DAVIS, J	DAWSON, ADELE	DE NIJS, SACHA
DAVIDSON, CLIFFORD	DAVIS, JAMES	DAWSON, JAMES	DE NOLF, SUSAN
DAVIDSON, GEORGE	DAVIS, JAN	DAWSON, JAMES	DE PASQUALE, CHERIE
DAVIDSON, JACQUELINE	DAVIS, JANE	DAWSON, SHAWN	DE REGIL, ÁLVARO JOSÉ
DAVIDSON, JANE	DAVIS, JANET	DAX, SUSAN	DE ROSE, MARJORIE
DAVIDSON, JOCELYNE	DAVIS, JANET	DAY, BERNICE	DE ROSE, MARJORIE
DAVIDSON, KAREN	DAVIS, JENNILOU	DAY, BERNICE	DE SART, MARCI
DAVIDSON, LINDA	DAVIS, JENNILOU	DAY, CHRISTOPHER	DE STEFANO, DENISE

DE STEFANO, RON	DECARLO, LAUREN	DEGUTIS, PATRICIA	DELGADO-QUEIROLO, VERONICA
DE STEFANO, VINCENT	DECEMBRINO, DIANA	DEHART, JOANNE	DELGER, MARY
DE VENGOECHEA RUDD, HELENA	DECHAVES, BERNICE	DEIBLER, NEENA	DELGIUDICE, BARBARA
DE WARREN, MONIQUE	DECICCIO, ROBYN	DEICH, RACHEL	DELGIUDICE, BARBARA
DE WARREN, MONIQUE	DECIE, KEVIN	DEICHMEISTER, BETSY	DELIA, MARY
DE YO, DAN	DECK, MELANIE	DEIKE, ALEXA	DELIANEDIS, SUZANNE
DE, DEB	DECK, ROBERT	DEIKE, LENA	DELISI, CECE
DEAL, BRANDIE	DECKARD, JACK	DEINES, SANDY	DELISI, DONNA
DEAL, BRANDIE	DECKER, ALLEN T.	DEISINGER-BREW, JO	DELLAPENNA, MIKE
DEAL, TIFFANY	DECKER, CANDACE	DEISINGER-BREW, JO	DELLARIA, LINDA
DEAL, TIFFANY	DECKER, JEROME	DEISINGER-BREW, JO	DELLAROMAN, MOLLY
DEAL, TIFFANY	DECKER, LINDA	DEISINGER-BREW, JO	DELLES, SUSAN
DEAL-TYNE, SHERI	DECKER, ROBIN	DEITCH, MITZI	DELLO BUONO, CARMEN JOSEPH
DEAN, DANIEL	DECKER, SCARLET	DEITZEL, LINDA	DELMOLINO, RENZO
DEAN, JOHNATHAN	DECKERT, CECILIA	DEJAEGER, SUSAN	DELOACH, CADEN
DEAN, JUDY	DECKERT, JENNIFER	DEJOHN, TRAVIS	DELOACH, DEE
DEAN, RAYLINE	DECKMAN, MARY	DEL GROSSO, ABIGAIL	DELOFF, D.
DEAN, RAYLINE	DECONGE, DANIELLE	DEL MONICO, ANNELIESE	DELOFF, D. F.
DEAN, SANDRA	DECRESCENTIS, CAROL	DEL NEGRO, SUSAN	DELOIA, JENNIFER
DEAN, SARAH	DECRISTOFARO, JEFFREY	DEL PRATO, PIERRE	DELOME, HELEN
DEAN, SHAYNE	DECRISTOFARO, JEFFREY	DEL PRETE, LUCIA	DELONG, JONAE
DEAN, SHIRLEY	DEDDY, JOHN	DEL PRIORE, NICOLE	DELONG, JONAE
DEAN, TAMARA	DEDDY, JOHN	DEL SOLAR, RAUL	DELORENZO, ANDI
DEAN, TIMOTHY	DEDDY, JOHN	DEL VECCHIO, DANIEL	DELORENZO, ANDI
DEANGELIS, IRENE	DEDDY, JOHN	DELA GARZA, LAAKE	DELORENZO, NOELLE
DEAR, J	DEDDY, JOHN	DELAGARZA, BLANCA	DELOYE, MICHAEL
DEARBORN, CAROL	DEDERER, MARY	DELAHOUSSAYE, SALLIE	DELOZIER, ANGIE C.
DEARDEN, JULIA	DEE, MIKE	DELAHOUSSAYE, SALLIE	DELUCA, JUNE
DEARING, WENDY	DEE, MIKE	DELAHOUSSAYE, SALLIE	DELUCA, KRISTIN
DEATS, LIN	DEE, WILL	DELAHOUSSAYE, SALLIE	DELUCA, MILVA
DEBACKER, SUSAN	DEEMS, ROBERT M	DELAMATER, ADAIR	DELUCA, PATRICIA
DEBELL, CAROL	DEERLYJOHNSON, SUZANNE	DELANEY, GEORGE	DELUCA, PATRICIA
DEBELL, CAROL	DEETZ, TOM	DELANEY, JANET	DELUCA, PATRICIA
DEBIASE, ANTHONY	DEETZ, TOM	DELANEY, JANET	DELUCA, PATRICIA
DEBING, THERESE	DEF, ABC	DELANEY, JANET	DELUCA, PATRICIA
DEBING, THERESE	DEF, ABC	DELANEY, LINDA	DELUCA, PATRICIA
DEBLER, CRAIG	DEF, ABC	DELANEY, LINDA	DELUCA, THERESA
DEBOER, NATALIE	DEFAZIO, HEATHER	DELANEY, PAT	DELUCAS, KATHLEEN
DEBOER, NATALIE	DEFELICE, JOANNA	DELANEY, TERESA	DELUNA, JOANN
DEBOER, NATALIE	DEFELICE, PAULA	DELANEY, WALTER	DELVALLE, LANCE
DEBOER, NATALIE	DEFILIPPO, LYNN	DELAPAZ, CRYSTAL	DELVECCHIO, ALLISON
DEBOLT, ANN	DEFILLIPO, GRACE	DELAY, DOMINIQUE	DELVINO, ELAINA A
DEBON, GETTY	DEFILLIPO, GRACE	DELCAMBRE, JO ANN	DEMARAI, JACKIE
DEBONA, GETTY	DEFILLIPO, GRACE	DELEGAL, BUDDY	DEMARAI, JACKIE
DEBONA, GETTY	DEFINA, BRIAN	DELEHANTY, ALEX	DEMAREE, SUSAN
DEBONA, GETTY	DEFINA, BRIAN	DELEO, JACKIE	DEMARI, SARA
DEBOSSU, STEPHANIE	DEFOE, MARTHA	DELEONA, LEYENDA	DEMARI, SARA
DEBRAAL, KAREN	DEFRANCESCO, YVONNE	DELGADO, BARBARA	DEMARS, BRIAN
DEBRAAL, KAREN	DEGAGNE, MARY	DELGADO, JOHN F	DEMARS, LOUIS
DEBROSKY, DENNIS	DEGENNARO, MARY	DELGADO, ROXANNE	DEMARTIN, RENEE
DEBROWN, DEBORAH	DEGNAN, NANCY	DELGADO-LIBRERO, MARIA-CELESTE	DEMARTINO, JOYCE
DEBROWN, DEBORAH	DEGNER, JAMES	DELGADO-LIBRERO, MARIA-CELESTE	DEMARTINO, JOYCE
DEBROWN, DEBORAH	DEGOLIER, LELAND	DELGADO-LIBRERO, MARIA-CELESTE	DEMBSKI, STEPHANIE
DEBRYNE, TRISTINE	DEGRAND, DIANE	DELGADO-LIBRERO, MARIA-CELESTE	DEMEIS, LUCILLE
DÉCAMP, LIANE	DE-GRIMALDI, JEAN-CLAUDE	DELGADO-LIBRERO, MARIA-CELESTE	DEMENA, DORINE
DECAPIA, ANDREA	DEGUTIS, PATRICIA		DEMENA, DORINE
DECARLE, MARILYN			DEMENT, LINDA

DEMERS, KERRY	DEPPONG, GENEVIEVE	DETCHESSAHAR,	DEWITT, MICHAELLE
DEMETER, BARBARA	DEPREY, MARY	CATHERINE	DEWITT, MICHAELLE
DEMING, LAURA	DEPRIEST, CYNTHIA	DETERS, RON	DEWOLFE, PAT
DEMIROVSKI, AGIM	DEPRIEST, PATRICIA	DETORE, RENEE	DEYSHER, ANNE
DEMMON, CHERYL	DEPRIEST, WILLIAM	DETTMER, ANITA	DEZOTELLE, LINDA
DEMMON, CHERYL	DEPTULA, CATHY	DETTMER, ANN	DHABOLT, DIANA
DEMOREST, JAN	DEPTULA, CATHY	DETWELER, JENNIFER	DHONDUP, LOBSANG
DEMOTT, MARGARET	DER, L	DETWILER, RESTA	DI BENEDETTO,
DEMPSEY, KELLEY	DERAN, JS	DEUTER, KARLA	RAINBOW
DEMPSEY, MELINDA	DERESPIRIS, CHRISTINA	DEUTSCH, ALICE	DI BIASE, JOHN
DEMPSEY, REBECCA	DERESPIRIS, CHRISTINA	DEVAL, JEANNE	DI GIOVANNI-NORTON,
DEMPSEY, ROBERTA	DERESPIRIS, CHRISTINA	DEVANE, LESLIE	ROSEMARIE
DEMPSEY, SUZANNE	DERESPIRIS, CHRISTINA	DEVENEAU, JACQUI	DI LABIO, GENA
DEMPSTER, REBECCA	DEREZOTES, TAMI	DEVENS, ELISSA	DI LEO, PATSY
DEMSEY, LINDA	DERICCO, ALICIA	DEVERS, THOMAS	DI NICOLA, AJ
DEMSKI, EILEEN	DERKSEN, MICHELE	DEVEY, JENNIFER	DI RUSSO, DONALD
DEMUSIS, MICHELE	DEROCKER, DAVID	DEVEY, JENNIFER	DI SANZA, JOSEPH
DEMUTH, ROBERT	DEROGATIS, DANA	DEVILLE, LISA	DIACHUN, KIM
DENBO, NANCY	DEROME, DANIELLE	DEVINE, CHRISTOPHER	DIAKAKIS, JEN
DENDY, SARAH	DEROSE, JEN	DEVINE, J	DIAKAKIS, JEN
DENEVE, ROSE	DEROUEN, DENISE	DEVINE, KARLA	DIAMOND, J
DENGLER, SHERYL	DERR, WESLEY	DEVINE, KARLA	DIAMOND, LESLIE
DENHAM, JESSICA	DERRINGH, HELENA	DEVINE, LEE	DIAMOND, STEPHEN
DENIFLEE, MARY BETH	DERROUGH, PATRICIA	DEVINE, PATRICIA	DIAMOND, WILLIAM
DENIKE, SUSAN	DERRY, BILL	DEVINE-MILBOURNE,	DIAN, LISA
DENIS, LAURIE	DERWENT, KIMBERLY	LESLIE	DIANA, DEBORAH
DENISON-KLUN,	DESAI, KRUNAL	DEVINNEY, CLAUDIA	DIAZ, ALDEMAR
SHAWNE	DESAI, PREETI	DEVIVERO, CHRISTIAN	DIAZ, FELIPE
DENISSEN, PAULA	DESALVATORE, SUZEN	DEVIVERO, MICHELE	DIAZ, KEVIN
DENK, BRIAN	DESART, MARCI	DEVLIN III, CORNELIUS	DIAZ, KIMBERLY
DENK, BRIAN	DESECKI, NANCY	DEVLIN III, CORNELIUS	DIAZ, MARIA ELENA
DENNENBERG, DANI	DESECKI, NANCY	DEVLIN, FELICITY	DIAZ, MIRIAM
DENNEY, JERROLD	DESECKI, NANCY	DEVLIN, MICHAEL	DIAZ, PATRICIA
DENNING, BRUCE AND	DESHANE, DANIEL	DEVLIN, SUSAN	DIAZ, SUSAN
CAROL	DESHOTEL, SHELLEY	DEVOS, DAVID	DIAZ, SUSAN
DENNING, DORI	DESHOTEL, SHELLEY	DEVOS, LYNN	DIAZ, YELINA
DENNIS, MARIANNE	DESILVA, SHERYL	DEVOSS, CAROL	DIBBEN, MARTYN
DENNIS, MARILYN	DESIMONE, DEBORAH	DEVRIES, ANNE	DIBBEN, MARY
DENNIS, NIKKI	DESIMONE, JOHN	DEVRIES, HEATHER	DIBBLE, SALLY
DENNIS, ROBIN	DESJARDINS, DONNA	DEVRIES, KATHRYN	DIBENEDETTO, RICHARD
DENNIS, STEVE C.	DESMARAIS, LAURI	DEVROEDT, CARY	DIBERNARDO, DIANE
DENNISON, CAROLYN	DESMEDT, CAROLE	DEVROEDT, CARY	DIBLANCA, JOSEPH-
DENNISON, CHERYL	DESMEDT, CAROLE	DEVROEDT, CARY	LYNN
DENNISON, JONI	DESMEULES, ELLEN	DEWALD, CAROL	DIBRELL, SAM
DENNISON, MARSHA	DESMOND, JEANETTE	DEWALD, CAROL	DICAPRIO, MIA
DENNY, MAHI	DESMOND, LAURA	DEWALD, CAROL	DICARLO, CINDY
DENSING, LINDSEY	DESMOND, REBECCA	DEWALD, CAROL	DICE, ALISON
DENSON, ROGER	DESMOND, SHEILA	DEWALT, LINDA	DICECCO, TARA
DENSON, SHERRIE	DESORMEAUX,	DEWAR, JUDY	DICECCO, TARA
DENTAN, ROBERT	VALORES	DEWEES, KATHRYN	DICK, LORI
DENTON, ALEXIS	DESREUISSEAU, JUDY	DEWEES, KATHRYN	DICKENSON, MARIE
DENTON, APRIL B.	DESROBERTS, KEVIN	DEWENTER, DAVID	DICKERMAN, ELIAS AND
DENTON, CAROLYN	DESROSISIERS, DONNA	DEWEY, DEBBIE	WENDY
DENTON, GREGORY	DESROSISIERS, DONNA	DEWHURST, MYRA	DICKERMAN, ELIAS AND
DEORIO, SHERI	DESROSISIERS, DONNA	DEWIT, BRIAN	WENDY
DEPALMA, CAROLANN	DESRUISSEAU, ELLEN	DEWITT, ANN	DICKERSON, JOAN
DEPAOLA, ANDREA	DESTEFANO, JOEL	DEWITT, ANN	DICKERSON, MARY
DEPEW, SUSAN	DESVERGNES, HOLLY	DEWITT, LINDA	DICKERSON, SUSAN

DICKEY, LAURA	DIGIULIO, ARIEL	DIONNE, LORETTA	DOBROSLAWA, DOBI
DICKEY, MARY	DIGNAZIO, TERI	DIPAOLA, JOHN	DOBROVOLNY, SHARON
DICKEY, MICHAEL	DIGNAZIO, TERI	DIPAOLA, JOHN	DOBROVOLNY, SHARON
DICKHOFF, LYNN	DILBERT, JOEL	DIPIRRO, JEAN	DOBRZANSKI, IRENE
DICKINSON, AMANDA	DILBERT, JOEL	DIPRIMA, ADRIENNE	DOBSKI, DEBORAH
DICKINSON, AMANDA	DILDINE, CHRIS	DIRIENZO, LAUREN	DOBSON, ED
DICKINSON, AMANDA	DILEANIS, SUE	DIRKS, GARY	DOBSON, LINDA
DICKINSON, MARCIA	DILL, REBECCA	DISALVO, CATHERINE	DOBSON, PATRICIA
DICKINSON, NORMAN	DILLABOUGH, DIANE	DISCENZA, REGINA	DOBSON, SUSAN
DICKINSON, VIRGINIA	DILLARD, NANCY	DISCEPOLA, LOUIS	DOCTOR, KATHLEEN
DICKINSON-ADAMS, EMILY	DILLER, SUSAN	DISHION, CATHERINE	DOCTOR, KATHLEEN
DICKLER, DENEEN	DILLINGHAM, CYNTHIA	DISHMAN, PATRICIA	DODD, MARY JANE
DICKS, GEORGE	DILLMAN, EDWARD	DISHMAN, PATRICIA	DODDS, KATHRIN
DICKSON LOOM, SHARON	DILLMAN, SUSAN	DISHMAN, PATRICIA	DODGE, DEBBIE
DICKSON, CAROLYN	DILLMANN, GEORGE	DISHONGH, SUE	DODGE, DEBORAH
DICKSON, CAROLYN	DILLMANN, GEORGE	DISS, MARYBETH	DODSON, BETTY
DICKSON, SUZANNE	DILLON, CHRISTI	DISTASO, CRYSTAL	DODSON, CYNTHIA
DICKSTEIN, STEPHEN	DILLON, ELLEN	DITIERI, KAREN	DODSON, DAPHNE
DICOSTE, PATRICIA	DILLON, ERROL	DITIERI, KAREN	DOEBKE, JUDITH
DIDONATO, CINDY	DILLON, HOWARD	DITIERI, LAWRENCE	DOEBKE, JUDITH
DIEBOLD, ROBERT	DILLON, JACKIE	DITIERI, LAWRENCE	DOEDEN, SUSAN
DIEDERICHS, KAREN	DILLON, JULIE	DITIERI, MARCIA	DOERING, ANNE
DIEFENBACH, ROBERT	DILLOW, JANINA	DITIERI, MARCIA	DOERING, CHRISTINE
DIEGELMAN, MARGARET	DILLOW, JANINA	DITOCOCO, LORETTA	DOERING, CHRISTINE
DIEHL, CHERYL	DILLOW, JANINA	DITTEMORE, KATHRYN	DOERING, DAVID
DIEHL, OLLIE	DILLOW, JANINA	DITTMANN, JOHN	DOERKSEN, JUDITH
DIEM, CHRISTOPHER	DILLOW, JANINA	DIVITO, GINA	DOERNER, CRAIG
DIER, MIRIAM	DILLOW, JANINA	DIX, WILLIAM	DOERR, SOPHIE
DIERINGER, IRINI	DILS, LAURIE	DIXON, ANGIE	DOHERTY, ADRIENNE
DIERINGER, MELANIE	DIMAGGIO, JULIE	DIXON, BARTON	DOHERTY, JAMIE
DIERNISSE, CONNIE	DIMARCO, JENNIFER	DIXON, BRENDA	DOHERTY, LINDA
DIETER, JEFF	DIMASSA, MARIE	DIXON, DAPHNE	DOHERTY, MEAGHAN
DIETERICH, JOHN	DIMAURO, JOANNE	DIXON, DONALD	DOHERTY, MEAGHAN
DIETERICH-HUGHES, SANDRA	DIMAURO, SUSAN	DIXON, MARIE	DOHERTY, MICHAEL
DIETRICH, JANE	DIMEO, ROCCO	DIXON, SARAH	DOHERTY, NIA
DIETRICH, KURT	DIMICELI, CRYSTAL	DLIMA, ANNIE	DOHERTY, PETER
DIETRICH, ROBERT	DIMICELI, CRYSTAL	DLUGOSZ, JANICE	DOHNE, DEBORAH
DIETZ, KERRY	DIMICHELE ROGERS, BONNIE	DMUKAUSKAS, BARBARA	DOHRMANN, PAUL
DIETZ, KERRY	DIMLER, JEAN	DOAK, JANA	DOING, PATRICIA
DIETZ, KERRY	DIMMICK, DIANE	DOANE, MARY	DOIRON, SHERRI
DIETZ, STEVE	DIMMICK, LYNN	DOANE, MARY	DOLAN, CHUCK
DIETZMANN, CYNTHIA	DIMOIA, SUE	DOAS, JOANIE	DOLAN, MIKE
DIFFIN, WILLIAM	DIMON, DANIEL	DOBBS, JOE	DOLAN, STEVEN
DIFRANCESCO, STEPHANIE	DIN, CAROL	DOBBS, MARIA	DOLAN, TIM
DIGEL, DEIDRE	DIN, CAROL	DOBBYN, DOROTHY	DOLBY, ROXANNE
DIGGLE, GLORIA	DINARDO, DAWN	DOBBYN, DOROTHY	DOLCE, JO
DIGGLE, GLORIA	DINATALE, DINI	DOBENS, LYNDA	DOLD, BOB
DIGGLE, GLORIA	DINEEN, CHARLES	DOBER, SHEILA	DOLENIAK, STEPHANIE
DIGGLE, GLORIA	DINER, RANDY	DOBESH, DONALD	DOLGIN, GARY W.
DIGIACOMO, ALEX	DINGEMAN, CHRISTINE	DOBIEL, MICHAEL	DOLIN, RENATE
DIGIALLONARDO, GINA	DINGLE, JANET	DOBOSH, GEORGE	DOLINAR, SARAH
DIGIORE, MICHAEL	DININO, MARY	DOBOSH, GEORGE	DOLINS, MERELYN
DIGIORGIO, KATHRYN	DINSDALE, BILL	DOBOSH, GEORGE	DOLIVE, HENRY
DIGIOVANNI, VINCE	DINUOVO, JOHN	DOBRA, ARLENE	DOLL, MITCH
	DIOMEDI, WALTER	DOBROSLAWA, DOBI	DOLLARD, CHARLES
	DIONISIO-BACHI, CHRISTINE	DOBROSLAWA, DOBI	DOLLARD, NANCY
			DOLLOFF, ZACHARY
			DOLNICK, CODY

DOLOWITZ, ALEXANDER	DONOFRIO, JUDY	DOSS, HARLEY	DOUMA, BARBARA
DOLPH, LENORE	DONOFRIO, MARGARET	DOSS, MELISSA	DOUPHINETT, MARLENE
DOLSON, PATRICIA	DONOHU, JULIE	DOSTER, CLARA	DOUTHAT, DIANNE
DOMB, DOREEN	DONOHUE, ANDREA	DOTSON, CAROL	DOUTHIT, MARY
DOMER, MARTHA	DONOHUE, CAROLYN	DOTSON, CAROL	DOVE, ASHLEY
DOMINGUEZ, CARMEN	DONOVAN, CHARLENE	DOTSON, KATHYE	DOVE, ASHLEY
DOMINGUEZ, MARI	DONOVAN, DIANA	DOTSON, MICHELE	DOVE, ASHLEY
DOMINGUEZ, MARY	DONOVAN, DIANA	DOTY, JIMMY	DOVE, JUDY
DOMINICIS, MARIA	DONOVAN, ELAINE	DOTY, KEVIN	DOVE, PATRICIA
DOMINIQUE, BENOIT	DONOVAN, JEANNIE	DOUBLEDAY, MARY	DOW, SARAH
DOMKE, ELLEN	DONOVAN, STEPHAN	DOUBLEDAY, PERI	DOWD, LORI
DOMKE, ELLEN	DONZE, KRISTINA	DOUBLEDAY, PERI	DOWD, WILLIAM
DOMKE, ELLEN	DOOLEN, TINA	DOUCET, ANN	DOWDY, LARRY DOWDY
DOMKE, ELLEN	DOOLEY, CINDY	DOUCET, CAMILLE	DOWDY, MADELINE
DOMMIN, LEONARD	DOOLEY, LORRAINE	DOUCET, LISHA	DOWDY, MADELINE
DONAHUE, CAROL	DOOLEY, SHEILA	DOUCETTE, EMMAH	DOWDY, MADELINE
DONAHUE, CATHIE	DOPHER, SAMANTHA	DOUCETTE, JOHN	DOWLING,
DONAHUE, ELIZABETH	DORAN, ARLENE	DOUGHER, MARILYN	CHRISTOPHER
DONAHUE, HEIDI	DORAN, FORD	DOUGHER, MARILYN	DOWLING,
DONAHUE, JIM	DORAN, TERRANCE	DOUGHERTY, DENNIS	CHRISTOPHER
DONAHUE, JOHN	DORCHIN, SUSAN	DOUGHERTY, KATHLEEN	DOWLING, LENORE
DONAHUE, KATHRYN	DORE, KENNETH	DOUGHERTY, KELLY	DOWNES, LINDA M
DONAHUE, MOLLY	DORED, L.L.	DOUGHERTY, LISA	DOWNEY, CAROL
DONAHUE, SANDRA	DORED, L.L.	DOUGHERTY, PATIENCE	DOWNEY, JANET
DONALDSON, AINSLEY	DOREMUS, ROSALIND	DOUGHERTY, SANDRA	DOWNEY, JUDITH
DONALDSON, JERRY	DORER, MICHAEL	DOUGHERTY, SUE	DOWNEY, THERESA
DONALDSON, KAREN	DORER, MICHAEL	DOUGHERTY, SUE	DOWNIE, ALICE
DONALDSON, KATHRYN	DORF, BARBARA	DOUGHERTY, SUE	DOWNING, JENNIFER
DONALDSON,	DORFMAN, PENNY	DOUGHTON II, GEORGE	DOWNING, MARY
MADLINE	DORFMAN, PENNY	DOUGHTY, CYNTHIA	DOWNING, MARY
DONALDSON, SUE	DORIA, DIANA	DOUGLAS, DAVID	THERESA
DONAS, NADA	DORIA, JOYCE	DOUGLAS, DIANA	DOWNING, NANCY
DONEGAN, EMMETT	DORIA, JOYCE	DOUGLAS, DIANNE	DOWNING, ROSAMUND
DONEGAN, EMMETT	DORION, GALE	DOUGLAS, DIANNE	DOWNING, WILLIAM
DONEGAN, KATHY	DORION, GALE	DOUGLAS, DIANNE	DOWNING, WILLIAM
DONELAN, FRANCES	DORLAND, TAMERA	DOUGLAS, DIANNE	DOWNS, KAREN
DONELSON, ANDREA	DORMAN, CHELSEA	DOUGLAS, MCCORMICK	DOWNS, MICHAEL
DONER, LAUREN	DORMONT, MITCHELL	DOUGLAS, MCCORMICK	DOWSON, ELEANOR
DONG, PEGGY	DORMONT, MITCHELL	DOUGLAS, MCCORMICK	DOWSON, ELEANOR
DONKIN, SALLIE	DORMONT, MITCHELL	DOUGLAS, PATRICIA	DOYLE, APRIL
DONMOYER, SUSAN	DORMONT, MITCHELL	DOUGLAS, VIRGINIA	DOYLE, APRIL
DONNAHOE, GLENN	DORMSJO, SUZANNE	DOUGLASS, AMY	DOYLE, JAMES
AND LORRI	DORMSJO, SUZANNE	DOUGLASS, AMY	DOYLE, JANET
DONNAWAY, JOAN	DORNFELD, ROBERT	DOUGLASS, FREDA	DOYLE, JOANNE
DONNAWAY, JOAN	DORNHEIM, ED	DOUGLASS, JOHN	DOYLE, KATHERINE
DONNELL, VANESSA	DORRIS, BARBARA	DOUGLASS, MICHAEL	DOYLE, KATHLEEN
DONNELL, VANESSA	DORRIS, SHERRY	DOUGLASS-WILSON,	DOYLE, KATHLEEN
DONNELLY, DENIS	DORSEY, CANDACE	LAURIE	DOYLE, NIKKI
DONNELLY, JAMES	DORSEY, EVIE	DOUKAS, ANDREA	DOYLE, POLLY
DONNELLY, RUSSELL	DORSEY, J	DOUKAS, GAYLE	DOYLE, SHANNON
DONNELLY, STEPHEN	DORSEY, JEN	DOULATSHAHI,	DRA, BERNADETTE
DONNELLY, TAMELA	DORTING, JANICE	PAULETTE	DRA, BERNADETTE
DONNER, DAWN	DORVAL, MELISSA	DOULATSHAHI,	DRABEK, BERNADETTE
DONNICI, ANTHONY	DORY, LA	PAULETTE	DRABICK, EMILY
DONNOLA, ROSE	DORY, LYNNE A	DOULATSHAHI,	DRABIN, CAROL
DONOFRIO, ADAM	DOS SANTOS, JAMIE	PAULETTE	DRAEGER, RAMONA
DONOFRIO, ADAM	DOSAJ, SORAYA	DOULATSHAHI,	DRAGAN, SUZANNE
DONOFRIO, ADAM	DOSKY, PAT	PAULETTE	DRAGAVON, DAVID

DRAGON, DAVID	DRORI, RINA	DUDLEY, GREGORY	DUNCAN, DENNY
DRAGON, DAVID	DRORI, RINA	DUDZINSKI, STEVE	DUNCAN, JAYE
DRAGOVICH, ELIZABETH	DRORI, RINA	DUE, JAMES	DUNCAN, KIMBERLY
DRAKE, ERIC	DROUIN, DALE	DUELFER, JESSICA	DUNCAN, LESLEE
DRAKE, KAREN	DROUIN, RUTH	DUEY, DAVID	DUNCAN, PATRICIA
DRAKE, LORRAINE	DRUCKER, SUSAN	DUEY, DAVID	DUNCAN, RENEE
DRAKE, MARY	DRUDING, VICTORIA	DUFEL, LAURA	DUNCAN, SYLVIA
DRAKE, MARY	DRUFF, FRITS	DUFEL, LAURA	DUNCON, LESLIE
DRAKE, ROGENE	DRUM, STEPHEN	DUFF, BRIAN	DUNHAM, ALICE
DRAKE, STACY	DRUM, SUZANNE	DUFF, TERRY	DUNHAM, ALICE
DRAKE, TRACY	DRUMMOND, ELISSA	DUFFICY, JUDY	DUNHAM,
DRANDELL, HARRY	DRUMMOND, ROBIN	DUFFICY, JUDY	CHRISTOPHER
DRAPER, HAROLD	DRUMRIGHT, CHRIS	DUFFICY, JUDY	DUNHAM, MARY ETTA
DRAPER, MARC	DRUMRIGHT, CHRIS	DUFFIE, SONIA	DUNIETZ, HEIDI
DRAPKIN, CHRISTIANE	DRWINGA, HELEN	DUFFY, DIANA	DUNIVANT, TERRE
DRATCH, FRAN	DRWINGA, HELEN	DUFFY, KAUREEN	DUNIVANT, TERRE
DRAUGHON, SHEILA	DRWINGA, HELEN	DUFFY, LEONARD	DUNKEL, TREVOR
DRAUS, SANDY	DRYDEN, MARLIE	DUFFY, PATTY	DUNKLE, DOUG
DRAVIDA, SRIKIRAN	DRYDEN, PEGGY	DUGAN, JULIE	DUNKLE, MICHAEL
DREA, CHRISTINE	DRYER, ELLEN	DUGAN, KIT	DUNLAP, NANCY
DREIER, TAMARA	DRYER, VAL	DUGAN, MICHELLE	DUNLAP, NAOMI
DREMEAUX, MYRA	DRYFOOS, ROBERT	DUGAN, PAMELA	DUNLAP, THOMAS
DREMEAUX, MYRA	DRYKE, SUSAN	DUGAN, TERRI	DUNN, BOBBIE
DRENNAN, CAROL	DU MONT, LYN	DUGGAN, BETTY ANN	DUNN, BRIAN
DRENNAN, CAROL	DU MONT, LYN	DUGGER-MATHISON,	DUNN, CHRISTY
DRES, LINDA	DU PLESSIS, MARTIN	SUSAN	DUNN, CONNIE
DRESKIN-ANDERSON,	DU PLESSIS, MARTIN	DUKE, CINDY	DUNN, ED
NAOMI	DU PLESSIS, MARTIN	DUKE, JESSICA	DUNN, FRED
DRESNER, ZITA	DU PLESSIS, MARTIN	DUKES, AARON	DUNN, HOLLY
DRESSEL, TIM	DUADE, ELIZA	DULAC, DAWN	DUNN, JULIE
DRESSEN, KARYL	DUARTE, DEYANIRA	DULANEY, CHARMAGNE	DUNN, KATHY
DRESSER, CONNIE	DUARTE, PRISCILLA	DULCAN, KRISTIN	DUNN, KELLEN
DRESSER, CONNIE	DUBAVAYA, ALENA	DULLMEYER, STACIE	DUNN, KRISTA
DRESSER, CONNIE	DUBIN, MICHAEL	DUMAN, BONNIE	DUNN, KRISTI
DRESSER, CONNIE	DUBIN, MICHAEL	DUMAN, BONNIE	DUNN, KRISTI
DRESSER, MARILYN	DUBINA, MONICA	DUMANCAS, LEAH	DUNN, KRISTI
DRESSER, MARILYN	DUBINSKY, JESSE	DUMAS, LORRAINE	DUNN, KRISTI
DRESSLER, JUDI	DUBLIN, LEE	DUMAS, MARC	DUNN, KRISTI
DRESTE, ARLENE	DUBLIN, LEE	DUMLER, ROBIN	DUNN, KRISTINA
DREVENKAR, JULIE	DUBOIS, BARBARA	DUMOIS, CECELIA	DUNN, MICHELLE
DREW, KIMBERLYN	DUBOIS, CHRISTINE	DUMOIS, CECELIA	DUNN, PAUL
DREW, LAUREL	DUBOVSKY, KRISTIN	DUN, ROB	DUNN, SHARON
DREW, ROBERT	DUBROW, JENNIFER	DUNAL MD MPH,	DUNN, TIMOTHY
DREW, SUSAN	DUBUQUE, PAUL	CATHIE	DUNNE-BRADY, JANE
DREWELOW, BETH	DUCA, LINDA	DUNAWAY, MICHAELA	DUNNELL, SUSAN
DREWS, JANE	DUCA, SIERRA	DUNAYER, STANTON	DUNNING, CHRISTIE
DREYER, ELLEN	DUCKWORTH, GARY	DUNAYER, STANTON	DUNNING, CHRISTIE
DRIESSEN, LYNN	DUCKWORTH, NADINE	DUNAYER, STANTON	DUNNUM, DENNIS
DRINKWATER, LOUIS	DUCKWORTH, SUSIE	DUNBAR, ANDREW	DUNPHY, LINDALOU
DRISCOLL, BARBARA	DUCLAUD, MONICA	DUNBAR, RON	DUPAR, STEPHEN
DRISCOLL, BREANA	DUDA, TIMOTHY	DUNBAR, RON	DUPIN, GE
DRISCOLL-LEE, SHERRIE	DUDA, TIMOTHY	DUNCAN, BRIAN	DUPLESSIS, GREG
DRISKELL, MARTHA	DUDA, TIMOTHY	DUNCAN, BRUCE AND	DUPLEX, JANICE
DRISSEL, ANNE	DUDECK, MICHELLE	WENDLA	DUPLISSIS, EVE
DRIVER, CYNTHIA	DUDECK, MICHELLE	DUNCAN, CATHIE	DUPON, DENISE
DROCKELMAN, NANCY	DUDKOWSKI, AMBER	DUNCAN, CATHIE	DUPONT, FRANCES
DROMMOND,	DUDLEY, GREGORY	DUNCAN, CATHIE	DUPONT, SUSAN
CHRISTINE	DUDLEY, GREGORY	DUNCAN, CATHIE	DUPPS, JOHN

DUPPSTADT, EILEEN	DYER, PAUL	EASTMAN, SUSAN	EDELMAN-TOLCHIN,
DUPRE, CAROLE	DYER, WILLIAM	EASTON, CAROL	GAYLE
DUPREE, SUZANNE	DYER-BENNETT, BROOKE	EASTON, JOAN	EDEN, CAROLYN
DURAKOV, TINA	DYESS, TRYSHA	EASUM, ELLEN	EDEN, SHEILA
DURAN, GEENA	DYKE, DELORES	EATON, ADRIENNE	EDENS, ELLEN
DURAN, JANET	DYKE, RUTH	EATON, BRETT	EDER, CAOLAN
DURAN, RUBEN	DYKEMA, SHANA	EATON, JUDY	EDGAR, JUDITH
DURBIN, JEAN	DYKHUIS, SHIRLEY	EATON, KAREN	EDGINGTON, TONYA
DURBIN, KIRA	DYKSTRA, TOM	EATON, KATHLEEN	EDGREN, MARK
DURBIN, KIRA	DYLLA, JOHN	EATON, LAUREN	EDICK, KIM
DURHAM, DEWITT	DYRSTEN, ANN	EATON, SARAH	EDING, MEGAN
DURHAM, JUDITH	DYSART, GRETCHEN	EATON, SARAH	EDMISTON, ROXANNE
DURK, WALTER	DYSON, CHRISTINA	EATON, SARAH	EDMOND ROSENBERG,
DURKALSKI, PAMELA	DZIEKONSKI, THADEUS	EATON, SHERYL	IRENE
DURKIN, FRIEDA	DZIKOWSKI, DAVID	EATON, SHERYL	EDMONDS, MATTHEW
DURKIN, JOYCE	DZWIL, BETH	EATON, SHERYL	EDMONDS, STEVEN
DURKIN, JOYCE	E, B	EATON, SHERYL	EDMONDS, TERESA
DURKIN, SAMUEL	E, B	EATON, SHERYL	EDMONDSON,
DURLACH, PAULA	E, B	EATON, SHERYL	DOMINIQUE
DURNELL, SUSAN	E, DEB	EATON, SHERYL	EDMONDSON, JACKIE
DURNELL, TIM	E, DEB	EATON, SHERYL	EDMONDSON, JOYCE
DURNELL, TIM	E, DEB	EATON, SHERYL	SLIVIAK
DURNIAK, SHARON	E, DEB	EATON, SHERYL	EDMONDSON, NANCY
DURRANCE, CHESTER	E, DEB	EATON, SHERYL	EDMONSON, NANCY
DURRER, MARY	E, ELISSA	EATON, SHERYL	EDMUNDS, CAROLYN
DURRUM, KATHY	E, GLENN	EATON, SHERYL	EDMUNDS, DREE
D'URSO, MELANIE	E, GLENN	EATON, SHERYL	EDMUNDS, SUSAN
D'URSO, MELANIE	E, GLENN	EATON, SHERYL	EDRINGTON, JEN
DURYCH, ROBERT	E, GLENN	EATON, SHERYL	EDROSA, LORELEI
DURYEE, LISA	E, KELLY	EATON, SHERYL	EDROSA, LORELEI
DUST, MICHELLE	E, KIRSTEN	EATON, SHERYL	EDSTEDT, ROBERT
DUSTON, BILL	E, S	EATON, SHERYL	EDWARDS, CAROL
DUSTON, TERESA	E., STEFANIE	EATON, SHERYL	EDWARDS, CAROL
DUTKA, CINDY M.	EADE, DONITA	EATON, SHERYL	EDWARDS, CARYL
DUTKA, CINDY M.	EADS, JESSICA	EATON, SHERYL	MCINTIRE
DUTKA, CINDY M.	EAGLE, DAWN	EATON, SHERYL	EDWARDS,
DUTKA, CINDY M.	EAKLE, SUSAN	EATON, SHERYL	CHRISTOPHER
DUTSCHKE, STEPHEN	EAMES, CHERYL	EATON, SHERYL	EDWARDS, CYNTHIA
DUTSCHKE, STEPHEN	EAMES, LEE	EATON, SHERYL	EDWARDS, DAVID
DUTSCHKE, STEPHEN	EANES, SAM	EATON, SHERYL	EDWARDS, DENISE
DUTTON-	EARGLE, PATRICIA	EATON, SHERYL	EDWARDS, DONNA
SCHANDELMAIER,	EARHART, ANNE	EATON, SHERYL	EDWARDS, ERIC
KRISSA	EARL, NANCY ANNE	EATON, SHERYL	EDWARDS, ERIC
DUVAL, BETH	EARLE, DAVID	EATON, SHERYL	EDWARDS, ESTELLA
DUVAL, ROBERT	EARNEST, JAMES	EATON, SHERYL	EDWARDS, JERI
DUVALL, CRYSTAL	EARNEST, PATTY	EATON, SHERYL	EDWARDS, JERI
DUVALL, HAZEL	EASLEY, KARL	EATON, SHERYL	EDWARDS, LESLIE
DUVERT, ELIZABETH	EASLEY, KARL	EATON, SHERYL	EDWARDS, LESLIE
DUVO, ANNE	EASON, BARRY	EATON, SHERYL	EDWARDS, MARY JO
DWENGER, NICK	EASON, LAURA	EATON, SHERYL	EDWARDS, MAURICE
DWYER, ANNE	EASON, LAURA	EATON, SHERYL	EDWARDS, MONIQUE
DWYER, JOHN	EAST, LAWRENCE	EATON, SHERYL	EDWARDS, RON
DWYER, PATRICIA	EASTER, KENNETH	EATON, SHERYL	EDWARDS, STEPHANIE
DWYER, VIRGINIA	EASTIN, BILL	EATON, SHERYL	EELS, VICTORIA
DYAS, KATHY	EASTMAN, ANNE	EATON, SHERYL	EFFORD, SUZANNE
DYE, CHARLENE	EASTMAN, BETTINA	EATON, SHERYL	EGAN, JENNIFER
DYER, DAVID	EASTMAN, DANIEL	EATON, SHERYL	EGERT, HUBERT
DYER, LIZ	EASTMAN, DIANA	EATON, SHERYL	EGGLESTON, PATRICK

EHLERT, DEVIN	ELDRIDGE, SARA	ELLIS, STEVE	ENBLOM, JACK
EHMANN, ANNE	ELEY, DORIS	ELLIS, SUSAN	ENDER, BRENT
EHNES, TIFFANY	ELEY, DORIS	ELLIS, SUSAN	ENDERLE, NORMAN
EHRENBERG, JOAN	ELFIN, DAVID	ELLIS, SUSAN	ENDLER, MARIA
EHRENFORD, AMANDA	ELFIN, DAVID	ELLIS, TAMMY	ENDRES, REBECCA
EHRENKRANZ, LAURA	ELFIN, DAVID	ELLIS, VALERIE	ENERSON, HAL
EHRET, CHRIS AND PAT	ELFIN, JULIE	ELLISON, CORI	ENFIELD, MARTIE
EHRNMAN, SAMMY	ELIA, CYNTHIA	ELLISON, JANE	ENG, R
EICHENBAUM, INGRID	ELIA, MARGUERITE	ELLMAN, CARL	ENG, RICHARD
EICHER, ANNIE	ELIAS, F MARIA	ELLYSON, SALLY	ENGARD, GEORGETTE
EICHHORN, JACQUELINE	ELIASSON, MARGUERITE	ELMAN, MARK	ENGDAHL, KAREN
EICHLER, NANCY	ELIASSON, MARGUERITE	ELMORE, LAURA	ENGEL, CAROLYN
EICHMAN, PATRICIA	ELIZONDO VEGA,	ELMORE, RONALD	ENGEL, CAROLYN
EICHORN, JAYMIE	HEATHER	ELMORE, WALTER	ENGEL, CAROLYN
EICHORN, JAYMIE	ELKIN, B.	ELROD, ANNE	ENGEL, CHRISTINE
EICKELBERG, BONNIE	ELKIN, SUSAN	ELROD, DOROTHY	ENGEL, LESLIE
EIERMANN, JOANNA	ELKINS, CAROL	ELROD, DOROTHY	ENGEL, ZACH
EIGO, JIM	ELKINS, KAREN	ELROD, TRUMAN	ENGELBOURG, ELISSA
EIKENBARY, SUSAN	ELKINS, R.J.	ELSE, CAROL	ENGELKE, JEAN
EIRTEN, JONATHAN	ELKINS-WYLIE, BRENDA	ELSE, CLARA L	ENGELKING, A
EISDORFER, KIM	ELLEN CHRISTMAN,	ELSLER, PAMELA	ENGELL, DANA
EISEMAN, SUZANNE	MARY	ELSON, ALEXANDRA	ENGELMANN, LINDA
EISEN, JULIA	ELLEN, LAURA	ELSTER, EVELYN	ENGELS, CLAUDIA
EISEN, LIZZIE	ELLENBERG, JANE	ELVI, MARI	ENGLAND, JANET
EISEN, LIZZIE	ELLENWOOD,	ELVIRA, CONCEPCION	ENGLAND, SPENCER
EISEN, LIZZIE	STEPHANIE	ELZIE, DANA	ENGLAND, VICTORIA
EISENBEIS, BETH	ELLER, SHERRY	EMBLER, KYLE	ENGLAND, WAYNE
EISENBERG, ANDREA	ELLCOTT, ALISON	EMBRY, JUDITH	ENGLANDER, TIFFANY
EISENBERG, ANDREA G	ELLINGTON, GEORGE	EMBRY, JUDITH	ENGLAR, COURTNEY
EISENBERG	ELLINGTON, SANDRA	EMBRY, JUDITH	ENGLE, ANAMY
EISENBERG, PAUL	ELLIOTT, ALLEN	EMBRY, REGINA	ENGLE, I.
EISINGER, BECKY	ELLIOTT, ANNALEA	EMBRY, REGINA	ENGLEDOW, HELEN
EISLER, LAURIE	ELLIOTT, ANNALEA	EMBRY, REGINA	ENGLER, RAYA
EISLER, LAURIE	ELLIOTT, ANNALEA	EMERICK, CRAIG	ENGLERT, PHILIP
EISNER, ELAINE	ELLIOTT, ANNE	EMERLE-SIFUENTES,	ENGLES, DIANE
EKLUND, GLENN	ELLIOTT, ARTIS	JENNIFER	ENGLES, LILY
EKLUND, GLENN	ELLIOTT, ED	EMERLE-SIFUENTES,	ENGLES, LILY
EKLUND, GLENN	ELLIOTT, LINDA	JENNIFER	ENGLES, LILY
EKSTRAND, MARY	ELLIOTT, MARGARET	EMERSON SMITH, LEIGH	ENGLISH, JOHN
ELAHDAB, W	ELLIOTT, RALEIGH	EMERSON, ANNE	ENGLISH, MARIE
ELAHDAB, W	ELLIOTT, SANDRA	EMERSON, JAN	ENGLISH, PAULETTE
ELAHDAB, W	ELLIOTT, SHIRLEY	EMERSON, JEFFREY	ENGLISH, SARAH
ELBERT, KATHY	ELLIOTT, VIRGINIA	EMERSON, JUDITH	ENGLISH, SCOTT
ELBERT, KATHY	ELLIOTT-CATTELL, JUNE	EMERSON, PAUL	ENGLUND, KLAUDIA
ELBRECHT, MELISSA	ELLIS, ANNE	EMERSON, ROBIN	ENGQUIST, PAMELA
ELCSICS, ROSE	ELLIS, BETH	EMERY, CORIE	ENGSTROM, CAROL
ELDARD, LESLEE	ELLIS, CAROL	EMERY, PAMELA	ENGSTROM, LEE
ELDARD, LESLEE	ELLIS, CAROL	EMERY, SUSAN	ENGSTROM, NANCY
ELDER, ALICE	ELLIS, DAVID	EMERYHEISE, FLORA	ENGUM, JOSEPH
ELDER, DEBRA	ELLIS, JO	EMME, LINDA	ENRIGHT, CHRIS
ELDER, JASON	ELLIS, JO	EMMEL, ELIZABETH	ENRIGHT, ELIZABETH
ELDER, MARIA	ELLIS, JO	EMMERICH, ET	ENRIGHT, ELIZABETH
ELDER, MELISSA	ELLIS, LAURIE	EMMERT, TRACY	ENRIGHT, ELIZABETH
ELDERTON, LISA	ELLIS, LYNN	EMMONS, KATHLEEN	ENRIGHT, ELIZABETH
ELDREDGE, JULIE	ELLIS, LYNN	EMPEREUR, CHAD	ENRIGHT, TODD
ELDRIDGE, CARLEEN	ELLIS, MARY	EMSLEY, LAUREL	ENRIQUEZ, CANDICE
ELDRIDGE, CHANTAL	ELLIS, MAUREEN	EMSLEY, SCOTT	ENRIQUEZ, CANDICE
ELDRIDGE, KAREN	ELLIS, ROBIN	EMSLEY, SCOTT	ENRIQUEZ, CANDICE

ENSIGN, DIANNE	ERNST, SHARON ERNST	ESTUDILLO, ADELA	EVEN, MARY PAUL
ENSLE, SHARLA	ERNST, SHARON ERNST	ETAPA, CHRISTINE	EVERETT, JOHN
ENSLE, SHARLA	ERNY, SUSAN	ETGEN, BENJAMIN	EVERETT, JOHN
ENTIN, EILEEN	ERPELDING-GARRATT, LIZ	ETHERTON, MARY	EVERETT, MARIA
ENTREKIN, JOANNE	ERPELDING-GARRATT, LIZ	ETHRIDGE, TINA	EVERETT, MIRANDA
ENTWHISTLE, DIANNE	ERPELDING-GARRATT, LIZ	ETZLER, TODD	EVERETT, NANCY
ENZI, SHARON	ERPELDING-GARRATT, LIZ	EUBANK, CLAIRE	EVERETT, ROBIN
EPZONE, JANICE	ERRICKSON, SHARON	EUBANKS, RUSSELL	EVERETTE, WALKER
EPLER, MARY	ERSFELD, ANDY	EUBANKS, SHERRI	EVERS, JOANNE
EPLEY, CHERIE	ERSSON, M	EUDY, ELAINE	EVERS, JOANNE
EPLING, THOMAS	ERVIN, HEATHER	EUGENE, JUDY EUGENE	EVERSOLE, APRIL
EPPELHEIMER, FRANK	ERVIN, S.	EUNICE, ELISSA	EVERSOLE, LINDA
EPPELHEIMER, MARYANN	ERVING, TARA	EUNICE, ELISSA	EVERT, KAREN
EPPERLY, BARBARA	ERWIN, JEFFREY	EUNICE, ELISSA	EVERTON, KEITH
EPPERLY, LEON	ESCANDELL, DARYEL	EURIPIDES, V.	EVEZICH, GAYLE
EPPLER, KAREN	ESCARIZ, HALEN	EURIPIDES, V.	EVINGER, LINDA
EPPS, DEBBIE	ESCHE, REBECCA WISH	EVAN, VEVAN	EVITT, KINNEY
EPSTEIN, BARBARA	ESCOBAR, MARIA	EVANGELISTA, JACQUELINE	EVON, LANI
EPSTEIN, CHARLOTTE	ESCOBAR, NORELYN	EVANGELISTA, NICK	EVRON, LOIS
EPSTEIN, CHARLOTTE	ESCOE, SHANOVIA	EVANGELISTA, NICK	EWALD, CAROL
EPSTEIN, JUDY EPSTEIN	ESKRIDGE-HART, JENNIFER	EVANOWSKI, CONNOR	EWAN, JOHN SUE
EPSTEIN, LEONARD	ESPARZA, GRACE	EVANS JR, LEONARD	EWART, ANNE
EPSTEIN, LEONARD	ESPARZA, LAURA	EVANS, ANDREA	EWEN, JAMIE
EPSTEIN, NICHOLAS	ESPE, GREG	EVANS, BRONWEN	EWERS, SUKI
ERATH, LYRA	ESPINOSA, PATRICIA	EVANS, COLLEEN	EWING, DEBRA
ERATH, LYRA	ESPINOSA, PATRICIA	EVANS, D	EWING, JIM
ERBA, ANTONINO	ESPINOSA, PATRICIA	EVANS, D	EWING, ROGER
ERBS, LORI	ESPINOSA, PATRICIA	EVANS, DAVID	EWING, TORY
ERBS, LORI	ESPINOZA, DEBRA	EVANS, DAWN	EWING, TORY
ERCEG, GEORGE	ESPINOZA, YARALY	EVANS, DOROTHY	EYGES, JEFFREY
ERCKMANN, JIM	ESPOSITO, DAN	EVANS, ELINORE	EYGES, JEFFREY
ERDELJAC, JOSEPH	ESPOSITO, DAN	EVANS, HEIDI	EYSTER, CAROL LYNNE
ERDMANN, DONETTE	ESPOSITO, DAN	EVANS, HERSHA	EZELL, MICKEY
ERDMANN, MARISA	ESPOSITO, DAN	EVANS, HERSHA	EZERMAN, ELIZABETH
ERHART, LINNETTE	ESPOSITO, ERIC	EVANS, HOWARD	EZINICKI, CLAUDIA
ERHORN, WALTER	ESPOSITO, ERIC	EVANS, JEFFREY	F, JOEL
ERHORN, WALTER	ESPOSITO, STEVEN	EVANS, JUDITH	F, M
ERHORN, WALTER	ESPOSITO, SUSAN	EVANS, KAREN	F, M
ERHORN, WALTER	ESPOSITO, SUSAN	EVANS, MICHELLE	F, M
ERHORN, WALTER	ESPOSITO, SUSAN	EVANS, MICHELLE	F, M
ERHORN, WALTER	ESPOSITO, SUSAN	EVANS, MONICA	F, TAMMY
ERHORN, WALTER	ESPOSITO, SUSAN	EVANS, MONICA	F. NIELSEN, MIKE
ERHORN, WALTER	ESQUIVEL SR, ROBERTO	EVANS, PAM	F. NIELSEN, MIKE
ERHORN, WALTER	ESSER, JENNIFER	EVANS, PAM	F. NIELSEN, MIKE
ERHORN, WALTER	ESSMAN, JOHN	EVANS, PATRICIA	F., ANGIE
ERIC PERLMAN, JASON	ESSON, GENEVIEVE	EVANS, REBECCA	F., ANGIE
ERICKSON, DANIEL	ESTE MCDONALD, CLAIRE	EVANS, REBECCA	FABBRI, BRUNO
ERICKSON, KAREN	ESTEN, CLAUDIA	EVANS, ROBIN	FABBRI, LEIGH
ERICKSON, KATHLEEN	ESTEP, ANGELA	EVANS, SHERLENE	FABER, HILKE
ERICKSON, MICHAEL	ESTES, DIANNE	EVANS, STACEY	FABIAN, DON
ERICKSON, MICHAEL	ESTEP, ANGELA	EVANS, STACY	FABIANO, DONNA
ERICKSON, POLLY	ESTES, DIANNE	EVANS, STACY	FABRYCKY, JOHN
ERICKSON, REBECCA	ESTEVE, GREGORY	EVANS, STEPHEN	FACCIPONTI, LISA
ERICKSON, TAMSIN	ESTEVEZ, FRANCES	EVANS, TAMMY	FACHET, PATRICK
ERICKSON, TAMSIN	ESTEVEZ, FRANCES	EVANS, TERRY	FACHET, PATRICK
ERICKSON, WAYNE	ESTEVEZ, NICOLAS	EVANS-FORD, SHARON	FACKLER, RUTH ANNE
ERIE, DONNA	ESTLUND, NORA	EVANSTON, LUCI	FACTOR, OLIVIA
ERIKSON, JUSTUS	ESTRADA, ADRIANA	EVASK, MELISSA	FADDEN, HEATHER
ERIKSSON, PETER	ESTRADA, ELBA	EVASK, MELISSA	FADER, JUDITH A
ERLBAUM, SHEILA	ESTRADA, HANK	EVASK, MELISSA	
ERNEST, LINDA	ESTUDILLO, ADELA	EVASK, MELISSA	

FAES, STEPHEN	FALKNOR, CATHERINE	FARRELL, CHRISTOPHER	FEDEYKO-KIRBY,
FAES, STEPHEN	FALLAW, JENNA	FARRELL, COURTNEY	YVONNE
FAES, STEPHEN	FALLENDER, DEBORAH	FARRELL, JEANINE	FEDOROV, KRISTINA
FAFOULAS, MARYLYNN	FALLER, LISA	FARRELL, JEREMY	FEDRO, PENELOPE
FAGAN, ADELE	FALLIN, ANNETTE	FARRELL, JOHN	FEDYNIK, MYRA
FAGAN, BEVERLY	FALLON, JEAN	FARRELL, JUDY	FEE, LISETTE
FAGG, KATHY	FALSKEN, JAMES	FARRELL, PAM	FEELEY, PATRICIA
FAHEY, MARY	FALZONE, DOMINICK	FARRELL, PAMELA	FEENANDEZ, BARBARA
FAHRENWALD, GILL	FAMIGLIO, ANGELA	FARRELL, S.	FEEZOR, JAMES
FAHRNER, COLETTE	FAMILY, SUSANG-	FARRELL, SANDRA	FEHRS, WILLIAM
FAHY, ELIZABETH	TALAMO	FARRELL, SHARON	FEICHTER, WILSON
FAHY-LAUNDRE, JOYCE	FAMILY, SUSANG-	FARRELL, SUE	FEIERABEND, MARLA
FAILI, K	TALAMO	FARRELL, VAL	FEIL, FRAN
FAILI, K	FANARA, DEAN	FARRELL, VAL	FEILE, DIANA
FAIR, JEANINE	FANESTIL, ABIGAIL	FARRELL, VAL	FEIN, HELANE
FAIR, PAT	FANESTIL, ABIGAIL	FARRELL, VAL	FEIN, SUSAN
FAIR, PAT	FANIC, DIDIER	FARRELL, VAL	FEINBLATT, PEPI
FAIR, THERESA	FANNIN, BEVERLY	FARRELL, VAL	FEINSTEIN, VERONICA
FAIR, THERESA	FANYAK, JENNIFER	FARRELL, VAL	FEKETE, MARY
FAIR, VICTORIA	FARABEE, JO ANN	FARRELL, VAL	FELDHACKER, MARLA
FAIR, VICTORIA	FARANO, SHIRLEY	FARRELL, VAL	FELDMAN, ELAINE
FAIRCHILD, JAMIE	FARB, JOAN L	FARRELL, VAL	FELDMAN, LAURE
FAIRCHILD, JAMIE	FARBER, CAROL	FARRELL, VAL	FELDMAN, LISA
FAIRCHILD, JENNIFER	FARBER, JOAN	FARRELL, VAL	FELDMAN, MARK
FAIRCHILD, JENNIFER	FARBERMAN-KUSARI,	FARRELL, VAL	FELDMAN, TOM
FAIRCLOTH, DIANE	RACHELLE	FARRELL, VAL	FELDMAN, TRACY
FAIRCLOTH, DIANE	FARESH, MARYAM	FARRELL, VAL	FELDMANN, DANIELLE
FAIRLESS, JUDY	FARFAN, NICHOLAS	FARRELL, VAL	FELDMANN,
FAIRLESS, JUDY	FARIA, ADRIANA	FARRELL, VAL	MARGUERITE
FAIRLEY, PAM	FARINA, PATRICIA	FARRELL, VAL	FELDMEIER, PAULA
FAIRLEY, PETER	FARKAS, ELIZABETH	FARRELL, VAL	FELICE, MARTHA
FAIRLIE, LURIE	FARLEY, ANNE	FARRELL, VAL	FELICETTA, GINA
FAIRMAN, MARCIA	FARLEY, BARRY	FARRELL, VAL	FELICETTI, ANN
FAIROW, MICHELLE	FARLEY, CHANDA	FARRELL, VAL	FELICIONE, FELICIA
FAIRWEATHER,	FARLEY, LIN	FARRELL, VAL	FELICIONE, FELICIA
PATRICIA	FARLOW, JESSICA	FARRELL, VAL	FELICIONE, LAUREN
FAISAL, DANIEL	FARMER, BONNIE	FARRELL, VAL	FELICIONE, VALERIE
FAIVRE, AMY	FARMER, BONNIE	FARRELL, VAL	FELIX, CATHY
FAJARDO, LUIS	FARMER, COLLEEN	FARRELL, VAL	FELIX, RUTH
FALCA, RE	FARMER, DEBORAH	FARRELL, VAL	FELLNER, ROBIN
FALCA, RE	FARMER, KAREN	FARRELL, VAL	FELLNER, ROBIN
FALCK-MADSEN, JUDITH	FARMER, LAREE	FARRELL, VAL	FELLOWS, LESLIE
FALCON, RUTH	FARMER, VERONICA	FARRELL, VAL	FELLOWS, MEREDYTH
NEUWALD	FARMER, VIC	FARRELL, VAL	FELT, AMANDA
FALCONE MCCARTHY,	FARNELL, LINDA	FARRELL, VAL	FELTMAN, CORKI
LINDA	FARNEY, KEITHA	FARRELL, VAL	FELTON, GEORGE
FALCONE, JANET	FARNEY, KEITHA	FARRELL, VAL	FELTON, STEPHANIE
FALCONER, JAY	FARNSWORTH,	FARRELL, VAL	FELTS, HANNAH
FALCONER, JAY	MELANIE	FARRELL, VAL	FELTS, KAREN D
FALCONER, JAY	FARNSWORTH,	FARRELL, VAL	FEMMER, JOHN
FALK, DARLENE	MELANIE	FARRELL, VAL	FENDER, FLO
FALK, REBECCA	FARNSWORTH,	FARRELL, VAL	FENDLAY, VERA
FALKENBERG, GEORGIA	PRISCILLA	FARRELL, VAL	FENG, YURU
FALKENSTEI, EVA	FARON, MARY	FARRELL, VAL	FENNELL, APRIL
FALKENTHAL,	FARON, MARY	FARRELL, VAL	FENNELL, MARY
ELIZABETH	FARR, CEREN	FARRELL, VAL	FENNELLY, CATHERINE
FALKENTHAL,	FARR, MARY K	FARRELL, VAL	FENNEMA, RICH
ELIZABETH	FARR, SHAUN	FARRELL, VAL	FENSTER, STEVEN

FENSTER, STEVEN	FERRARO, MARISSA	FIGHERA, LINDA	FINLEY, REBECCA
FENTER, EVELYN	FERRE, CORINNE	FIGHERA, LINDA	FINNEGAN, PAMELA
FENTER, EVELYN	FERREIRA, RONALD	FIGMAN, JANICE	FINNERAN, JANE
FENTON, REED	FERRELL, CYNTHIA	FIGTREE, CRAIG	FINNERTY, SHANNON
FERA, ANDREA	FERRELL, CYNTHIA	FIGUEROA, DANIEL	FINOCCHIARO, FABI
FERA, LISA M	FERRELL, GEORGE	FIGUEROA, DANIEL	FINOCCHIARO, JOSEPH
FERBER, BARBARA	FERRELL, SUSAN	FIGUEROA, DANIEL	FINOCCHIARO, JOSEPH
FERDON, JANE	FERRERO, MARIA	FILE-KENNEDY, DEANNA	FIORCE, FRANK
FERENDO, CHERYL	TERESA	FILEP, ROB	FIORÉ, JOHN
FERGESON, CHERYL	FERRI, JESSIE	FILICE-SMITH, NOELLE	FIORÉ, MELODY
FERGESON, CHERYL	FERRIGNO, MARY	FILION, DEB	FIorentino, DORIS
FERGUSON, BEVERLY	FERRIO, CHRIS	FILION, DEB	FIRESTONE, LYNNE
FERGUSON, BILL	FERRIO, ELIZABETH	FILIP, MICHAEL	FIRMIN, RICHARD
FERGUSON, BRENDA	FERRIS, CHUCK	FILKINS, JOANNE	FIRST, MARY
FERGUSON, BRIAN	FERRIS, MARTHA	FILLEY, SUE	FIRTH, ARTHUR
FERGUSON, CHARLENE	FERRISS, ADRIENNE	FILLHART, DALENE	FISCHER, BOB
FERGUSON, CHRIS	FERRITTO, THERESA	FILLMORE, JAMIE	FISCHER, COREY
FERGUSON, CYNTHIA	FERRY, STEPHEN	FILLMORE, JAMIE	FISCHER, ELAINE
FERGUSON, CYNTHIA	FERRY, STEPHEN	FILLMORE, JAMIE	FISCHER, ELAINE
FERGUSON, CYNTHIA	FERTIG, GERARD	FILO, JERI	FISCHER, ELAINE
FERGUSON, LISA	FERTSCH, JOY	FILOMIA GARRETT,	FISCHER, JOEI
FERGUSON, LISA	FETCHKO, KATHLEEN	MARILYN	FISCHER, KATHERINE
FERGUSON, LORA	FETTA, CHRISTOPHER	FILOMIA GARRETT,	FISCHER, LISE
FERGUSON,	FETTERHOFF, SHEILA	MARILYN	FISCHER, PATRICK
MARGUERITE	FETTERS, KIM	FILOMIA GARRETT,	FISCHER, PHYLLIS
FERGUSON, MARK	FETTING, JOANNE	MARILYN	FISCHER, WENDY AND
FERGUSON, VICKI	FETZ, MARGOT	FILOMIA GARRETT,	DAN
FERGUSON, CHRISTINE	FETZKO, RJ	MARILYN	FISCHOFF, ROBERT
FERLAND, LINDA	FEUCHTER, ROBERT H.	FILOMIA GARRETT,	FISCHTROM, SHARON
FERLAND, LINDA	FEUERMAN, NEAL	MARILYN	FISH, JASON
FERLAND, LINDA	FEUSS, SAMANTHA	FILOMIA GARRETT,	FISH, JESSICA
FERLAND, LINDA	FEWELL, DON	MARILYN	FISH, PAMELA
FERLAND, LOUISE	FICKE, ANNE	FILSINGER, STEPHAN	FISH, RICHARD
FERNANDEZ, GLORIA	FICKE, ANNE	FIN, OJA	FISH, SYLVIA
FERNANDEZ, GLORIA	FICKES, JOHN	FINAMORE, SCOTT	FISH, SYLVIA
FERNANDEZ, JOHN	FIDLER, DEBRA	FINAMORE, SCOTT	FISHBEIN, MICHAEL
FERNANDEZ, LISA	FIEDLER, ED	FINBERG, SHARON	FISHER, ANDREA
FERNANDEZ, SAM	FIEDLER, ED	FINCH, GLENN	FISHER, ANN
FERNANDEZ, SAM	FIEDOR, JILLIAN	FINCH, MARY	FISHER, AVIS AND JEFF
FERNANDEZ, YVETTE	FIEGEL, BONNIE	FINCH, SHARON	FISHER, BERENICE
FERNANDEZ, YVETTE	FIELD, CONNIE	FINCH, SUNNIVA	FISHER, BRIANA
FERNANDEZ, YVETTE	FIELD, KIMBERLY	FINE, CONNIE	FISHER, CAY
FERNANDEZ, YVETTE	FIELD, KIMBERLY	FINE, LENA	FISHER, DAVID
FERNATT, KIM	FIELD, MARCIA	FINE, PENELOPE M	FISHER, DONNA
FERRANCE, MARGE	FIELD, PATRICIA	FINE, TERESA	FISHER, J GUNNAR
FERRANTE, ANNA	FIELD, THALIA	FINK, BILL	FISHER, JENNIFER
FERRANTE, SUSAN	FIELDER, AIXA	FINK, BRIAN	FISHER, JON
FERRANTI, HEATHER	FIELDER, L.	FINK, BRIAN	FISHER, JULIE
FERRARA, LORAINÉ	FIELDER, L.	FINK, MEGAN	FISHER, JULIUS
FERRARA, LORAINÉ	FIELDGROVE, GAYLE	FINK, PATTI	FISHER, KAREN
FERRARA, LYNDA	FIELDING, ANDREW	FINK, ROBERT	FISHER, KAREN
FERRARA, MARIANNE	FIELDS, JERELYN	FINKLEA, MINDY	FISHER, KAREN
FERRARA, PATRICIA	FIELDS, MAUREEN	FINLAY, MARY	FISHER, KAY
FERRARA, ROBERT	FIELDS, PAUL	FINLAY-KOCHANOWSKI,	FISHER, KEITH
FERRARA, ROBERT	FIELSER, LAURIE	JEANNIE	FISHER, KELLI
FERRARA, ROBERT	FIFE, SHANNON	FINLEY, MARY	FISHER, LAURA
FERRARI, ANGELA	FIFER, DOLORES	FINLEY, MARY LOU	FISHER, MAVERICK F.
FERRARI, DENISE	FIFER, NANCY	FINLEY, MARY LOU	FISHER, MELANIE

FISHER, NEIL	FLAHERTY, GEORGIANA	FLETCHER, JUDY	FLOYD, DAWN
FISHER, ROBERT	FLAHERTY, JUDY	FLETCHER, LEANNE	FLOYD, JAMIE
FISHER, ROBERT	FLAHERTY, MARY	FLETCHER, PADDY	FLOYD, KERRI
FISHER, SAMANTHA	FLAHERTY, MEGAN	FLETCHER, ROBERTA	FLOYD, MICHAEL
FISHER, TAMMY	FLAHERTY, RUTH	FLETCHER, STEPHEN	FLOYD, NANCY
FISHER, TERRY	FLAHERTY, SUSAN	FLETCHER-BURROUGHS,	FLUET, CHRISTINE
FISHER, TIM	FLAIG, NICHOLAS	KRYSTAL	FLUTY, ALLISON
FISHER, TIM	FLAMM, SARA	FLETCHER-BURROUGHS,	FLY, CAROL
FISHER, TIM	FLANAGAN, JAMES	KRYSTAL	FLYER, SUSAN
FISHER, TIM	FLANAGAN, MARIANNE	FLETCHER-BURROUGHS,	FLYNN, BARBARA
FISHER, TRAVIS	FLANDERS, GAIL	KRYSTAL	FLYNN, JANE
FISHER, WILMA	FLANDERS, PAM	FLETCHER-BURROUGHS,	FLYNN, MARILYN
FISHER, WILMA	FLANDERS, PATRICIA	KRYSTAL	FLYNN, MARY
FISHGOLD, JAMES	FLANDERS-	FLETCHER-BURROUGHS,	ELIZABETH
FISHMAN, JOHN	SUNDSTROM, AUDREY	KRYSTAL	FLYNN, MARY
FISHMAN, SUSAN	FLANNERY, MARCIA	FLEWITT, CLAIRE	ELIZABETH
FISHMAN, TED	FLASHMAN, IRWIN	Flicker, DENNIS	FLYNN, MARY
FISHMAN, TED	FLATER, TRACEY	Flickinger, KATHERINE	ELIZABETH
FISK, KAREN	FLATLEY, SHARON	Flickinger, KATHERINE	FOARD, DESIRE
FISK, LISA	FLATLEY, SHARON L.	Flickinger, KATHERINE	FOBES, DEBORAH
FISK, LISA	FLATLEY	Flickinger, KATHERINE	FOCHT, LINDA
FISK, WILLIAM	FLATLEY, SHARON	FLINCHUM, SCOTT	FOEHL, DENISE
FISKE, CONSTANCE	FLECK-DITTUS, JUDITH	FLINT, DAVID	FOELTZ, EDWARD
FISKE, JULIA	FLEEMAN, FRANCES	FLIPPO, JUDY	FOGA, STEVEN
FISKE, KELLY	FLEENER, TERESA	FLIS, JAMES	FOGAN, SARA
FITCH, STEPHEN	FLEETWOOD, PATRICIA	FLOCCO-MCMMASTER,	FOGARTY, C J
FITCH, SUZANNE	FLEIG, CHRIS	KATHY	FOGARTY, C.J.
FITE, AUSTIN	FLEIG, CHRISTINE	FLOCCO-MCMMASTER,	FOGEL, BYRON
FITE, BARBARA	FLEISHMAN, MARTHA	KATHY	FOGEL, MICHELLE
FITE, BARBARA	FLEISS, AMY	FLOECK, MICHAEL	FOGERTY, THOMAS
FITE, MIKE	FLEMING, BARBARA	FLOHRS, KYLE	FOGLE, GELA
FITZ, F	FLEMING, BRUCE	FLOMERFELT, BOBBY	FOHN, NANCY
FITZGERALD, CATHY	FLEMING, BRUCE	FLOOD, KATHRYN	FOISY, CHRISTINE
FITZGERALD, CATHY	FLEMING, CAROL	FLOOD, PATRICIA	FOL, S
FITZGERALD, JERRY	FLEMING, ISAAC	FLOOD, PATRICIA	FOLDEN, JUDITH
FITZGERALD, KEVIN	FLEMING, JOHN	FLOREA, RALUCA	FOLDEN, JUDITH
FITZGERALD, LINDA	FLEMING, JOHN	FLORENCE,	FOLEY JR, ROBERT
FITZGERALD, LORI	FLEMING, JOHN	MAGDALENE	FOLEY JR, ROBERT
FITZGERALD, MARIAN	FLEMING, JOHN AND	FLORENZEN, CYNTHIA	FOLEY, CATHERINE
FITZGERALD, STAN	JEAN	FLORES, GEORGE	FOLEY, DOLORES
FITZGERALD, WILLIAM	FLEMING, KAREN	FLORES, KAREN	FOLEY, JOHN
FITZHENRY, RICHARD	FLEMING, KAREN	FLORES, KAREN	FOLEY, MARCY
FITZHUGH, LAUREN	FLEMING, KAREN	FLORES, KAREN	FOLEY, MARTI
FITZMAURICE, JULIE	FLEMING, LAURA	FLORES, KIMBERLY	FOLEY, MARY FOLEY
FITZPATRICK, ALICE	FLEMING, LINDA	FLORES, PRISCILLA	FOLEY, PATRICIA
FITZPATRICK, JOHN	FLEMING, MARY A	FLORES, REANNA	FOLEY, STEPHAN
FITZPATRICK, MARY	FLEMING, MICHAEL	FLORIAN, GINGER	FOLEY, SUSAN
FITZPATRICK, ROSE	FLEMING, NANCY	FLORIO, ANDY	FOLEY, SUSAN
FITZPATRICK, THOMAS	FLEMING, NANCY	FLORIO, DONALD	FOLEY, SUSAN
FITZWATER PIGOTT,	FLEMING, NANCY	FLORMOE, MARTHA	FOLEY, VALERIE
MARTHA	FLEMING, SARA	ANNE	FOLEY-COLLINS, ERIN
FITZWATER, CRYSTAL	FLENER, SAMARA	FLOUNOY, EDWARD	FOLEY-COLLINS, ERIN
FIX, MARIANNE	FLENNER, JACQUELINE	FLOWERS, BOBBIE	FOLINO GALLO, JOSEPH
FIZZANO, KELLI	FLETCHER, CASSIE	FLOWERS, CATHY	FOLINO GALLO, JOSEPH
FIZZANO, KELLI	FLETCHER, GREGG	FLOWERS, HERSCHEL	FOLINO GALLO, JOSEPH
FLACK, LAURA	FLETCHER, HERMAN	FLOWERS, HERSCHEL	FOLINO GALLO, JOSEPH
FLAGG, TOM	FLETCHER, JEANNE	FLOWERS, NANCY	FOLKER, STANLEY
FLAHERTY, ERIN	FLETCHER, JEANNE	FLOYD, ANGELA	

FOLLAND-TILLINGHAST, ALICIA	FORFANG-BROCKMAN, ELEANOR	FOSTER, PEARL	FRAME, CHRIS
FOLLICK, JODI	FORMAN, ANDREA	FOSTER, PEGGIE	FRAME, KATHERINE
FOLLINGSTAD, MARIANNE	FORMAN, FAY	FOSTER, PEGGIE	FRANCE, BITSY
FOLLOWILL, PETER	FORMAN, FAY	FOSTER, TRACY	FRANCE, JENNIFER
FOLMAN, ROSALIND	FORMAN, JANET	FOSTER, WHITNEY	FRANCE, JENNIFER
FOLSE, BARBARA	FORMAN, JANET	FOTTA, BARBARA	FRANCE, JENNIFER
FOMENKO, NANCY	FORMAN, ROZ	FOUCHE, DAVID	FRANCE, LAUREEN
FONENKO, NANCY	FORREST, ELLIE	FOUGERE, PAULA	FRANCIAMORE, MARCELLO
FONFERKO, EILEEN	FORREST, KARLA	FOUKE, DANIEL	FRANCIS, CHUCK AND BARB
FONFERKO, EILEEN	FORREST, MAUREEN	FOULKES, LINDA	FRANCIS, KIRK
FONG, LINCOLN	FORREST, MAUREEN	FOUNTAIN, DONNA	FRANCIS, KIRK
FONSECA, SIMONE	FORREST, TARA	FOURMAN, M.	FRANCIS, LORRI
FONSECA, VINCENT	FORREST, TERRY	FOURNIER, ERIC	FRANCIS, LORRI
FONTAINE, ANTONIO	FORSCHNER, JILLIAN	FOURNIER, GEORGE	FRANCIS, MARTA
FONTAINE, CHERYL	FORSCHNER, JILLIAN	FOURNIER, JUANITA	FRANCIS, MARTA
FONTAINE, CHIP	FORSCHNER, BRIAN	FOURNIER, MARTHA	FRANCIS, MARTA
FONTENOT, MARYJO	FORSHEY, RONALD	FOUTTY, LAURIE	FRANCIS, MICHAEL
FONTENOT, MARYJO	FORSHT, LYNN	FOWLER, BEVERLY	FRANCIS, MICHAEL
FOOTE-MARTIN, SUSAN	FORSHT, LYNN	FOWLER, DEIRDRE	FRANCIS, STACEY
FORAUER, BARBARA	FORSTER, BRIGITTE	FOWLER, DIANA	FRANCISCO, LAURIE
FORBES, JANE	FORSTER, CORITA	FOWLER, ELENA	FRANCISCO, LINDA
FORBES, JANE	FORSYTH, CATHERINE	FOWLER, JANET	FRANCISCO, LINDA
FORBES, JIM	FORSYTHE, CHARLES	FOWLER, JANET	FRANCISCO, TERESA
FORBES, MARILYN	FORT, CANDACE	FOWLER, JANET	FRANCK, FAITH
FORCE, CAROL	FORTE, LINDA	FOWLER, KELLY	FRANCK, IRENE
FORCINITO, MICHAEL	FORTGANG, MINDY	FOWLER, LINDA	FRANCK, MARCEL
FORD, BETTY	FORTIER, BARNEY	FOWLER, LINDA	FRANCK, MATTHEW
FORD, BETTY	FORTIER, KAREN	FOWLER, LONDA	FRANCO, ALIDA
FORD, CAROL	FORTIER, LORI	FOWLER, LONDA	FRANCO, DIANA
FORD, GEORGEANNE	FORTIER, TINA	FOWLER, LONDA	FRANCO, LUCY
FORD, JOAN	FORTNER, SHARON	FOWLER, MARSHA	FRANCO, RITA
FORD, JOAN	FORTSCH, JENNY	FOWLES, TRAVIS	FRANCO, SHARON
FORD, JOHN	FORTSCH, JENNY	FOWLKES, LISA	FRANCSCHINI, A.
FORD, LIZ	FORTUNAK, SHARON	FOX, ANGELA	FRANETIC, JOSEPH
FORD, MARIE	FORTUNATO, D'ANNA	FOX, BARBARA	FRANGOS, KATE
FORD, MEADOW	FORTUNATO, D'ANNA	FOX, CAROL	FRANK, ANDREW
FORD, MEADOW	FORTUNATO, D'ANNA	FOX, CHARLES	FRANK, BROOKS
FORD, MICHAEL	FORWARD, KENT	FOX, DEBORAH	FRANK, CAITLIN
FORD, SHARON	FOSCHI, PATRICIA	FOX, GENE	FRANK, DEE
FORD, STEVE	FOSHEE, LINDA	FOX, HAROLD	FRANK, HARRIETTE
FORD, SUSAN	FOSKETT, MARYANNA	FOX, JUNE	FRANK, JEANNIE
FORD, SUSAN	FOSS, DAVID	FOX, KATHRYN	FRANK, JULIE
FORD, TERESA	FOSS, DAWN	FOX, KRISTI	FRANK, MELISSA
FORD, TERRY	FOSSA, WENDY	FOX, LARRY	FRANK, MONICA
FORD, WENDY	FOSSARD, JAMES	FOX, LYNDA	FRANK, PEGGY
FORD, WENDY	FOSSUM, JEANETTE	FOX, MADILYN	FRANK, PEGGY
FORDE, DEBBIE	FOSSUM, JEANETTE	FOX, MADILYN	FRANK, PEGGY
FORDONSKI, CAROL	FOSTER, ALAN	FOX, MADILYN	FRANK, PEGGY
FORDYCE, STEVEN	FOSTER, DAVID	FOX, MARK	FRANK, REBECCA
FORE, JUDY	FOSTER, DAVID	FOX, MARY	FRANK, ROSE
FOREMAN, LYNN	FOSTER, DAWN	FOX, MARY	FRANK, ROSE
FOREMAN, MARY	FOSTER, DEAN	FOX, RACHEL	FRANK, SHARON
FOREMAN, RANDALL	FOSTER, DEBBIE	FOX, STEPHANIE C.	FRANKE, DAMON
FOREMAN, SHANNON	FOSTER, DELAINAMY	FOX, VICTORIA	FRANKE, SILVIA
FOREST, CAROLE	FOSTER, GENETTE	FOXTON, TREVANNE	FRANKEL, JANICE
FORET, L PALMER	FOSTER, KATHERINE	FOYTIK, BRANDY	FRANKEL, LEROY
	FOSTER, LAURA	FRADKIN, ALLISON	FRANKEL, ROBIN
	FOSTER, LAURA	FRALE, DARREN	FRANKIAN, ALEXIS
	FOSTER, PAT		

FRANKLIN, BOBBIE	FREEDLANDER, JONATHAN	FREUND, JULIA	FROST, GAIL
FRANKLIN, CONSTANCE	FREEDMAN, M	FREY, DAVID	FROST, MEGHAN
FRANKLIN, DAVID	FREELAND, VIRGINIA	FREY, JESSICA	FROST, VIVIENNE
FRANKLIN, DAWN	FREELS, CARLA	FREY, LAWRENCE	FROSTMAN, LORA
FRANKLIN, JACKIE	FREELS, CARLA	FREYSSINIER, JORGE	FRULAND, RUTH
FRANKLIN, JOHN	FREELS, JEFF	FRICKE, JOY	FRULLO, DENISE
FRANKLIN, KENT	FREELY, DAVID	FRIED, ADRIAN	FRUSTERI, MARIANNE
FRANKLIN, KYM	FREEMAN, ALYSSA	FRIED, J	FRUTH, ROMAN
FRANKLIN, LINDA	FREEMAN, ANNA	FRIEDLAND, RACHEL	FRUTIG, SARAH
FRANKLIN, MARGARET	FREEMAN, BONNIE	FRIEDMAN, ANN	FRUTIG, SARAH
FRANKLIN, MICHELE	FREEMAN, DIANE	FRIEDMAN, ANN	FRY, JOYCE
FRANKLIN, MICHELE	FREEMAN, DOROTHY	FRIEDMAN, BELA	FRY, JUDITH
FRANKLIN, MICHELE	FREEMAN, EMILY	FRIEDMAN, DARLENE	FRY, KEITH
FRANKLIN, MICHELE	FREEMAN, GREGORY	FRIEDMAN, ESTHER	FRY, KEITH
FRANKLIN, NANCY	FREEMAN, HELENA	FRIEDMAN, JEANNE	FRYE, DEBBIE
FRANKLIN, PATTY	FREEMAN, JACKIE	FRIEDMAN, JEANNE	FRYE, LINDA
FRANKS, ELIZABETH	FREEMAN, JOAN	FRIEDMAN, MAUREEN	FRYE, LISA
FRANKS, WILLIAM	FREEMAN, KERRY	FRIEDMAN, RONALD	FRYER, SHERRI
FRANTZ-CRAFTON, CANDY	FREEMAN, KRISTIN	FRIEDMAN, SARAH	FUCHS, CAROL
FRANZ, AMY	FREEMAN, LINDA	FRIEDMAN, VALERIE	FUEDEMBERG, LONGWILLOW
FRANZ, ANDREA	FREEMAN, MARK	FRIEDMANN, MICHAEL	FUEDEMBERG, LONGWILLOW
FRANZ, SANDRA	FREEMAN, RITA	FRIEL, MICHAEL	FUEDEMBERG, LONGWILLOW
FRANZ, SONJA	FREEMAN, ROBERTA	FRIEND, DAVID	FUEDEMBERG, LONGWILLOW
FRANZEN, ELLEN	FREEMAN, SCOTT	FRIENDES, KAREN	FUELLING, MARY
FRANZEN, ELLEN	FREEMAN, TONI	FRIESEN, DEBBIE	FUELLING, MARY
FRANZESE, JILL	FREEMAN, TONI	FRIESENHENGST, RICHARD	FUENTES, LETTY
FRANZI, JAMES	FREEMAN, TONI	FRIESNER, SUSAN	FUENTES, LUIS
FRANZI, JAMES	FREESE, KATHY	FRIESNER, SUSAN	FUES, LISA
FRANZI, JIM	FREESE, MARILYN	FRIESEN, MICHELLE	FUESSEL, CHERE
FRANZIS, IRENE	FREEWOMAN, FAITH	FRIESTAD, JOHN	FUGATE, KENNETH
FRASER, ANN	FREEZE, JOHN	FRISBEY, PAM	FUGATE, PEGGY
FRASER, MARK	FREIBAND, LINDA	FRISBEY, PAM	FUGATE, PEGGY
FRASIEUR, FOREST	FREIBERG, HARRY	FRISBEY, PAM	FUGUET, KATHERINE
FRATRICK-ENGLE, DONNA	FREIBERG, M	FRISBEY, PAM	DARCY
FRATTAROLA, JAMES	FREIBERG, M	FRISBEY, PAM	FUHRER, JOHN
FRAY, ANTJE	FREIBERG, M	FRISBEY, PAM	FUHRIG, KYM
FRAY, ANTJE	FREIBERG, NORMA	FRISBEY, PHYLLIS	FUHRMEISTER, GARY
FRAZEE, CARY	FREIHOFER, ALAINA	FRISCHMUTH, ROBERT	FUJIMOTO, KATHY
FRAZEE, CARY	FREIMUTH JR, ERICH	FRISSELLA, MICHELE	FUJIMOTO, KATHY
FRAZER, BARBARA	FREIRE, KATRINA	FRITZ, JUDY	FUJIWARA, GAIL
FRAZER, MARY	FREIRE, MICHAEL	FRITZ, MARILYN	FUKUDA, KRISTINA
FRAZIER, KIM	FREISINGER, JOYCE	FRITZ, MARY ESTHER	FUKUDA, KRISTINA
FRAZIER, SHELLEY	FREITAG, ANGELICA	FRIZZELL, ALICE	FUKUDA, KRISTINA
FREAS, MANETTE	FREITAG, MARK	FROELICH, NOELLE	FULARCZYK, MARGARET
FREASE, SARA	FREITAG, MARK	FROELICH, MARIA	FULARCZYK, MARGARET
FRECH, ELAINE	FRELICK, FRANCIS AND ANN	FROGGET, SHAWN	FULARCZYK, MARGARET
FRECHETTE, DAVID	FREMAUX, CHARLOTTE	FROGGET, SHAWN	FULARCZYK, MARGARET
FRECHETTE, DAVID	FREMLING, WARREN	FROHN, JOYCE	FULGHAM, KIRSTEN
FREDERICK, BARB	FRENCH, DEBORAH	FROHN, JOYCE	FULLENWIDER, ROBERT
FREDERICK, BRIAN	FRENCH, JULIA	FROMBERG, JEFF	FULLER, BERYL
FREDERICK, NICHOLAS	FRENCH, LARRY	FROMMER, ERIC	FULLER, J.K.
FREDERICK, STEVE	FRENCH, NINA	FRONEBERGER, COLETTE	FULLER, JENA
FREDRICKS, JOANNE	FRENCH, YVONNE	FROST, ANDREW	FULLER, KATE
FREDRICKS, JOANNE	FRENTON, JULI	FROST, ANDREW AND DIANA	FULLER, LORI
FREDRICKS, JOANNE	FRENZA FISK, MICHELE	FROST, ANITA	FULLER, MARILYN
FREE, CHERIE	FRETHEM, GAIL	FROST, CHRIS	FULLER, MICHELLE
FREEBY, BETH			FULLER, VICTORIA
FREED, MARSHA			

FULLERTON, MOLLY	G, H	GALANOS, CAROL	GALUS, MICHAELENE
FULLMAN, RENEE	G, H	GALANOS, CAROL	GALVANI, PETER
FULLMAN, RENEE	G, K	GALANTE, SUSAN	GALVE, SHARI
FULLMER, DONALD	G. JURADO, MARCELA	GALATI, JEAN	GALVEZ, BONITA
FULLMER, HANNAH	G., W.	GALBRAITH, MARK	GALVIN, DEBORAH
FULLMER, HANNAH	G.L. SHACKELFORD,	GALBRAITH, PATRICIA	GALVIN, SISTER BERNIE
FULMER, EVAN	MARY	GALBRAITH, PATRICIA	GAMACHE, BRENDA
FULTON, BRIAN	GABANSKI, GLENN	GALBRAITH, SUSAN	GAMACHE, BRENDA
FULTZ, DONNA	GABBARD, BILL	GALBREATH, KIM	GAMACHE, BRENDA
FULWILER, MICHAEL	GABEL, GERALD	GALDO, QUERIDO	GAMBINO, ANN MARIE
FUMAROLA, AARON	GABOR, CAROL	GALDO, TITO	GAMBLE, ADELE
FUMAROLO, MICHAEL	GABRIEL, BETH	GALDO, TITO	GAMBLE, ALBERT
FUMO, MARTIN	GABRIEL, BETH	GALE, JESSICA	GAMBLE, ALBERT
FUMO, MARTIN	GABRIEL, CANDACE	GALE, SARAH	GAMBLE, CATHY
FUNICELLI, JANET	GABRIEL, CAROLYN	GALECKI, KAREN	GAMBLE, ROBERT
FUNK, DOTTIE	GABRIEL, CAROLYN	GALES, DON	GAMBOA, BRITTANY
FUNK, JAMES	GADBAW, HOLLY	GALILEO, JOHN	GAMBOA, BRITTANY
FUNK, KATHY	GADBOIS, ARMAND	GALINKIN, BARBARA	GAMBRIEL, JOHN
FUNK, MICHELE	GADEA, FRANCISCO	GALL, JOHN	GAMER, BETTE
FUNK, NANCY	GADOTH, SHARON	GALL, SUSAN	GAMS, JANICE
FUQUA, CHAD	GADOTH, SHARON	GALLAGHER, BRIAN	GANDOUR-EDWARDS,
FURA, DJ	GADZIA, SANDY	GALLAGHER, DIANE	REGINA
FURBERG, SVEN	GAEBE, GAIL	GALLAGHER, DIANE	GANDY, DAVID
FURCHA, RAE	GAEDE, MARNIE	GALLAGHER,	GANDY, TIMOTHY
FURLONG, PARK AND	GAESTEL, VICKI	MARGARET	GANG, CATHY
SHARON	GAFF, MAL	GALLAGHER, MARY	GANG, CATHY
FURNARI, MERI	GAFF, MAL	GALLAGHER, MAUREEN	GANG, JACLYN
FURNESS, KATHLEEN	GAFF, MAL	GALLAGHER, MAUREEN	GANITSCH, CHRISTINE
FURTEK, ROBERT	GAFFNER SR, JOHN	GALLAGHER, PAMELA	GANLEY, ANDRIA
FURTH, JANE	GAFFNEY, MARTHA	GALLAGHER, PAMELA	GANMORYN, CROITIENE
FURUTATE, MIDORI	GAGAN, PAMELA	GALLAGHER, PATRICIA	GANN, CAROLYN
FURUTATE, MIDORI	GAGE, DEBBIE	GALLAHER, GAIL	GANN, ELIZABETH
FURY, KRISTINA	GAGE, JESSICA	GALLANOSA, KRISTIN	GANNOE, RITA
FUSARO, AMELIA	GAGE, KYLE	GALLARDO, DAVID	GANNON, JUSTIN
FUSCHI, CRISTINA	GAGLIANI, RITA	GALLARDO, DAVID	GANNON, MICHAEL
FUSCO, CAROL	GAGLIANO, DEBRA	GALLAWAY, JASON	GANNON, VICKI
FUSCO, MATT	GAGLIANO, REBECCA	GALLEGO, YOLANDA	GANO, LAURIE
FUSILIER, GILDA	GAGNE, PARLEY	GALLERY, LYNNE	GANSHAW, DEBRA
FUTORNICK, KATHERINE	GAGNON, BRIAN	GALLETTI, B	GANSLE, ROSE
FUTORNICK, KATHERINE	GAGNON, GREGORY	GALLIGAN, KATHLEEN	GANTOS, ANGELA
FUTRELL, SHERRILL	GAGNON, NICHOLAS	GALLITANO, LENA	GANYO, DOUGLAS R.
FUTRELL, SHERRILL	GAIDOSIK, GABRIEL	GALLO, DANIEL	GANZER, EDWARD
FUTROVSKY, ROSEMARY	GAIEFSKY, CHERYL	GALLO, GINA	GAPP, DEBORAH
FUTUYMA, DOUGLAS	GAIEFSKY, CHERYL	GALLO, LINDA	GAPSKE, PATRICIA
FYFE, CHARLOTTE	GAIEK, LS	GALLO, NICOLE	GARAY, RAFAEL
FYFE, DOROTHY	GAINES, LORRAINE	GALLO, SUSAN	GARBER, JENNIFER
G, B	GAINES, NORA	GALLOWAY, HOLLIE	GARBER, JULIE
G, C	GAINFORT, TARA	GALLOWAY, JAMES	GARBER, PAT
G, C	GAISER, JÖRG	GALLOWAY, JAMES	GARBRICK, KATHE
G, C	GAITI, PHYLLIS	GALLUP PSYD LMFT,	GARBRICK, KATHE
G, C	GAITI, PHYLLIS	JOSIE	GARBRICK, KATHE
G, CAROL	GAJDA, JACK	GALLUP, EARL	GARCEAU, MARCIA
G, CAROL	GAJDA, JACK	GALLUP, EARL	GARCEAU, MARCIA
G, CAROL	GAJDA, JACK	GALLUP, MELANIE	GARCED, SUSAN
G, CAROL	GAJDA, JOHN	GALUS, MICHAELENE	GARCED, SUSAN
G, CAROL	GAKENHEIMER,	GALUS, MICHAELENE	GARCIA, AUTUMN
G, H	CAROLINE B.	GALUS, MICHAELENE	GARCIA, CHARLENE
G, H	GALANOS, CAROL	GALUS, MICHAELENE	GARCIA, CORINNE

GARCIA, DOMINGO	GARLAND, STEVEN	GASNER, ANNA	GEE, MOLLY
GARCIA, ERIN	GARLOUGH, WILLIAM	GASPAR, SUZANNE	GEEDEY, GEORGANN
GARCIA, EVETTE	GARMENDIA, JULIE	GASPAR, SUZANNE	GEER, LINDA
GARCIA, FLOR	GARNAAS-HOLMES,	GASPERMENT, NANCY	GEGEANIS, LUANNE
GARCIA, IRMA	STEVE	GASPERMENT, NANCY	GEHRI-BERGMAN,
GARCIA, ISIS	GARNER, DEBBIE	GASSAWAY, STEPHEN	SANDRA
GARCIA, J	GARNER, ELIZABETH	GAST, MARILYN	GEHRING, PATRICIA
GARCIA, J	GARNER, PEGGY	GAST, MARILYN	GEHRKE, TIMOTHY
GARCIA, JUANITA	GARNER, ROD	GAST, STEPHEN	GEIER, BERNICE
GARCIA, KARLA	GARNETT, BRANDY	GATA, KRIS	GEIER, ERIC
GARCIA, KRISTA	GAROFALO, DEBRA	GATCHEL, BONNY	GEIGER, LORI
GARCIA, KRISTA	GAROFALO, STEPHANIE	GATCOMB, GEORGE	GEIGER, VINCENT
GARCIA, LETICIA	GARON, MARIE	GATELY, DEIRDRE	GEISLER, LIZ
GARCIA, MANUEL	GAROUTTE, CLAUDIA	GATES, ANNA	GEISLER, TRACEY
GARCIA, MARIA	GAROUTTE, CLAUDIA	GATES, JAN	GEIST, JEFFREY
GARCIA, RENE	GAROUTTE, CLAUDIA	GATES, JOANNE	GELASI, SHERRY GELASI
GARCIA, ROBERT	GARRATT, D	GATES, THOMAS	GELERMAN, SUSAN
GARCIA, SIXTO	GARRATT, D	GATES, THOMAS	GELHARD, KATHLEEN
GARCIA, TONI	GARRECHT, JAMILA	GATEWOOD-KEIM, JUDY	GELLER, BARBARA
GARCIA, TONI	GARRECHT, JAMILA	GATHING, NANCY	GELLER, GLEN
GARCIA, YOLANDA	GARRETT, DAVID	GATHMAN, MARY	GELLER, JANICE
GARCÍA, ANDREA	GARRETT, KATREN	GATTO, GINA	GELLERT, SUSAN
GARCIA-JOHNSON,	GARRETT, REBECCA	GATTO, RICHARD	GELLES, JEREMIAH M.
ANGELA	GARRIS, A	GAUDETTE, LYNNE	GELLES, KAT
GARCIALUNA, EDGAR	GARRISON, ANITA	GAUGER, D. JANE	GELLMAN, KATHY
GARCIN, MARY	GARRISON, PAMELA	GAUGER, D. JANE	GELLMAN-RODRIGUEZ,
GARCIN, MARY	GARRISON, PAMELA	GAUGER, DOROTHA	DR. DONNA
GARD, ALICE	GARRISON, PAMELA	GAUL, WANDA	GELMAN, BARBARA
GARD, ALICE	GARRON, STEVEN	GAULT, CAROL	GELSCHKEIT, DEBRA
GARDEN, KED	GARTEN, MICHAEL	GAULT, MARLA	GELSOMINO, RENE
GARDINER, ELIZABETH	GARTNER, ROBERT	GAULT, RAMONA	GELSOMINO, RENE
GARDINER, TRISH	GARTNER, ROBERT	GAUS, DONNA	GEMMELL, DOUG
GARDINER, TRISH	GARTSIDE, CYNDY	GAUSS, KATIE	GEMMILL, REBECCA
GARDNER, ANGELA	GARVEY, LYDIA	GAVIN, JEANNETTE	GEMMILL, REBECCA
GARDNER, ANGELA	GARVEY, N	GAWLIK, JESSICA	GENANDT, JUDY
GARDNER, ANNAH	GARVEY, RITA	GAWNE JR, BILL	GENAZE, MATT
GARDNER, DAVID AND	GARVEY, RITA	GAY, GWEN	GENDRON, BOB
ELLEN	GARVEY, RITA	GAYER, DONNA	GENDRON, BOB
GARDNER, DAVID AND	GARVEY, RITA	GAYER, DONNA	GENDRON, KAREN
ELLEN	GARVIN, SUSAN	GAYHARTT, J C	GENDRON, ROBERT
GARDNER, ELIZABETH	GARWOOD, LISA	GAYHARTT, J C	GENDVIL, DEREK
GARDNER, HANNAH	GARY, J	GAYLOR, BARBARA	GENESTRA, MARYJANE
GARDNER, KERRY	GARY, J	GAYNOR, JAZIRA	GENGENBACH, MARY
GARDNER, RICH	GARY, MARILYN	GAZERRO, JAMI	GENGO, JULIE
GARDNER, ROBERT	GARZA, CARMEN	GAZZOLA, DIANA	GENGO, LISA
GARDNER, SCOTT	GARZA, LYNN	GAZZOLA, LINDA	GENNERT, ZARA
GARDNER, SUSAN	GARZA, LYNN	GAZZOLA, LINDA	GENNUSO, MIRIAM
GARDNER, VINA	GARZA, ROSIE	GAZZOLA, LINDA	GENOVESE, KRISTEN
GARESCHE, VIRGINIA	GARZA, STEFANY	GDULA, MARY ANN	GENSLER, DONNA
GARFINKEL, WILLIAM	GARZON, SUSAN	GDULA, MARYANN	GENTES, AMY
GARGIULO, PETER	GASCHE, SHERI	GEARDING, JEFF	GENTILE, CORINNE
GARHART, CHRISTINE	GASCO, CHRISTINE	GEARHART, MARILYN	GENTILI-LLOYD, MIKA
GARHARTT, PATRICIA	GASCO, CHRISTINE	GEARY, EILEEN	GENTLEMAN, PAGE
GARHARTT, PATRICIA	GASEN, NANCY	GEBEAU, PAT	GENTRY, GREYLING
GARHARTT, PATRICIA	GASEN, NANCY	GEBERT, LEILA	GENTRY, GREYLING
GARITTY, MICHAEL	GASH, RICHARD	GEBHARDT, PETER	GENTRY, GREYLING
GARITTY, MICHAEL	GASKINS, MELISSA	GEBHARDT, PETER	GENTRY, PAMELA
GARITTY, MICHAEL	GASKINS, MELISSA	GEE, LINDA	GENTRY, RITA

GENTZ, DON	GESHTEN, REBECCA	GIBSON, JASON	GILGALLON, MARYANN
GEORGE, CAROL	GERSTACKER, MALLORY	GIBSON, JIM	GIL-GOMEZ, ELLEN
GEORGE, CATHERINE	GERSTEN, ANDY	GIBSON, SAMANTHA	GILHEANY, EILEEN
GEORGE, CONSTANCE	GERSTNER, PAM	GIBSON, SCOTT	GILLILLAND, KEELY
GEORGE, DONNA	GERTIG, LINDA	GIBSON, SCOTT	GILL, CASSIE
GEORGE, JAMES	GERVASIO, JENNIFER	GIEL, MARIA	GILL, GAIL
GEORGE, JANELLE	GERVENI, MOED	GIELGENS, KAREN	GILL, GARY
GEORGE, JANELLE	GESTER, GAIL	GIENCKE, JILL	GILL, KATHLEEN
GEORGE, JOHN	GETSINGER, GRETCHEN	GIERER, BARB	GILL, LEILA
GEORGE, KEVIN	GETTY, JOSEPH	GIERLACHOWSKI,	GILL, LEILA
GEORGE, KIM	GEUKES, KATHI	ALEXANDRA	GILL, NANCY
GEORGE, KIM	GEWAX, LISA	GIERSON, ELLEN	GILL, SAMANTHA
GEORGE, KIM	GEYER, MONICA	GIES, WILLIAM	GILL, STEVE
GEORGE, KIM	GHANNAM, DARLENE	GIESE, MARK	GILL, SUSAN
GEORGE, KIM	GHENOIU, PAUL	GIESE, MARK M	GILLERMAN,
GEORGE, KRISTINE	GHIARDI, MARGARET	GIESEKING, MELISSA	MARGARET
GEORGE, RICHARD	GHIDONI, DON	GIESEL, SUSAN	GILLESPIE, LINDA
GEORGE, RICHARD	GHODSI, JENNIFER	GIESKEN, JANICE	GILLESPIE, SHARON
GEORGE, THOMAS	GHOLSON, BEVERLY	GIESLER, KATHRYN	GILLESPIE, SHERYL
GEORGE, URSULA	GHOLZ, BARBARA	GIFFEN, PHOENIX	GILLESPIE, NICOLE
GEORGES, GAYE	GHOSTLEY, STEPHEN	GIFFIN, KAREN	GILLETTE, MARY-LOU
GEORGES, JOHN	GIACOBONI, SHAYNE	GIFFORD, ELIZABETH	GILLETTE, SALLY
GEORGIEFF, DAWN	GIACOPPO, JANNA	GIFFORD, ELIZABETH	GILLHAM, PATSY
GEORGIU, GEORGIA	GIAIMO, BARBARA	GIFFORD, HARRIET	GILLIGAN, AINSLIE
GERACE, DENISE	GIAMMARCO, JOE	GIFFORD, JAMES	GILLIGAN, NANETTE
GERACI, JUDITH	GIANNASCOLI, PATRICIA	GIFFORD, RYAN	GILLIGAN, SUSAN
GERARD, HERTHA	GIANNETTI, DEB	GIGEAR, JONATHAN	GILLIHAN, GERALD AND
GERARD, MARGARET	GIARRATANO, BECKY	GIGER, LESLEY	LINDA
GERARDI CAULTON,	GIBB, KENNETH	GIGNOUX, CAROL	GILLIKIN, CATHY
GINA	GIBB, KENNETH	GIJSEN, LISE	GILLILAND, KEN
GERARDI CAULTON,	GIBB, ROBERT	GIL, EVELIO	GILLILAND, PATRICIA
GINA	GIBBONS SCHMERBER,	GILBERT, ADRIENNE	GILLILAND, PATRICIA
GERARDI, JANE	ANN P	GILBERT, CAMILLE	GILLILAND, PATRICIA
GERBER, ELAINE	GIBBONS, BRIAN	GILBERT, ELIZABETH	GILLIS, GREG
GERBER, ELAINE	GIBBONS, BRIAN	GILBERT, GARY	GILLIS, GREG
GERBER, ELAINE	GIBBONS, CATHERINE	GILBERT, JANE	GILLIS, KAY
GERBER, GRACIELA	GIBBONS, KAY	GILBERT, JENNIFER	GILLIS, PATRICIA
GERBER, MIKE	GIBBONS, SANDRA	GILBERT, JENNIFER	GILLIS, SUE
GERBER, ROBERTA	GIBBS, CATHY	GILBERT, JENNIFER	GILLSON, EILEENE
GERBERICH, DEBBIE	GIBBS, JAN	GILBERT, KELLI	GILMAN, CYNTHIA
GEREMIA, MARGURITE	GIBBS, KATHY	GILBERT, LINDA	GILMAN, MEG
GERENA, IRMA	GIBBS, KATHY	GILBERT, LORRAINE	GILMAN, MONICA
GERGELY, KATRINA	GIBBS, KATHY	GILBERT, PAT	GILMAN, REBECCA
GERHART, JOHN	GIBLIN, ROBERTA	GILBERT, PATRICIA AND	GILMORE, AG
GERHART, SANDRA	GIBNEY, JODY	ROBERT	GILMORE, AG
GERHART, THOMAS	GIBNEY, JODY	GILBERT, RICHARD	GILMORE, AG
GERLACH, GERTRUD	GIBNEY, PAMELA	GILBERT, ROBERT	GILMORE, ALISON
GERLACH, RANDY	GIBSON, ALEXIS	GILBERT, STEPHEN	GILMORE, MYRA
GERLITZ, LUCINDA	GIBSON, AMY	GILBERT, STEVEN	GILMORE, MYRA
GERMAIN, GISELE	GIBSON, AMY	GILCHRIEST, ANTHONY	GILMORE, MYRA
GERMAIN, LINDA	GIBSON, AMY	GILCHRIST, CHERYL	GILMORE, NILES
GERMAN, BONNIE	GIBSON, AMY	GILCHRIST, HELEN	GILMORE, PATRICK
GERMAN, CHARLENE	GIBSON, CHARLOTTE	GILCREAST, SUSAN	GILMORE, SHEILA
GERRITY, EILEEN	GIBSON, DEBORAH	GILE, BARRIE	GILMORE, SUSAN
GERSHANOFF, MARY	GIBSON, DEIDRE	GILES, ADELYN	GILSON, KATHIE
GERSHGORIN, ALEKSEY	GIBSON, DONNA	GILES, CAROLYN	GILSON, STACY
GESHTEN MD,	GIBSON, ESTELLE	GILES, VALERIE	GIMBEL, LARRY
MITCHELL	GIBSON, HEATHER	GILFORD, ELFI	GIMBEL, LARRY

GIMLER, DOUGLAS	GLASSER, JOAN	GODEN, GAY	GOLDBERG, DANIEL
GIMLER, DOUGLAS	GLASSER, TANYA	GODFREY, ALICE	GOLDBERG, DANIEL
GIN, KEVIN	GLASSER, TANYA	GODFREY, JUDY	GOLDBERG, DANIEL
GINDELE, ABIGAIL	GLASSHEIM, BARBARA	GODSIL-FREEMAN, REBECCA	GOLDBERG, DIANE
GINDT, JENNIFER	GLASSMAN, JOY	GODWIN, DEBRA	GOLDBERG, MARY ANNE
GINEPRO, JANET	GLATT, STEPHANIE	GODWIN, NANCY	GOLDBERG, PAULA
GINEPRO, JANET	GLAVINA, VESNA	GODWIN, NANCY	GOLDBERG, SHELLY
GING, KATHY	GLAVINA, VESNA	GODWIN, NANCY	GOLDBERG, SUSAN
GINGRAS, BRIAN	GLAVINA, VESNA	GODWIN, NANCY	GOLDBERGER, NORMA
GINGRAS, BRIAN	GLAZER, CAROL	GODWIN, PATRICIA	GOLDE, MARCY
GINGRICH, CARRIE	GLAZER, MARY	GODZINSKI, MICHAEL	GOLDEN, ELIZABETH
GINGRICH, ELIZABETH	GLEASON, CARRIE	GOECKERMANM, JOHN	GOLDEN, JANE
GINN, AUDREY	GLEASON, CARRIE	GOEDSCHE, CHARLOTTE	GOLDEN, JEANNE
GINN, DARREN	GLEASON, JAMES	GOELL, WILLIAM	GOLDEN, JEANNE
GINSBERG, BARBARA	GLEASON, MARILYN	GOELL, WILLIAM	GOLDEN, TERESA
GIOE, LAUREN	GLEASON, MELINDA	GOELLNER, PAULA	GOLDENBERG, HELEN
GIOE, LAUREN	GLEESON, TRICIA	GOELLNER, PAULA	GOLDENBERG, HELEN
GIORDANO, JULIA	GLENDON, KARIN	GOEMMER, CHERYL	GOLDENBERG, LORETTA
GIORGI, MURIEL	GLENN JR., GEORGE	GOERING, MARK	GOLDEN-COLLIER, MALVINA
GIORGIO, BARBARA	GLENN JR., GEORGE	GOERNER, FAY	GOLDFARB, GEORGIA
GIORGIO, NICOLA	GLENN, JULIE	GOERNER, FAY	GOLDFARB, TERESA
GIOVANONI, RICHARD L	GLENN, JULIE	GOERNER, FAY	GOLDIN, MARTHA
GIOVENGO, KEREN	GLENN, LAURA	GOETINCK, JEAN	GOLDIN, SUSAN
GIOVINO-DOHERTY, MARIA	GLENN, LAURA	GOETINCK, JEAN	GOLDIN, SUSAN
GIRALDI, WANDA	GLENNON, JOYCE	GOETSCHIUS, LASCINDA	GOLDIN, SUSAN
GIRARD, BRIAN	GLENNON, JOYCE	GOETSCHIUS, LASCINDA	GOLDIN, SUSAN
GIRSANG, ELIOT	GLICK, BENJAMIN	GOETTEL, KATHRYN	GOLDIN, SUSAN
GIRTON, BARBARA	GLIDER, RICK	GOETTELMANN, PAULA	GOLDMAN, SUSAN
GISSE, NANCY	GLIDER, RICK	GOETZ, GARY	GOLDNER, SHEILA
GISSELQUIST, CAROL	GLIER, INGEBORG	GOETZ, GARY	GOLDSBERRY, JAMES
GIST, HANNAH	GLINDEN, DESIREE	GOETZ, KATE	GOLDSCHEN, STACY
GISTER, KATHY	GLINES, MAX	GOETZ, MARY	GOLDSMITH, CHARLES
GITLIN, BRUCE	GLINKA, LINDA	GOFF, EMERY	GOLDSMITH, CHARLES
GITMAN, SAMANTHA	GLINSKI, RICHARD	GOFF, GINA	GOLDSMITH, CHARLES
GITSCHIER, JENNIFER	GLINSMAN, KAY	GOFF, KARYN	GOLDSMITH, GAIL
GITTEL, KATHLEEN	GLITZENSTEIN, CARL	GOFFIN, PAM	GOLDSMITH, JAMES
GIULIANI, LYNDA	GLIXMAN, DIANA	GOFORTH, HEATHER	GOLDSMITH, KEN
GIVEN, NANCY	GLOCK, ALEXA	GOFSTEIN, LILA	GOLDSTEIN, ABDULLAH
GLAESKE, LYNNE	GLOCK, MARTHA	GOGA, SUSAN	GOLDSTEIN, ALLAN
GLAESKE, LYNNE	GLOE, JANICE	GOGEL, GERMAINE	GOLDSTEIN, ALLAN
GLAHN, JULIA	GLOVER, LAURA	GOGGIN, LAURA	GOLDSTEIN, JODY
GLANDORF, CAROL	GLOWCZENSKI, GAIL	GOGIC, LAURIE	GOLDSTEIN, SONIIA
GLAPION, VAUGHN	GLUCK, DANIEL	GOIN, LYNDA	GOLDSTEIN, SONIIA
GLARUM, NANCY	GLYNN, AILEEN	GOIN, LYNDA	GOLDUFISKY, JOE
GLASER, CARLA	GMEINER, PATTI	GOINS, NATASHA	GOLEMBIEWSKI, DEBORAH
GLASER, PAULA	GMEINER, PATTI	GOKL, RENATE	GOLENA, VOLA
GLASS, ANDREA	GNAGEY, MARCIA	GOLAY, BOYD AN BEVERLY	GOLIGHTLY, KAREN
GLASS, DEBBIE	GNEMI, IRENE	GOLD, DAVID AND JUDY	GOLL, EVA
GLASS, JORDAN	GNIADY, CAROL	GOLD, DAVID AND JUDY	GOLLER, SUZI
GLASS, MALCOLM	GOADE, JENNIFER	GOLD, DAVID	GOLTRY, KATHY
GLASS, REBECCA	GOADE, JENNIFER	GOLD, FERNE	GOMES, HOLLY
GLASS, TERRI	GOBBLE, GARLAND	GOLD, JANES	GOMEZ, ARACELY
GLASSCOCK, LYNN	GOBLE, ANNA	GOLD, STACY	GOMEZ, BARB
GLASSCOCK, RITA	GOBLE, DAWN	GOLD, WARREN M.	GOMEZ, ELEANOR
GLASSER, ALICE	GOCHER, MARY JANE	GOLDANSKY, ROBIN	GOMEZ, ELEANOR
GLASSER, JOAN	GOCKOWSKI, MARILYN	GOLDBERG, ANNE	GOMEZ, EVELYN
	GODAWA, RICK		

GOMEZ, IRMA	GOODE, KATE	GORDON, LAUREN	GOTTSCHALK, LINDA
GOMEZ, LYNNE	GOODE, KATE	GORDON, MARCIA	GOTVALD, MARK
GOMEZ, MARIA	GOODE, KATE	GORDON, MARCIA	GOUGE, GERALD
GOMEZ, MARIA R.	GOODE, KATE	GORDON, MARCY	GOUGH, KIMBERLY
GOMEZ, MIKE	GOODELL, KYLE	GORDON, MARGARET	GOULD, ANITA
GOMEZ, SANDRA	GOODFELLOW, JOAN	GORDON, MONICA	GOULD, BILL
GOMEZ, SYLVIA	GOODFIELD, TERRY	GORDON, ROBIN	GOULD, BILL
GONCE, SAMUEL	GOODHEART, BEN	GORDON, SHERRY	GOULD, BURNHAM
GONCE, SAMUEL	GOODIN, PATRICIA	GORDON, SHYLA	GOULD, JOSEPH
GONDELL, ROBERT	GOODING, CARY	GORDON, SUZANNE	GOULD, JULIANNE
GONIS, PATRICIA	GOODING, JUDI	GORDON-BROWN,	GOULD, STEVE AND
GONTA, MARIANNE	GOODING, LUNA	DEBORAH	NANCY
GONZALES, DANIEL	GOODING, MARIANNE	GORDON-WATSON,	GOULDIN, DEBORAH
GONZALES, TARA	GOODKIND, MARY	LYNNE	GOULET, RONALD
GONZALES, WENDY	GOODLIFFE, SANDRA	GORE, ROBERT	GOURLEY, DOUGLAS
GONZALEZ, ALAN	GOODLOE, BRANDON	GORE, ROBERT	GOUTY-YELLOW, TINA
GONZALEZ, ALAN	GOODMAN, BONNIE	GORE, USHA	GOVE, GEORGE W
GONZALEZ, ALAN	GOODMAN, LARRY	GORMAN RN, BONNIE	GOVREAU, KATHY
GONZALEZ, ALAN	GOODMAN, MARTHA	GORMAN, ANNE MARIE	GOWAN, DAN
GONZALEZ, ALAN	GOODMAN, MARY	GORMAN, CYD	GOYAL, RAKHEE
GONZALEZ, ALAN	GOODMAN, MICHAEL	GORMAN, LAURIE	GRAAE, LINDA
GONZALEZ, ALEXISTORI	GOODMAN, PAMELA	GORN, SCOTT	GRAAE, LINDA
GONZALEZ, ALEXISTORI	GOODMAN, PAMELA	GORNEY, HEATH	GRABERT, KATHLEEN
GONZALEZ, ALEXISTORI	GOODMAN, PATTI	GORNEY, HEATH	GRABILL, AURORA
GONZALEZ, ALEXISTORI	GOODNIGHT, DEBRA	GORNEY, HEATH	GRABOW, NANCY
GONZALEZ, ALEXISTORI	GOODNO, NANCY	GOROHOFF, GEORGE	GRABOWSKI, JOSEPH
GONZALEZ, ALEXISTORI	GOODRICH, LISA	GORRA, BRIAN	GRABOWSKI, MICHELLE
GONZALEZ, ALEXISTORI	GOODRICH, SUE	GORRA, BRIAN	GRABSCH, DAGMAR
GONZALEZ, ARNOLD	GOODRIDGE, LYNNE	GORRESEN, BRENNA	GRABUSH, JOYCE
GONZALEZ, BRIANNA	GOODSTEIN, CHRISTINE	GORRIN, EUGENE	GRABUSH, JOYCE
GONZALEZ, CATHERINE	GOODSTEIN, CHRISTINE	GORSETMAN, GLEN	GRACE, DANA
GONZALEZ, CECILIA	GOODSTEIN, CHRISTINE	GORTON, MICHELLE	GRACE, DANA
GONZALEZ, DAVID	GOODSTEIN, KAREN	GOSHORN, ROBYN	GRACE, ROBERT
GONZALEZ, DELIA	GOODWIN, ALBERTA	GOSLANT, CAROL	GRACE, ROBERT
GONZALEZ, EDITH	GOODWIN, CHARLES	GOSLANT, CAROL	GRACE, SHAUNNA
GONZALEZ, ELIMARIS	GOODWIN, MATTIE	GOSLANT, CLARE	GRADONI, PETER
GONZALEZ, ELISA	GOODWIN, NANCY	GOSLIN, DIANA	GRADY MACRAE, CAROL
GONZALEZ, ELIZABETH	GOODWIN, SANDRA	GOSNELL, REBECCA	GRADY MACRAE, CAROL
GONZALEZ, JAVI	GOODWIN, SHAUN	GOSS, RACHEL	GRADY, MICHAEL
GONZALEZ, JAY	GOODWIN, W D	GOSSARD, TAMARA	GRAEVE, RUTH
GONZALEZ, JUANITA	GOODYEAR, MAXINE	GOSSARD, TAMARA	GRAF, GEORGE
GONZALEZ, LAURA	GOOT, YVETTE	GOSSARD, TAMARA	GRAF, HEATHER
GONZALEZ, LETTI	GORACZKO, ANN	GOSELIN, SARAH	GRAFF, MONICA
GONZALEZ, MARGARITA	GORAK, MARTHA	GOSSMAN, BEVERLY	GRAFF, STEVE
GONZALEZ, MARIA	GORAK, MARTHA	GOSTOMSKE, DEBORAH	GRAFF, WANDA
GONZALEZ, RACHEL	GORBY, KAREN	GOSTOMSKE, DEBORAH	GRAFF, WANDA
GONZALEZ, RENALDO	GORDIENKO, NIKOLAI	GOSTOMSKE, DEBORAH	GRAFF, WANDA
GONZALEZ, VICKIE	GORDIENKO, NIKOLAI	GOTHOLD, JANE	GRAFFAGNINO,
GONZALEZ, WILLIAM G	GORDON, ALICE	GOTSICK, TIMOTHY	MARYANN AND FRANK
GONZALEZ, YADIRA	GORDON, AMANDA	GOTTEJMAN, BRIAN	GRAFFAGNINO,
GONZALEZ, YAZMIN	GORDON, AMANDA	GOTTFRIED, SUSAN	MARYANN AND FRANK
GONZÁLEZ, RENALDO	GORDON, BRUCE	GOTTLIEB, DAVID	GRAFFAGNINO,
GOOD, LORINDA	GORDON, CAROL	GOTTLIEB, ERIC	MARYANN AND FRANK
GOOD, LYDIA	GORDON, CL	GOTTLIEB, MARCUS	GRAGE, LEONA
GOODCHILD, JOHN	GORDON, CONNIE	GOTTLIEB, MARCUS	GRAGE, LEONA
GOODE, DJ	GORDON, GEORGE	GOTTLIEB, MARCUS	GRAHAM, BRENDA
GOODE, KATE	GORDON, GILES	GOTTSCHALK, CYNDI	GRAHAM, CHARLIE
GOODE, KATE	GORDON, KATHRYN	GOTTSCHALK, JO	GRAHAM, DANIEL

GRAHAM, DANIEL	GRANT, KENNETH	GRAY, PAM	GREENBERG, FRANCES
GRAHAM, DEANNA	GRANT, MARY	GRAY, PATRICIA	GREENBERG, FRANCES
GRAHAM, DOLORES	GRANT, NANCY	GRAY, RITA	GREENBERG, HINDI
GRAHAM, EDWARD	GRANT, PAULA	GRAY, RITA	GREENBERG, JANICE
GRAHAM, GARY	GRANT, RENEE	GRAY, ROXY	GREENBERG, JANICE
GRAHAM, HOWARD	GRANT, SARAH	GRAY, STAN	GREENBERG, JANICE
GRAHAM, JANET	GRANT, SUZANNE	GRAY, SYLVIA	GREENBERG, JANICE
GRAHAM, JENNIFER	GRANT, TIFFANY	GRAY, THERESE	GREENBERG, KAY
GRAHAM, JESSICA	GRANTHAM, KATHLEEN	GRAY, TONY	GREENBURG, STU
GRAHAM, JUDITH	GRANTHAM, LAURA	GRAY, TRACY	GREENE, ADINAH
GRAHAM, KARYN	GRANUCCI, GIA	GRAYEM, JAMES	GREENE, ANNE
GRAHAM, KELLY	GRANUCCI, GIA	GRAY-LION, ANNELISSA	GREENE, DANNY
GRAHAM, KURT	GRANUCCI, GIA	GRAYZEL, LYNDA	GREENE, DANNY
GRAHAM, LISA	GRANUCCI, GIA	GREALISH, BOB	GREENE, DONNA
GRAHAM, LISA	GRANZOW, JOANNE	GREALISH, BOB	GREENE, EDWARD
GRAHAM, THEA	GRAPPO, PRESIDENT	GREANEY, DAN	GREENE, GUNNAR
GRAHAM, TYLER	CRISTINA	GRECCO, EOWYN	GREENE, KIM
GRAHM, JEN	GRASHER, ELAINE	GRECCO, EOWYN	GREENE, KIM
GRAJCZYK, JOYCE	GRASS, LORI	GRECH, RHYAN	GREENE, KIM
GRAJCZYK, JOYCE	GRASSL, PETER	GRECO, ROSE	GREENE, KYLE
GRAM, ANITA	GRASSL, PETER	GREEN, AMARYLLIS	GREENE, LINDA
GRAMOGLIA,	GRASSL, RICHARD	GREEN, AMARYLLIS	GREENE, LINDA
KATHERINE	GRASSMAN, MARK	GREEN, AMARYLLIS	GREENE, LYLE
GRAMOGLIA,	GRASSO, DORI	GREEN, AMY	GREENE, MICHELLE
KATHERINE	GRASZIK, DIANE	GREEN, AMY	GREENE, TERRI
GRAMOGLIA,	GRATTAN, ANGELA	GREEN, AMY	GREENFIELD, JUDITH
KATHERINE	GRAUSE, J	GREEN, ARDEN	GREENHALGH, DIANA
GRAMOGLIA,	GRAVANCE, ROCHELLE	GREEN, BARBARA	GREENHILL, B
KATHERINE	GRAVANCE, ROCHELLE	GREEN, DEANNA	GREENHILL, BARRY
GRAMOGLIA,	GRAVERT, TRINA	GREEN, E	GREENLEAF, LORI
KATHERINE	GRAVES, AMY	GREEN, ELIZABETH	GREENLEE MAMON,
GRAMOGLIA,	GRAVES, AMY	GREEN, HENRY	SUSAN
KATHERINE	GRAVES, AMY	GREEN, IDA	GREENLEE, BRIAN
GRAMOGLIA,	GRAVES, CARYN	GREEN, IDA	GREENLEE, JEANNINE
KATHERINE	GRAVES, KERRY	GREEN, IDA	GREENMAN, BARBARA
GRAMZAY, ROB	GRAVES, MICHELLE	GREEN, IDA	GREENMAN, BARBARA
GRANADE, VICTORIA	GRAVES, MICHELLE	GREEN, IDA	GREENROD, SHARON
GRANAHAN, EVELYN M	GRAVES, MICHELLE	GREEN, JAMES	GREENROD, SHARON
GRANAT, BRUCE	GRAVES, RACHEL	GREEN, JAMIE	GREENROD, SHARON
GRANAT, J	GRAY, BRIAN	GREEN, JAN	GREENROD, SHARON
GRANATO, LINDA	GRAY, CAROL	GREEN, JEAN	GREENSPAN, VALEDA
GRANDELL, MELODY	GRAY, CASSANDRA	GREEN, KATHERINE	GREENWALD, DIANE
GRANDLE, L BECKER	LYNN	GREEN, LANCE	GREENWALD, JANET
GRANILLO, KATHLEEN	GRAY, CHARLOTTE	GREEN, MARTHA	GREENWAY, LUMINA
GRANLUND, FRED	GRAY, CLAUDIA	GREEN, PAMELA	GREENWAY, LUMINA
GRANNELL, WILLIAM	GRAY, DEBRA	GREEN, PATRICK	GREENWELL, ANGELA
GRANOFISKY, GABRIELLE	GRAY, DEBRA	GREEN, REBECCA	GREENWOOD, ELLEN
GRANOFISKY, GABRIELLE	GRAY, JACK	GREEN, SARA	GREENWOOD, PEGGY
GRANSTEDT-HALLBERG,	GRAY, JACKIE	GREEN, SHARON	GREENWOOD, RACHEL
CICI	GRAY, JENNIFER	GREEN, SHAUN	GREER, CAITLYNN
GRANSTEDT-HALLBERG,	GRAY, KAREN	GREEN, STEPHANIE	GREER, CINDY
CICI	GRAY, KATHLYN	GREEN, STEVE	GREER, JAMIE
GRANSTROM, PETER	GRAY, LAURIE	GREEN, SUSAN	GREER, JAMIE
GRANT, ALEXANDER	GRAY, LAURIE	GREEN, SUSAN	GREER, JAMIE
GRANT, ATHENE	GRAY, LINDA	GREEN, WENDELL	GREER, JEFF
GRANT, ELIZABETH	GRAY, LORRAINE	GREENBERG, CORINNE	GREER, JILL
GRANT, JENNIFER	GRAY, MARGERY	GREENBERG, DEBRA	GREER, LIN
GRANT, JUDY	GRAY, MELODY	GREENBERG, DEBRA	GREER, LUCY

GREFFIN, CHRISTOPHER	GRIFFIN, DOUGLAS	GROSFELD, NANCY	GRUNOW, BABETTE
GREGERSEN, DAVID	GRIFFIN, KATHERINE	GROSLAND JONES,	GRUNSPAN, LARRY
GREGERSEN, SUSAN	GRIFFIN, KATHERINE	ANGIE	GRUNZEL, GREG
GREGG, AILEEN	GRIFFIN, KATLYNN	GROSS, AMANDA	GRUNZEL, GREG
GREGORICH, PENNY	GRIFFING, CAROLYN	GROSS, AMANDA	GRUPE, ELLEN
GREGORIO, PENNY	GRIFFITH, DONNA	GROSS, BARBARA	GRUPPI, CRISTIAN
GREGORY, DIANE	GRIFFITH, JOAN	GROSS, BARBARA	GRUSKOS, ALEXANDRA
GREGORY, JOANNE	GRIFFITH, JONATHAN	GROSS, BARBARA	GRUTZMACHER, LINDA
GREGORY, LINDA	GRIFFITH, KATHLEEN	GROSS, BETTY	GRUVER, CHERE
GREGORY, LINDA	GRIFFITH, MASON	GROSS, DAVID	GRUVER, DURR
GREGORY, MARYANN	GRIFFITH, NANCY	GROSS, DIANA	GRUVER, MICHELLE
GREGORY, PATRICIA	GRIFFITH, NANCY	GROSS, GARY	GRYSKA, MARGARET
GREGORY, PATRICIA	GRIFFITH, SARA	GROSS, HOWARD	GRZEGORZEWSKI,
GREGORY, PATRICIA	GRIFFITH, THOMAS	GROSS, JACKIE	MARK
GREGORY, PATRICIA	GRIFFITH, THOMAS	GROSS, JACKIE	GRZEGORZEWSKI,
GREGORY, PAUL	GRIFFITHS, BEVERLY	GROSS, JACKIE	MARK
GREGORY, RENEE	GRIGSBY, NATALIE	GROSS, MICHAEL	GRZELAK, EVA
GREGORY, RENEE	GRILL, CHRIS	GROSS, ROBERT	GRZESKOWIAK,
GREGORY, TINA	GRILLO, CRYSTAL L.	GROSS, VIVIAN	RICHARD
GREGOVICH, BARBARA	GRIMES, CINDY	GROSS, VIVIAN	GRZESKOWIAK,
GREINER, TONY	GRIMES, CINDY	GROSSAINT, KAREN	RICHARD
GREINKE, PAMYLLLE	GRIMES, DOROTHY	GROSSAINT, KAREN	GUALTIERI, KATE
GREKSO, SUSAN	GRIMES, KEVIN	GROSSMAN, BONNIE	GUANDOLO, JOHN
GRELOCK-YUSEM,	GRIMM, LINDA	GROSSMAN, KATHLEEN	GUARALDI, THOMAS
DAVID	GRIMM, RONALD	GROSSMAN, STEPHEN	GUARD, MARY
GRELOCK-YUSEM,	GRIMSBY, KAREN	GROTON, JIMMY	GUARINO SPANTON,
DAVID	GRIMWOOD, JAIME	GROUP, MICHAEL	KAREN
GRENARD, MARK	GRIMWOOD, SUSAN	GROVE, EARL	GUARINO, DOLORES
GRENIER, TARA	GRIMWOOD, SUSAN	GROVE, JANE	GUARINO, DONNA
GRESLIN, BETSY	GRINDELAND, MARY	GROVE, LAURA	GUARINO, LISA
GRESS, LAUREL	GRINNELL, KAY	GROVE, PAUL M.	GUASTI, CAROL
GREVEN, JEANNIE	GRINNELL, KAY	GROVE, PHYLLIS	GUAY, RALPH
GREVEN, MAYA	GRISWOLD, DAVE	GROVE, SHEL	GUBLER, LAWRENCE
GREWAL, RANJEET	GRISWOLD, DAVE	GROVERLAND, NORMA	GUDINAS, DONALD
GREZAFFI, JUDITH	GRITSCH, MARIA	GROVERLAND, NORMA	GUDZ, BETSY
GRIBBLE, MATT	GRITTER, DEBORAH	GROVES, C	GUELI, LILLIAN
GRICE, DEAN	GROBELNY, JULIE	GROVES, C	GUEQUIERRE, DENIS
GRICE, DEAN	GROBY, JOHN	GROVES, C	GUERN, JEANNINE
GRICE, DON	GROCE, PAM	GROVES, C	GUERRA, NADEIA
GRIEGO, GEORGIA	GROEN, SUSAN	GROVES, J	GUERRA, SAMANTHA
GRIEGO, GEORGIA	GROESCHEL, CAROL	GROVES, J	GUERRERO, GAIL
GRIESER, PAMELA	GROETKEN, RANDALL	GROVES, J	GUERRERO, GAIL
GRIESS, KRISTINE	GROGG, VICKY	GROVES, LINDSAY	GUERRERO, NORMA
GRIEVES, KATHY	GROHN, DIANE	GRUBB, BONNIE	GUERRY, L
GRIFFEY, PAT	GROLITZER, RITA	GRUBB, REX	GUERRY, L
GRIFFIN, AMANDA	GROLITZER, RITA	GRUBB, REX	GUGLIELMO, THERESE
GRIFFIN, AMANDA	GRON, PATRICK	GRUBB, REX	GUIDRY, MARCIE
GRIFFIN, BARBARA	GRONE, ALEXIS	GRUBB, SCOTT	GUIDRY, WENDY
GRIFFIN, BARBARA	GROOMBRIDGE, BETH	GRUBBS, DONNA	GUIER, RICHARD
GRIFFIN, CASEY	GROOMS, RICHARD	GRUBBS, JESSICA	GUILAROFF, JON
GRIFFIN, CHAS	GROPP, DONALD	GRUBBS, JESSICA	GUILAROFF, JON
GRIFFIN, DENISE	GROPPE, JAY	GRUDEN, MARYANN	GUILIN, JOSEPH
GRIFFIN, DENISE	GROPPE, JAY	GRUENWALD, MICHAEL	GUILIN, JOSEPH
GRIFFIN, DENISE	GROSE, ARLENE	GRUETTNER, MARK	GUILL, MICHAEL
GRIFFIN, DENISE	GROSE, ARLENE	GRUNBLATT, MIKE	GUILLAUME, STEFANIE
GRIFFIN, DENISE	GROSE, ARLENE	GRUNDEN, KIMBERLY	GUILLORY, CHRIS
GRIFFIN, DENISE	GROSE, HARRIET	GRUNDFEST, IRENE	GUILLORY, JOSEPH
GRIFFIN, DENISE	GROSE, HARRIET	GRUNDHOFER, CONNIE	GUILLORY, JOSEPH

GUIMOND, PHILIP	GUTLEBER, CATHERINE	HAAS, PAMELA	HAGGARTY, NANCY
GUINEY, ERIN	GUTTA, C.	HABENICHT, BRIAN	HAGGERTY, EMILY
GUINN, BARBARA	GUTTMAN, BARBARA	HABENICHT, BRIAN	HAGGIN, LINDELL
GUINN, BARBARA	GUTTRIDGE, LAURA	HABER, KEN	HAGINS, PAULA
GUION, WILLIAM	GUTTRIDGE, LAURA	HABERLIN, LAURA	HAGIPOLI, AKIKO
GULAS, JOSEPH	GUTTRIDGE, LAURA	HABUDA, LINDA	HAGOOD, TRICIA
GULBRANSEN, MARTIN	GUTTRIDGE, LAURA	HACHA, BARBARA	HAGOPIAN, SONYA
GULDAN, JOHN	GUY, ANGELA	HACHA, ROBBIE	HAGUE, COLE
GULDAN, JOHN	GUY, JANET	HACHA, ROBBIE	HAGUE, JOY
GULGOWSKI, PAUL	GUY, JOSH	HACHINSKI, CHRISTINE	HAGUE, JOY
GULLER, RICHARD	GUY, LINDA	HACK, MARGARET	HAGUE, MARGARET
GULLETT, ORVA M	GUYER, MARGARET	HACKER, MARK	HAGY, BOBBIE
GULLETT, ORVA M	GUYETTE, LAURA	HACKER, MARK	HAHN, DEB
GULLEY, JANE	GUYMON, MARVIN	HACKETT, BONNIE	HAHN, GENNA
GULLEY, JANE	GUYON, PAMELA	HACKETT, SHERRI	HAHN, JONNI
GULLIVER, KATHERINE	GUZAUSKI, NANCY	HACKLEY, DANIEL	HAHN, LEIGH
GULLO, ANGELINE	GUZMAN, ERNEST	HACKLEY, DANIEL	HAHN, MARTHA
GULLO, ANGELINE	GUZMAN, GENEVIEVE	HACKNEY, STEPHEN	HAHN, SONJA
GULYAS, DONNA	GUZMAN, REBECCA	HACKWORTH, JO	HAHN-RE, CAROLYN
GUMM, NANCY	GWINN, BRIAN	HADCROFT, JAMES	HAIG, BRENDA
GUMMOW, ETHLEEN	GWINN, BRIAN	HADDAD, NATALIE	HAIG, GLENN
GUNBY, AMY	GWINN, JESS	HADDEN, D. KENT	HAIG, GLENN
GUNDERSON, LES	GWYNN, MAUREEN	HADDEN, D. KENT	HAIG, JAMES
GUNN, JENNIE	GWYTHYER, MARY	HADDIX, PAUL	HAIG, JAMIE
GUNN, LAVONNE	GWYTHYER, MARY	HADDOCK, BRENDA	HAIG, JAMIE
GUNTER, STEPHANIE	GX, PERRY	HADDOCK, JOANN	HAIGH, ROBERT
GUNTHER, KEN	GX, PERRY	HADENFELDT, BARBARA	HAINES, ARLENE
GUNZELMAN, AMANDA	GY, ELIZABETH	HADENFELDT, DENNIS	HAINES, JANICE
GUOBIS, TOM	H MARTINEZ, NORMA	HADLEY, ELEE	HAINES, LISA
GUPTA, CATHERINE	H U S T O N, SHARON	HADLOCK-KING,	HAINES, M.J.
GUPTA, RAJENDRA	H, D	JOSEPHINE	HAIR, CAROLINE
GUPTAR, DEWAKIE	H, ERIN	HADSALL, DONNA	HAIR, KARLA
GURA, JOANNE	H, HELGALEENA	HAEBIG, SUSAN	HAIR, NANCY
GURDIN, J. BARRY	H, J	HAEBIG, SUSAN	HAIRSTON, COLE
GURDIN, J. BARRY	H, JEN	HAEGELE, BILL	HAI, KAREY
GURLEY, AZURE	H, JEN	HAEGELE, WAYNE	HAI, KAREY
GURNEY, CANDY	H, LINDA	HAEMMERLE, JOSEPH	HAJEK, LINDA I
GURNEY, HUGH	H, NOAH	HAFER, SARAH	HAJEK, SANDRA
GURSHMAN, SANDRA	H, NOAH	HAFER, SUZANNE	HAJICEK, MARYJO
GUSARAS, DEBBIE	H, WILL	HAFF, LILLIAN	HAJICEK, MARYJO
GUSHLEFF, GERALD	H, WILL	HAFKENSCHIEL, WENDY	HAKIM, SHARON
GUSICK, BREANNA	H, WILL	HAFLICH, ANNE	HAKOLA, JO ANN
GUSTAFSEN, APRIL	HAADLEY, SHELA	HAFLICH, ANNE	HALBE, DENISE
GUSTAFSON, DEAN	HAADLEY, SHELA	HAGEL, LUCAS	HALBERT, BILL
GUSTAFSON, ROBERT	HAAG, DIANNE	HAGELBERG, ROBIN	HALBERT, ELLEN
GUTFLEISCH, ELLEN	HAAKE, LINDA	HAGELE, ROBERT	HALBISEN, KAREN
GUTHRIE, JT	HAALAND, MONICA	HAGEMAN, KELLY	HALBISEN, KAREN
GUTHRIE, JT	HAARMAN, BARBARA	HAGEN, ALICE	HALBREICH, LINDA
GUTHRIE, LINDA	HAARR, LARS	HAGEN, ANTOINE	HALBRITTER, KENNY
GUTHRIE, LINDA	HAAS, DALE	HAGEN, WENDY	HALDEMAN, KATIE
GUTHRIE, PATRICIA	HAAS, DALE	HAGER, ALICIA	HALE, BONNIE
GUTHRIE, TODD	HAAS, DALE	HAGER, ANNA	HALE, SARA
GUTIERREZ, EDDIE	HAAS, ELENA	HAGER, ANNA	HALE, SHARON
GUTIERREZ, EDMUND	HAAS, FRANCIS	HAGER, EVIE	HALE, VALLI
GUTIERREZ, IBETH	HAAS, GRETCHEN	HAGER, JEFF	HALEY, DIANA
GUTIERREZ, IRMA	HAAS, GRETCHEN	HAGER, JON	HALEY, GLORIA
GUTIERREZ, MARY	HAAS, MARGARET	HAGGARD, JEN	HALEY, JANICE
GUTIERREZ, OSCAR	HAAS, MARGARET	HAGGART, SUSAN	HALEY, KATHERINE

HALFMANN, MARCIA	HALL, SHAWN	HAMILTON, FREDERICK	HANCOCK, MARY
HALING-HALL, LINDA	HALL, SILVIA	HAMILTON, FREDERICK	HANCOCK, PAULA
HALIZAK, KIM	HALL, SILVIA	HAMILTON, GRACEE	HAND, DAVID
HALL SCANLON, KATHLEEN	HALL, SILVIA	HAMILTON, JESSIE	HAND, DAVID
HALL, ANDREA	HALL, SILVIA	HAMILTON, JULI	HAND, DEBRA
HALL, BETSY	HALL, SUE	HAMILTON, LYNN	HAND, ELLEN
HALL, CARLA	HALL, SUZANNE	HAMILTON, MELISSA	HAND, LYNN
HALL, CAROL	HALL, SUZANNE	HAMILTON, MELODY	HANDA, SHARON
HALL, CAROLYN	HALL, TOM	HAMILTON, MICHELE	HANDLEY, JANE
HALL, CAROLYN	HALL, WILLIAM	HAMILTON, NATALIE	HANDLEY, MARGARET
HALL, CHARLOTTE	HALLAM, KENT	HAMILTON, PAMELA	HANDLEY, MARGARET
HALL, CORY	HALL-CHAVE, ELLEN	HAMILTON, PAMELA	HANDLEY, MARGARET
HALL, CORY	HALLCOM, DONALD	HAMILTON, ROY	HANDY, CIDNEY
HALL, CORY	HALLE, CARLA	HAMILTON, ROY	HANDZUS, PATRICIA
HALL, CORY	HALLENGREN, DEANNA	HAMILTON, SARAH	HANFT, MARJORY
HALL, CORY	HALLER, CYNTHIA	HAMILTON, TERESA	HANFT, MARJORY
HALL, DAVID	HALLER, TAMMY	HAMILTON, TRACI	HANG, KHAI
HALL, DEBORAH	HALLETT, BECKY	HAMLETT, ANNE	HANGER, SUSAN
HALL, DIANA	HALLEY, DIANE	HAMLIN, LAURIE	HANIFAN, ANASTASIA
HALL, DINORAH	HALLEY, JACK	HAMLIN, T	HANKEY, MARY
HALL, DODI	HALLIDAY, NANCY	HAMM, BETTY	HANLEY, AMY
HALL, DOLORES	HALLIGAN, MARY	HAMM, BILLY	HANLEY, AMY
HALL, DOROTHY	HALLIGAN, MICHELE	HAMMAN, SHERRY	HANLEY, ELISE
HALL, ELIZABETH	HALLIGAN, SUE	HAMMARSTROMRN, BRYN	HANLEY, ELISE
HALL, ELLEN	HALLMAN, BRYAN	HAMMEL, ARRIE	HANLEY, JEANENE
HALL, GEORGE	HALLMAN, DENNIS	HAMMER, EWA	HANLEY, NANCY
HALL, HOLLY	HALLORAN, MARYELLEN	HAMMER, KATHI	HANLEY, TAMI
HALL, JEAN	HALLORAN, MICHAEL	HAMMER, LISA	HANLON, SONYA
HALL, JEAN	HALLORAN, SUSAN	HAMMER, RANDY	HANMER, NOAH
HALL, JEANNIE	HALLOW, LEAH	HAMMER, RANDY	HANMER, NOAH
HALL, JEANNIE	HALLSTROM, JODY	HAMMER, TERI	HANNA, CHARMINE
HALL, JEANNIE	HALOUNEK, JOANN	HAMMERSCHMIDT, SUSAN	HANNA, CINDY
HALL, JENNIFER	HALPERN, HARVEY	HAMMILL, RONALD	HANNA, DENNIS
HALL, JIM	HALPERN, LISA	HAMMILL, RONALD	HANNAH, DAWN
HALL, JOHNNY	HALSEY, ROBERT	HAMMILL, RONALD	HANNAH, DAWN
HALL, JUDY	HALVERSON, JOANIE	HAMMOCK, BRITTNEY	HANNAH, MARK
HALL, KEITH	HALVERSON, YANCETTE	HAMMOCK, CHARLES	HANNAH, ROGER
HALL, KENT AND SUE	HALVORSEN, VERLAINE	HAMMOND, DANIEL	HANNAH, ROGER
HALL, KENT AND SUE	HAM, DONNA	HAMMOND	HANNAH, ROGER
HALL, KEVIN	HAMACHER, ALAINA	HAMMOND, TIM	HANNAH, SHONDA
HALL, KIM	HAMAN, DEBBIE	HAMMOND, TIM	HANNEMANN, GLORIA
HALL, LINDA	HAMANN, ANNA	HAMMONS, ELIZABETH	HANNEMANN, GLORIA
HALL, LINDAL	HAMANN, KARL	HAMOY, LIZA	HANNON, IAN
HALL, MACHEL	HAMANN, KARL	HAMPEL, SUSAN	HANOHANO, ADAM
HALL, MARALEE	HAMBRIDGE, MOYA	HAMPEL, SUSAN	HANSBERRY, NANCY
HALL, MARY	HAMBURG, FRANCES	HAMPSON, DONNA	HANSE, CONSTANTINA
HALL, MICHELLE	HAMER, SUZANNE	HAMPSON, JAMES	HANSE, CONSTANTINA
HALL, NATHAN	HAMERA, BERNADETTE	HAMPTON, CHRISTINE	HANSEL, RON
HALL, NOAH	HAMES, LEX	HAMPTON, L	HANSELL, CONNOR
HALL, PATTY	HAMIEL, JENNIFER	HAMPU, MICHAEL K.	HANSELL, CONNOR
HALL, PHYLLIS	HAMILL, LISA	HAMRA, JENA	HANSELL, WARWICK
HALL, PHYLLIS	HAMILTON, .JAMES	HAMRICK, ROBIN	HANSELL, WARWICK
HALL, PHYLLIS C	HAMILTON, CAROLE	HAN, RICHARD	HANSELL, WARWICK
HALL, PHYLLIS	HAMILTON, CATHY	HANAHAN, PATRICK	HANSELMAN, MARYANN
HALL, ROBERT	HAMILTON, CHRISTOPHER	HANAMANN, MARY KAY	HANSEN, AMY
HALL, ROZ	HAMILTON, DON	HANCOCK, LYNNE	HANSEN, AMY
HALL, SHAWN	HAMILTON, DONNA	HANCOCK, MARJORIE	

HANSEN, AMY	HAPNER, DONNA	HARMON-CRAYCHEE, MARY	HARRIS, DEBRA
HANSEN, ANGELA	HAQ, PATRICIA	HARNEDY, KACY	HARRIS, DOREEN
HANSEN, ANGELA	HARABADJI, ANDREI	HARNIT, MARTHA	HARRIS, ELIZABETH DALE
HANSEN, ANGELA	HARAM, TERRI	HAROLD, GEOFFREY	HARRIS, ERNEST
HANSEN, ANN	HARBACK, EMILY	HAROLD, GEOFFREY	HARRIS, FRANCES
HANSEN, ANN	HARBESON, CHARLOTTE	HAROLD, GEOFFREY	HARRIS, GAIL
HANSEN, BEV	HARBESON, CHARLOTTE	HAROUTIAN, PETER	HARRIS, GLENNA
HANSEN, BEV	HARBESON, CHARLOTTE	HAROUTIAN, PETER	HARRIS, GYLNIS
HANSEN, DAVID	HARBOUR, DEBORAH	HARPE, PATRICIA	HARRIS, HEIDI
HANSEN, HANS	HARBY, SUSAN	HARPE, BARBARA	HARRIS, HILARY
HANSEN, JEFF	HARCOURT, LINDA	HARPER, ALAN	HARRIS, JAMES
HANSEN, JOAN	HARD, MARY	HARPER, ALAN	HARRIS, JAMIE
HANSEN, JOAN	HARD, MARY	HARPER, ALAN	HARRIS, JAN
HANSEN, JULIE	HARD, MARY	HARPER, ALAN	HARRIS, JAY
HANSEN, JULIE	HARDEBECK, GEORGE	HARPER, ALAN	HARRIS, JOHN
HANSEN, KARIN	HARDEN, CALVERNA	HARPER, BARBARA	HARRIS, JOHN
HANSEN, LUANN	HARDEN, CHRYS	HARPER, BARBARA	HARRIS, JUDY
HANSEN, LUCY	HARDEN, RONALD	HARPER, BARBARA	HARRIS, JUDY
HANSEN, MSG USA RET	HARDENBURG, C	HARPER, BARBARA	HARRIS, JULIE
TERRY	HARDER, DOUG	HARPER, CAROLE	HARRIS, KATHY
HANSEN, NATHANIEL	HARDER, KATE	HARPER, CHARESA	HARRIS, KIMBERLEY
HANSEN, NEIL	HARDER, KATE	HARPER, CHARESA	HARRIS, LAURA
HANSEN, PAT	HARDESTY, CONNIE	HARPER, DANIEL	HARRIS, LAUREL
HANSEN, PATSI	HARDIE, LESLIE	HARPER, KRISTINA	HARRIS, LAURIE
HANSEN, PAUL	HARDIE, WALLIS	HARPER, LAURA	HARRIS, LOIS
HANSEN, PAULA	HARDINA, KATHLEEN	HARPER, MARILYNN	HARRIS, MARK
HANSEN, REED	HARDING, BRADLEY	HARPER, PAIGE	HARRIS, MELISSA
HANSEN, SANDRA	HARDING, DONNA	HARPER, RANDY	HARRIS, MONA
HANSEN, SUZANNE	HARDING, LISA	HARPER, REBECCA	HARRIS, NANCYJ
HANSEN, SYLVIA	HARDING, LISA	HARPER, SEAN	HARRIS, PATRICIA
HANSEN, ULLA	HARDING, LISA	HARPER, SHANNON	HARRIS, SANDRA
HANSEN, ULLA	HARDING, LISA	HARPER, SHIRLEY	HARRIS, SHIRLENE
HANSEN, YVONNE M	HARDWICK, NANCY	HARPER, TIMOTHY	HARRIS, SHIRLENE
HANSEN, YVONNE M	HARDY, CYNTHIA	HARPER, TOM	HARRIS, SHIRLEY
HANSEN B J, KEN	HARDY, RUTH	HARRIE, SUSAN	HARRIS, SHIRLEY
HANSON VELLOO, SAMARA	HARDY, STEPHANIE	HARRIMAN, FRANCES	HARRIS, SUSAN
HANSON, AMY	HARDY, STEPHANIE	HARRINGTON, BRADFORD	HARRIS, THERESA
HANSON, ANNETTE	HARF, LORRAINE	HARRINGTON, ELEANOR	HARRIS, TOM
HANSON, BARBARA	HARGAS, MARGARET	HARRINGTON, FRED	HARRIS, WENDY
HANSON, CAREN	HARGETT, LYNNE	HARRINGTON, JOANNE	HARRISON RN BSN OCN, PAIGE
HANSON, CHERYL	HARGITT, CASSANDRA	HARRINGTON, MIKE	HARRISON, AMY
HANSON, CHERYL	HARISH, ANAVAI	HARRINGTON, MIRIAM	HARRISON, BARBARA
HANSON, CHRIS	HARKAVY, WHITNEY	HARRINGTON, TYLER	HARRISON, CAROL
HANSON, CRAIG	HARLAN, JAY	HARRIS, APRILLE	HARRISON, DAVID
HANSON, DON	HARLAN, MICHAEL	HARRIS, BEVERLY	HARRISON, DAVID
HANSON, LOIS	HARLAN, MIRIAM	HARRIS, BEVERLY	HARRISON, DE
HANSON, MAURA	HARLESS, ELIZABETH	HARRIS, BRADLEY	HARRISON, JIM
HANSON, NORMA.	HARLIB, AMY	HARRIS, CHARLES	HARRISON, JULIE
HANSON, RYAN	HARLOW, NANCY	HARRIS, CHRISTINE	HARRISON, JULIE
HANSON, TIM	HARLOW, PATRICIA	HARRIS, CLARENCE	HARRISON, JULIE
HANSON, VICKI	HARMAN, ROSALIE	HARRIS, CLARENCE	HARRISON, KENNETH
HANTA, HASHI	HARMER, ANN	HARRIS, CLARENCE	HARRISON, KENNETH
HANTEL, JOHANNA	HARMER, CORLISS	HARRIS, D C	HARRISON, KENNETH
HANTEL, JOHANNA	HARMER, CORLISS	HARRIS, D C	HARRISON, KIMBERLY
HANTEL, JOHANNA	HARMON, BILL	HARRIS, DAVID	HARRISON, NATALIE
HANUS, JEFFRY	HARMON, LUCY	HARRIS, DAVID	HARRISON, NORMA J F
HA'O, NALANI	HARMON, SUSAN	HARRIS, DEBORAH	HARRISON, PATRICIA

HARRISON, RANDY	HARTMAN, JULIA	HASLAM, PENNY	HAWK, C
HARRISON, SARAH	HARTMAN, JULIA	HASLER, LYNN	HAWK, CAROLYN
HARRISON, SHAY	HARTMAN, LISA	HASS, MARJORIE	HAWK, GLENNA
HARRISON, SUSAN	HARTMAN, NANCY	HASSEL, ALICE	HAWK, JACOB
HARRISON-JORGENSEN, COLLEEN	HARTMAN, ROBERT	HASSEL, ALICE	HAWK, MICHAEL
HARRISON-JORGENSEN, COLLEEN	HARTMAN, RYAN	HASSMAN, HOWARD B.	HAWKINS, A J
HARRIS-WISNESKI, MARY	HARTMAN, VANESSA	HASSUR, STEVEN	HAWKINS, A J
HARROD, DAWN	HARTMANN, CHRISTIE	HASTED, SARAH	HAWKINS, A J
HARROP, BRENDA	HARTMANN, LORRAINE	HASTINGS, CHRIS	HAWKINS, BARBARA
HARROWER, LAURA	HARTMANN, LORRAINE	HASTINGS, CHRIS	HAWKINS, DON
HARROWER, LAURA	HARTMANN, MARY	HASTINGS, CHRIS	HAWKINS, DONNA
HARSCH, CAROL	HARTMANN, MARY	HASTINGS, MELISSA	HAWKINS, JENNIFER
HARSH, MERRY	HARTNAGEL, LINDA	HASTINGS, SUSAN	HAWKINS, JOANNE
HART, JAMI D. L.	HARTNAGEL, LINDA JEAN	HATCH, ASUNCION	HAWKINS, JOHN
HART, JAMI D. L.	HARTNER, CATHY	HATCH, CONNY	HAWKINS, LAURA
HART, ALAN	HARTOJO, ERFIN	HATCH, VICKI	HAWKINS, LAURA
HART, ANNE	HARTOJO, SANDRA	HATCHER, NADINE	HAWKINS, MARTA
HART, BARRY	HARTOJO, SANDRA	HATFIELD, CAROL	HAWKINS, SAVANNAH
HART, C	HARTRANFT, BRONWEN	HATFIELD, P.	HAWKINS, SAVANNAH
HART, CHERYL	HARTRICK, ELIZABETH	HATHAWAY, MICHAEL	HAWKINS, TERRY
HART, CHNTHIA	HARTRICK, ELIZABETH	HATHAWAY, SUSAN	HAWKINS, TERRY
HART, CLAUDIA	HARTRICK, ELIZABETH	HATHAWAY, SUSAN	HAWKINSON, SHARON
HART, CRYSTAL	HARTSELL, BEKI	HATLEBERG, MARY	HAWKLEE, KAY
HART, DENICE	HARTUNG, ILAH	HATSI, ELAINA	HAWN, JUDY
HART, DIANE	HARTUNG, ROXANNE	HATSI, ELAINA	HAWS, DEBORAH
HART, DONNA	HARTWELL, DAVID	HATTMAN, KAREN	HAWS, DEBORAH
HART, DONNA	HARTWELL, MICHELLE	HATTON, ROBERT	HAWSEY, MARGIE
HART, DONNA	HARTWICK, ALVIN	HATTUM, JOANNE	HAWTHORN, MARILYN
HART, DR. JAMI D. L.	HARTWICK, ALVIN	HAUBER, BARCLAY	HAWTHORNE, MAURICE
HART, KIM	HARTY, FLORENCE	HAUCK, BARBARA	HAWTHORNE, MAURICE
HART, MAGGIE	HARTZ, SHELLEY	HAUCK, MOLLY	HAXTON, KAY
HART, MICHAEL	HARTZELL, CAROL	HAUENSTEIN, CATHLEEN	HAY, SAM
HART, MICHELLE	HARTZLER, BETTY	HAUER, NANCY	HAYASHIDA, AMY
HART, REBECCA	HART-ZORIN, HEIDI	HAUG, JAN	HAYDEN, LARRY
HART, TIMOTHY	HARVELL, BONNIE	HAUGEN, LISA	HAYDEN, MAUREEN
HART, VIRGINIA	HARVEY, ANNE	HAUGEN, LISA	HAYDEN, NANCY
HARTER, JANA	HARVEY, DAWN	HAUGH, ERIN	HAYDON, NOAH
HARTER, NANCY	HARVEY, JAZMINE	HAUN, PAMELA	HAYES JR, LELAND
HARTFORD, REBECCA	HARVEY, JEFF	HAUN, PAMELA	HAYES, ANNE
HARTFORD, SUSAN	HARVEY, JO	HAUN, PAMELA	HAYES, CAROL
HARTGRAVES, PAULA	HARVEY, KATHY	HAUN, PAMELA	HAYES, CHARLOTTE
HARTGRAVES, PAULA	HARVEY, MARY ALICE	HAUPSTEIN, KARIN	HAYES, CHERYL
HARTIG, MARY	HARVILLE, EMILY	HAUPT, CAROLYN	HAYES, CHERYL
HARTIGAN, CARRIE	HARWELL, HUGH	HAUSER, KAREN	HAYES, CHRISTINE
HARTING, EMILY	HARWELL, HUGH	HAUSMAN, MARY DIANE	HAYES, DAVID
HARTLEY, ANTHONY	HASBROUCK, KATIE	HAUSNER, KIMBERLY	HAYES, DEBI
HARTLEY, BARBARA	HASENHUTTL, CLAUDIA	HAUSWALD, CHRISTINA	HAYES, HELEN
HARTLEY, CYNTHIA	HASENHUTTL, CLAUDIA	HAUTZINGER, CYNTHIA	HAYES, JENNIFER
HARTLEY, JAMES	HASHEM, DIANE	HAUTZINGER, CYNTHIA	HAYES, JORDAN
HARTLEY, STEVE	HASHEM, DIANE	HAVAS, EVA	HAYES, JOSEPH
HARTMAN, BRENDA	HASHEMI-BRISKIN, JORDAN	HAVASSY, NANCY	HAYES, JOSEPH
HARTMAN, EVAN	HASKAMP, WILLIAM	HAVEL, TIMOTHY	HAYES, LINDA
HARTMAN, HEIDI	HASKELL, CHRISTINE	HAVENS, CONNIE	HAYES, LINDA
HARTMAN, JACKIE	HASKELL, CHRISTINE	HAVERFIELD, TIFFANY	HAYES, LINDA
HARTMAN, JULIA	HASKINS, DAVID	HAWES-DOMINGUE, KC	HAYES, LINDSEY
HARTMAN, JULIA			

HAYES, MARY	HEATON, LAURIE	HEIN, CHRISTINE	HELMS, DALE
HAYES, RANDY	HEATON, LAURIE	HEINEMAN, MERRI	HELMS, MARY ANNE
HAYES, SARA HAYES	HEATON, SAM	HEINEMANN, DENINE	HELO, GABRIELLE
HAYES, SUSAN	HEAVYRUNNER, MIA	HEINEMANN, JUDITH	HELTON, DANNY
HAYES, WANDA	HEBERGER, JO ANNA	HEINEN, STEPHANIE	HEMARD, KAREN
HAYES, WILLIAM	HEBBLEWHITE,	HEINITZ, STEVEN	HEMBY, EGYPT
HAYES-TRIPP, SUSAN	DEBORAH	HEINLE, JANET	HEMINGWAY, JEAN
HAYMAN, ANN	HEBERT, COLIN	HEINLE, JANET	HEMLER, SCOTT
HAYMAN, DIANA	HEBERT, FREDERICK	HEINLE, JANET	HEMM, LOIS
HAYMAN, DIANA	HEBERT, LORRI	HEINRICH, ANN MARIE	HEMM, LOIS
HAYNES, KIM	HEBERT, SHIRLEY	HEINRICH, CATHY	HEMMILA, RODNEY
HAYNES, MARY	HECK, GREG	HEINRICH, HEIDI	HEMMILA, RODNEY
HAYNES, PHILLIP	HECK, KERRY	HEINRICHS, CHARLES	HEMMY III, VICTOR
HAYNES, POLLY	HECK, NANCY	HEINRICHS, MARCIA	HEMPHILL, MIRIAM
HAYNES, REBECCA	HECK, TIMOTHY	HEINTZ, JODI	HENCKE, ELAINE
HAYS, VIVIANE	HECKENBACH, ANITA	HEINTZ, MICHAEL	HENDERSHOT, TAMARA
HAYWARD, MEREDITH	HECTOR, KATHRYN	HEINTZ, MICHAEL	HENDERSON, CARRIE
HAYWARD, WENDY	HECTOR, SANDRA	HEINTZ, NANCY	HENDERSON, CEACY
HAYWOOD, SUSAN	HEDGECK, JAMES	HEINTZ, PENNY	HENDERSON, CHARLES
HAYWORTH, AMY	HEDGER, LLOYD	HEINY, LARRY	HENDERSON, CHERYL
HAZELTON, JUDITH	HEDGES, KEN	HEINZ, JENNY	HENDERSON, DAVID
HAZELTON, JUDITH	HEDRICK-JACKSON,	HEINZE-BAUERDICK,	HENDERSON, ELAINE
HAZELTON, SUSANNAH	SHARI	PETRA	HENDERSON, ELAINE
HAZYNSKI, CHRIS	HEEMSTRA, VALERIE	HEINZMAN, KIM	HENDERSON, JAMES
HAZYNSKI, MICHAEL	HEESCH, KAREN	HEISEY, KATHLEEN	MICHAEL 'MIKE'
HAZYNSKI, MICHAEL	HEEZEN, JOAN	HEISLER, MARK	HENDERSON, JAMES
HAZYNSKI, MICHAEL	HEFFNER, AMY	HEISMAN, REBECCA	MICHAEL 'MIKE'
HAZZARD, SANDRA	HEFFNER, DAVID	HEISS, SUSIE	HENDERSON, KARLA
HEAD, DAISY	HEGARTY, ELIZABETH	HEITHAUS, MELISSA	HENDERSON, KARRINA
HEAD, DOROTHY	HEGDAHL, DAVID AND	HEITKAMP, JOHN	HENDERSON, KATHY
HEAD, JIM	SHIRLEY	HEITMAN, KELLI	HENDERSON, KELLY
HEAD, JIM	HEGEMEYER, MICHAEL	HEITMANN, GUY	HENDERSON, LYNETTE K
HEADWORTH,	HEGH, ELAINE	HEITZMAN, SUSAN	HENDERSON, LYNN
CHRISTINE	HEGLAND, PATRICIA	HELAUDAIS, L.	HENDERSON, MARCIA
HEALD, DENISE	HEGRE, LAURA	HELD, LAWRENCE	HENDERSON, MARE
HEALINGLINE,	HEGWOOD, KRISTIN	HELD-WARMKESSEL,	HENDERSON, MARSHA
HELGAELEENA	HEHLE, JENNIFER	JEANNE	HENDERSON, MARTIN
HEALY, MOLLY	HEHNKE, JOSEPHINE	HELENIHI, KELLY	HENDERSON, MATT
HEALY, TED	HEIDE, ANDRA	HELFENSTEIN, ALLEGRA	HENDERSON, NADINE
HEANING, RICH AND	HEIDE, ANGIE	HELFERS, ROBIN	HENDERSON, NADINE
EILEEN	HEIDELBERGER, ELLEN	HELJULA, ANDRES	HENDERSON, PARRIE
HEANING, RICHARD	HEIDEMAN, SUSANNA	HELKER, JUNE	HENDERSON, PAUL F.
HEAPS, JEAN	HEIDEN, HARRY	HELLAND, MAUREEN	HENDERSON, SANDRA
HEARN, ANN	HEIDEN, JESSICA	HELLER, CAROL	HENDON, DONALD
HEARNE, RAY	HEIDENFELDER, RANDY	HELLER, LINDA	HENDON, MARIE
HEARTY, JOHN	HEIDENFELDER, RANDY	HELLER, MARGIE	HENDRICK, JAN
HEASLET, LINDA	HEIDT, MARSHA	HELLER, MARY B.	HENDRICKS, DIXIE LEE
HEATER, COLLEEN	HEIFNER, MARY E	HELLERMAN, RANDY	HENDRICKSEN, LYLE
HEATH, ELIZABETH	HEIKS, KRISTINA	HELLERSTEIN, NINA	HENDRICKSON, ALANA
HEATH, GERALD	HEIL, KARL	HELLIESEN, DOUG	HENDRICKSON, KATIE
HEATH, LINDA	HEILMAN, DIONNE	HELLINGER, DONN	HENDRIX, LINDA
HEATH, LINDA	HEILMAN, JESSICA	HELLINGER, THOMAS	HENDRY, DAWN
HEATH, SARAH	HEILMAN, JOAN	HELM, CARLA	HENDRY, GLENDA
HEATH, SUSAN	HEILMAN, JOAN	HELMAN, TERRY	HENIGMAN, GAIL
HEATHERLY, DEBRA	HEILMAN, JOAN	HELMER, LAURICE	HENISSE, PATRICIA
HEATHERLY, DEBRA	HEILMAN, LYNANN	HELMER, NANCY	HENKE, DELLAS
HEATHERLY, DEBRA	HEIMBACH, SHELBY	HELMER, ROBERT	HENKE, JANET
HEATHFIELD, MARYANN	HEIMDAHL, FITZIE	HELMERS, JAMES	HENKLE, NANCY

HENLEY, CHARLENE	HEPFER, ANNE	HERNDEN, IYLA	HESS, AMELIA
HENLEY, CHARLENE	HEPTING, DANIELL	HERNDOBLER, BETH	HESS, CHERYL
HENLEY	HERALD, SANDRA	HERNDON, CATHY	HESS, DONNA
HENLEY, CHERYL	HERBERS, JILL	HERO, LAURIE	HESS, DONNA
HENLING, DANIEL	HERBERT, ANNABELLE	HERO, ROBIN	HESS, JOHN
HENNES, EMILY	HERBES, ANN	HERON, VERONICA	HESS, REGULA
HENNESSEY, JOHN	HERBST, PAUL	HERRERA, ALEXANDRA	HESS, REGULA
HENNESSY, NICK	HERFF, GAYLYN	HERRERA, CHERYL	HESS, REGULAR
HENNING, CAROL	HERING, SANDRA	HERRERA, DESIREE	HESS, SALLY
HENNING, GRACE	HERINGTON, KELLEE	HERRERA, MAUREEN	HESSE, CHERYL
HENNING, JANET	HERIOT DEHART, JODY	HERRERA, MAUREEN	HESSE, SHARON
HENNING, N	HERIOT DEHART, JODY	HERRERA, MAUREEN	HESSELAGER, BARBRO
HENRI, THOMAS	HERIOT DEHART, JODY	HERRERA, MYRIAM	HESSELINK, JOANNE
HENRIKSON, LINDA	HERLIHY, PEGGY	HERRERA, SANDRA	HESSELINK, JOANNE
HENRIQUES,	HERLINGER, JOHN AND	HERRERA, SHANDA	HESSENFLOW, PAUL
CHARMAINE	LISA	HERRERA-COUNSELL,	HESSENFLOW, PAUL
HENRY, ANDREW	HERMAN, CANDICE	MARLO	HESSER, YOLA
HENRY, ANNE	HERMAN, JOHN	HERRERA-RENZ,	HESTER, LORI
HENRY, ASHLEIGH	HERMAN, NORMA	VANESSA	HESTICH, DIANE
HENRY, BARBARA	HERMAN, NORMA	HERRERO, ANA	HESTON, LARK
HENRY, CAROLE	HERMAN, PATRICK	HERRICK, SAM	HETCHER, AARON
HENRY, DONATA	HERMAN, PATRICK	HERRING, KATHLEEN	HETLER, LINDA
HENRY, DOROTHY	HERMAN, PAULA	HERRING, SUSAN	HETTICK, PATRICIA
HENRY, ELLEN	HERMAN, PAULA	HERRINGTON, MARNA	HETTINGER, LORETTA
HENRY, KAREN	HERMAN, PAULA	HERRIOTT, SUE	HETTMANNSPERGER,
HENRY, MARILEE	HERMAN, TIM	HERRMAN, NANCY	LEAH
HENRY, MARTHA	HERMANN, BIRGIT	HERRON, JAMES	HETZEL, AGNES
HENRY, MEAGAN	HERMANN, BIRGIT	HERRON, JAMES	HETZEL, DOROTHY
HENRY, TERRI	HERMANN, BIRGIT	HERRON, LINDA	HETZNER, THEA
HENRY, VICKI	HERMANN, CAROL	HERRON, LINDA	HEUGH, JEANNE
HENRY-GORMAN,	HERMANN, DONNA	HERSCHLAG, HERBERT	HEUSER, MARILYN
KATHLENE	HERMANN, MAI	HERSCHLER, FAITH	HEUSER, MARILYN
HENSEL, PAULA	HERMANOWSKI, LILLI	HERSEY, JANE	HEUSER, MARILYN
HENSEL, THE REV	AND FRED	HERSH, CHAR	HEUTON, ANN
CHARLES	HERMANSEN, RACHEL	HERSH, CYNTHIA	HEWETT, DALLAS
HENSEY, CHANDIRA	HERMANSON, CAROL	HERSH, JO	HEWETT, DALLAS
HENSHAW, BRENT	HERMER, KEN	HERSHBERG, LYNN	HEWETT, ROSEMARY
HENSHAW, RICHARD	HERNANDEZ, BONNIE M	HERSHBERGER, JANET	HEWITT, CAROL
HENSLEY, BOBBIE	HERNANDEZ, CRYSTAL	HERSHKOWITZ,	HEWITT, DENIS
HENSLEY, BOBBIE	HERNANDEZ, CRYSTAL	BENJAMIN	HEWITT, LOUISA
HENSLEY, CATHERINE	HERNANDEZ, ESTELLA	HERSUM, MARIAN	HEWITT, NANCY
HENSLEY, DEANNA	HERNANDEZ, GINA	HERSUM, TERRY	HEYDUK, DANIEL
HENSLEY, DEANNA	HERNANDEZ, GRACE	HERSZENSON, SIDNEY	HEYL, MICHAEL
HENSMAN, ROBERT	HERNANDEZ, IVET	HERSZENSON, SIDNEY	HEYL, MICHAEL
HENSMAN, ROBERT	HERNANDEZ, JAVIER	HERTFELDER, KT	HEYL, MICHAEL
HENSMAN, ROBERT	HERNANDEZ, JERILEE	HERTZ, ALBERT AND	HEYMANN, DIANA
HENSON, LANA	HERNANDEZ, JUAN	MARCIA	HEYN, JOYCE
HENSON, LINDA	HERNANDEZ, KENNEDY	HERTZ, ALBERT AND	HEYN, PIA
HENSON, PAT	HERNANDEZ, MANDEE	MARCIA	HEYNEMAN, AMY
HENSON, RACHEL	HERNANDEZ, MANDEE	HERTZ, LINDA	HEYNEMAN, JOHN
HENTY, JOHN	HERNANDEZ, MATTHEW	HERWIG, GARY	HEYNEMAN, JOHN
HENZEL, WILLIAM	HERNANDEZ, MICHELLE	HERWIG, GARY	HEYSHAM, NANCY
HENZEL, WILLIAM	HERNANDEZ, TANYA	HERWIG, GARY	HEYTHALER, EILEEN
HENZEL, WILLIAM	HERNANDEZ, TANYA	HERZ, DAYNA	HEYWOOD, SUSAN
HENZI, BERNADETTE	HERNANDEZ-KOSCHE,	HERZ, JOLENE	HEZEL, THEODORE
HEPBURN, ROBERT	DENA	HERZER, SUSAN	HIAN, PATTI
HEPBURN, ROBERT	HERNANDEZ-WOLFE,	HERZOG, MARLA	HIATT, JULIE
HEPFER, ANNE	MARIA	HERZSTEIN, SANDRA	HIATT, VONNIE

HIBBARD, ED	HILF, LAWRENCE	HINSHAW, SALLY	HOCH, LISA
HIBBARD, SUSAN	HILF, LINDA	HINSHAW, SALLY	HOCH, NIKKI
HIBBEN, T	HILGER, REBECCA	HINSHAW, TAMMERA	HOCHENDONER, BERNARD
HIBBS, IKUKO	HILGERS, IRENE	HINSON, BECKY	HOCKENBERRY, LEE
HICKEY, DOREEN	HILKOVITCH, NICOLE	HINSON, DORIS	HOCKING, ZORA
HICKEY, KATHLEEN	HILL ALEXANDER, STEPHANIE	HINSON, JOANN	HOCKING, ZORA
HICKEY, P	HILL, ALISON	HINSON, KATHERINE	HODGE, BARBRA
HICKEY, THOMAS	HILL, CYNTHIA	HINSON, KATHERINE	HODGE, PATTI
HICKLE, STEVE	HILL, DANNY	HINSON, KATHERINE	HODGE, RYAN
HICKLE, STEVE	HILL, ELIZABETH	HINTON, LORA LEE	HODGES, BARRY
HICKOX, NICOLE	HILL, HEATHER	HIPKINS, WILLIAM	HODGES, CHRISTINA
HICKS, CHARITY	HILL, JANET	HIPOL, JAY-R	HODGES, ROXANNE L
HICKS, CYNTHIA	HILL, JEFFREY L	HIPPENSTEEL, CAROLYN	HODGES, SHERRI
HICKS, CYNTHIA	HILL, JIM	HIPSCHMAN, AMANDA	HODGES, SHERRRI
HICKS, JACQUIE	HILL, JULIANNE	HIPSZKY, GINGER	HODGES, SHERRRI
HICKS, JAMES	HILL, KATHLEEN	HIPWORTH, DANIELLE	HODGES, SHERRRI
HICKS, LACEY	HILL, LARRY	HIPWORTH, DANIELLE	HODGETTS JR, THE REV. WILLIAM T
HICKS, MEGAN	HILL, LINDA	HIRSCH, ANDREA	HODGSON, ELEANOR
HICKS, WILL	HILL, LORNA	HIRSCH, DEBORAH	HODNETT, DEAN
HICKS-GOLDSTON, CHRISTINA	HILL, MARGARET	HIRSCH, ROBERT	HODSON PHD JD, M DIANE
HICKS-SEVERN, PERCY	HILL, MICHAEL AND BARBARA	HIRSCH, SUSAN	HODSON PHD JD, M. DIANE
HICKS-SEVERN, PERCY	HILL, NANCY	HIRSCHFELD, DEBRA	HODUM, PETER
HIDALGO, STEFANIE	HILL, NASTASSIA	HIRSCHFELD, KAREN	HODUM, PETER
HIER, KATHRYN	HILL, NASTASSIA	HIRSCHFELD, KAREN	HODUM, RUTH
HIESTAND, NANCY	HILL, SHERRY	HIRSCHFELD, NATASHA	HOEFLER, MARY ANN
HIGDON, MATTHEW	HILL, SUSAN	HIRSH, ANDREA	HOEHLEIN, RICHARD AND JILL
HIGDON, MATTHEW	HILL, SUSAN	HIRSHOREN, HARRIET	HOELKE, STEVEN
HIGGINBOTHAM, RANDALL	HILLEBRECHT, PATSY	HIRT, BARBARA	HOENIG, IRWIN
HIGGINS, ALFRED	HILLEKE, POLLY	HIRT, DEBORAH	HOENIG, IRWIN
HIGGINS, JEFF	HILLERS, DIANNA	HIRTH, SHARON	HOENIG, IRWIN
HIGGINS, LINDI	HILLESTAD, MAC	HISCOCK, RICHARD	HOENLE, TERRY
HIGGINS, LINDI	HILLGARTH, NIGELLA	HISS, JOSEPH	HOERMANN, SUZANNE
HIGGINS, LINDI	HILLGER, LYNN	HITCHBORN, ARDIS	HOEY, LISA
HIGGINS, LINDI	HILLIARD, PATRICIA	HITESHEW, ELEANOR	HOF, ANNETTE
HIGGINS, PAMELA	HILLMAN BOURNE, SUSAN	HITESMAN, CHERI	HOFER, CURT
HIGGINS, PAMELA	HILLMAN, D	HITZKE, ROBERT	HOFER, URSULA
HIGGINS, PAMELA	HILLMAN, TAMI	HIX, SUSAN	HOFF, BEVERLY
HIGGINS, SAM	HILLMER, BARBARA	HIX, WILLIAM	HOFF, BEVERLY
HIGGINS, SHARON	HILLOCK, LARRY	HIXSON, BECKY	HOFF, MARY L
HIGGS, BRAD	HILLS, JEANETTE	HLINE, NANCY	HOFF, MICHELLE
HIGGS, ROBERT	HILLYARD, ALAN	HLODNICKI, BRUCE	HOFFERT, FLORENCE
HIGH, CHERE	HILTS, CORA	HLODNICKI, BRUCE	HOFFMAN II, BRUCE L
HIGHFIELD, CYNTHIA	HIMELHOCH, TERESA	HMATOWICH, DON	HOFFMAN, BOB
HIGHMAN, LAURIE	HIMES, DENNIS	HO, IVY	HOFFMAN, BRENDA
HIGHT, HENRIETTA	HINCH, DIANNE	HO, LISA	HOFFMAN, CATHY
HIGHT, MARY ANN	HIND, APRIL	HOAG, HELEN	HOFFMAN, CHARLOTTE
HIGHT, MARY ANN	HINDMAN, SUSAN	HOAGLIN, DIANNE	HOFFMAN, ELSA
HIGHTOWER, ELIZABETH	HINES, BUNNY	HOAGLIN, DIANNE	HOFFMAN, HARRY
HILA, JOHN	HINES, BUNNY	HOANG, LYNN	HOFFMAN
HILBERT, PAM	HINES, CAROLE	HOASHI, MARINA	HOFFMAN, JAKE
HILDEBRAND, CINDY	HINES, JAMIE	HOBART, JOHN	HOFFMAN, JANE
HILDEBRAND, KAREN	HINES, JORIS	HOBBS, DEBBY	HOFFMAN, JANICE
HILDRETH, ELENA	HINES, MARIANNE	HOBBS, TRACY	HOFFMAN, JOHN
HILDRETH, STEPHANIE	HINES, MEGHAN	HOBERT, JEANNE	
HILEMAN, JUDY	HINSHAW, ANN	HOBSON, KELVIN	
HILER, LISA	HINSHAW, SALLY	HOCH, LAUREL FOX	
		HOCH, LISA	

HOFFMAN, JOSHUA	HOLLAND, KATE	HOLT, LOIS	HOOVER, JOHN
HOFFMAN, SAGE	HOLLAND, KATE	HOLT, LYNNE	HOOVER, JOHN
HOFFMAN, SHARON	HOLLANDER, CAROL	HOLT, RANDI	HOOVER, LAURA
HOFFMAN, STEVEN	HOLLANDER, ROGER	HOLT, RANDI	HOOVER, MARYBETH
HOFFMAN, STEVEN	HOLLAR, BARBARA	HOLTZ, SUE	HOOVER, SUZANNE
HOFFMANN, KIT	HOLLAR, RONDANE	HOLTZMAN, JULIE	HOOVER, THOMAS
HOFFMANN, VALERIE	HOLLENBAUGH, FONDA	HOLUB, PALOMA	HOPE, DOLLY
HOFHEINS, PAUL	HOLLENBECK, BRETT	HOLUB, PALOMA	HOPE, PHILLIP
HOFING, AMY	HOLLENBECK, BRETT	HOLYFIELD, REBECCA J.	HOPE, PHILLIP
HOFMANN, DARIA	HOLLENBECK, REBECCA	HOLZER, AARON	HOPGOOD, MARY ANNE
HOFMANN, EMMY	HOLLEY, GREGORY	HOLZERLAND, MARILYN	HOPKINS, AMY
HOFMEISTER, PATRICIA	HOLLEY, THOMAS	HOLZINGER, KRISSA	HOPKINS, BRIAN
HOGAN, B. L .	HOLLIDAY, STACEY	HOLZMAN, CATHERINE	HOPKINS, GARY
HOGAN, JOSHUA	HOLLIDAY, T	HOLZMAN, TAMMY	HOPKINS, HERB
HOGAN, LISA	HOLLIE, PAULA	HOLZWORTH, PHYLLIS	HOPKINS, MARLENE
HOGAN, MICHAEL	HOLLINRAKE, MARK	HOMER, LAUREN	HOPKINS, STACEY
HOGAN, RANDOLPH	HOLLIS-FRANKLYN, C.C.	HOMER, RONA	HOPKINSON, PATTY
HOGAN, SABRINA	HOLLIS-FRANKLYN, C.C.	HOMSEY, ELLEN	HOPLER, JAMES
HOGANSON, M	HOLLIS-FRANKLYN, C.C.	HONADEL, LINDA	HOPLER, RUSS
HOGG, JONATHAN	HOLLIS-FRANKLYN,	HONCHEN, KATHLEEN	HOPPE, JUDITH
HOGUE, THERESE	CANDACE	HONDA, SATOMI	HOPPE, KAREN
HOHBACH, JAMES	HOLLORAN, HEIDI	HONEY, SUSAN	HOPWOOD, TIM
HOHMAN, PAUL	HOLLOWAY, CHERYL	HONG, CELESTE	HORAK, SHERYL
HOING, ELIZABETH	HOLLOWAY, DEMPSEY	HONG, MALINA	HORAN, DEBBIE
HOJDA, DEBORA	HOLLOWAY, ROBIN	HONIGFORT, CINDY	HORAN, MICHAEL
HOJDA, DEBORA	HOLLOWELL, HEATHER	HONIGFORT, CINDY	HORBINSKI, ANDREA
HOJDA, DEBORA	HOLLY, JULIE	HONISH, ROBERT	HORBINSKI, ANDREA
HOJDA, DEBORA	HOLM, LISA	HONOLD, WENDY	HORENSTEIN, MICHELE
HOKOM, BARBARA	HOLM, MARY	HONOLD, WENDY	HORN, BARBARA
HOKOM, KAREN	HOLM, MARY	HONOLD, WENDY	HORN, CAROL
HOLBERT, DIANA	HOLM, MARY	HONOLD, WENDY	HORN, JENIFER
HOLBROOK, CHARLENE	HOLM, RUSSELL	HONOLD, WENDY	HORN, LISA
HOLBROOK, DOROTHY	HOLM, SAM	HONSINGER, JEANNIE	HORN, MARY
HOLBROOK, DOROTHY	HOLM, SAM	HOOD, AURORA	HORNADAY, MARY ANN
HOLBROOK, SARAH	HOLMAN, ALAN	HOOD, BARBARA	HORNADY, JUDITH
HOLCOMB, ANNE	HOLMAN, LISA	HOOD, ED	HORNBUCKLE, BRIAN
HOLCOMB, ROBERT	HOLMES, DAVID	HOOD, JANET	HORNE, RICK
HOLCOMB, SHERRY	HOLMES, DOROTHY	HOOD, JANET	HORNER, JESSICA
HOLCOMB-KNOWLES,	HOLMES, JENNIFER	HOOD, JANET	HORNER, JOSHUA
CATHLEEN	HOLMES, JOAN	HOOD, LISA	HORNER, JOSHUA
HOLDEN, CAMILLE	HOLMES, JONATHAN	HOOD, LORI	HORNER, JOSHUA
HOLDEN, CATHY	HOLMES, MARNI	HOOD, NICK	HORNER, LORRAINE
HOLDER, JEFFREY	HOLMES, MATTHEW	HOOD, SHELBY L.	HORNEY, BARRY
HOLDER, LISA	HOLMES, MATTHEW	HOOD, SHELBY L.	HORNEY, BARRY
HOLDRIDGE, MARY	HOLMES, MATTHEW	HOOD, SHELBY L.	HORNICK, ANNA
HOLDSWORTH, ARIEL	HOLMES, SANDRA	HOOD, SHELBY L.	HOROWITZ, LAURA
HOLDSWORTH,	HOLMES, VIVIAN	HOODWIN, MARCIA	HOROWITZ, MICHELLE
JACQUELINE	HOLMGREEN, GEORGE	HOODWIN, MARCIA	HOROWITZ, MICHELLE
HOLGUIN, CARLA	HOLM-HANSEN,	HOODWIN, MARCIA	HOROWITZ, MICHELLE
HOLICKY, PATRICIA	AUDREY	HOOGENBOOM, JAN	HORSCH, THOMAS
HOLIDAY, LINDA	HOLMLUND, KRISTI	HOOK, BARBARA	HORSMAN, DIANE
HOLLAHAN, GLORIA	HOLSER, BRUCE	HOOLE, BRUNSON	HORSTMANN, BONNIE
HOLLAHAN, GLORIA	HOLSTON, JENNIFER	HOOP, ANNE	HORTER, MARTHA
HOLLAND, ANN	HOLT, AMY	HOOPLE, ELIZABETH	HORTON, BETTY
HOLLAND, AYL A	HOLT, ANGIE	HOOT, CHRIS	HORTON, DAN
HOLLAND, BRETT	HOLT, DEBI	HOOT, MELVIN	HORTON, DAN
HOLLAND, DIANNA	HOLT, JANE	HOOVER, CINDA	HORTON, DAN
HOLLAND, JAMES	HOLT, LOIS	HOOVER, DEIRDRE	HORTON, DAN

HORTON, DEANNA	HOUY, MARGARET L	HRYNIEWICH, BETHANY	HUFF, TERRY
HORTON, DEANNA	HOVEN, HEIDI	HRYNKO, MARIANNA	HUFFMAN, FRANKE
HORTON, DEANNA	HOVEY, ROSEANNE	HSNSEN, COLLEEN	HUFFMAN
HORTON, DEANNA	HOWARD, CYNTHIA	HSU, KATHERINE	HUFFMAN, JAMES
HORTON, DEANNA	HOWARD, DAVE	HUANG, AMY	HUFFMAN, MELODIE
HORTON, DOUGLAS	HOWARD, DONNA	HUANG, EMILY	HUFFMAN, MELODIE
HORTON, KAREN	HOWARD, DOREEN	HUANG, PHYLLIS	HUFFMAN, MELODY
HORTON, KATHLEEN	HOWARD, ERIN	HUANG, PHYLLIS	HUFFMAN, NELL
HORTON, LINDA	HOWARD, ERIN	HUANG, WINSTON	HUFFMAN, ROBERT
HORTSCH, STEPHANIE	HOWARD, JESSICA	HUBACEK, RICHARD	HUFFMAN-KERR, ROSS
HORTY, SU	HOWARD, JOHN	HUBBARD, DAN	HUFFSMITH, JENNIFER
HORTY, SUSAN	HOWARD, JULIE	HUBBARD, DAN	HUFNAGEL, GLENN
HORVATH, NANCY	HOWARD, JULIE	HUBBARD, DAN	HUFNAGEL, GLENN
HORVATH, NANCY	HOWARD, NANCY	HUBBARD, DAN	HUGG, LISA
HORWITZ, CAREY	HOWARD, PAUL	HUBBARD, ELDA	HUGGINS, BARBARA
HORWITZ, MARTIN	HOWARD, SHERRY	HUBBARD, JEFF	HUGGINS, BARBARA
HORWITZ, MARTIN	HOWDEN, JOHN	HUBBARD, JULIE	HUGH, JAMES
HORWOOD, KAREN	HOWDEN, MICHAEL	HUBBARD, MARY	HUGHAN, GEORGE
HOSALI-SYED, KAVITA	HOWE, HEATHER	HUBBARD, PAM	HUGHES, ANDY
HOSKIN, PATRICIA	HOWE, LINDA	HUBBARD-REEVES,	HUGHES, BETH
HOSKINS, AMY	HOWE, LINDA	SUSAN	HUGHES, BETH
HOSKINS, TERRY	HOWE, LINDA	HUBBERT, MARGARET	HUGHES, CHERYL
HOSSAN, CAROLE	HOWE, SYLVIA	HUBER JR, RAY	HUGHES, DIANNE
HOSTA, DENISE	HOWELL, BARBARA	HUBER, LOIS	HUGHES, DOUGLAS
HOSTA, DENISE	HOWELL, CYNTHIA	HUBER, MARY	HUGHES, DWIGHT
HOSTA, DENISE	HOWELL, LINDA	HUBER, MARY	HUGHES, DWIGHT
HOSTETTLER, BOB	HOWELL, LISA	HUBER, MARY	HUGHES, HALEY
HOSTETTLER, JAIME	HOWELL, SYLVIA	HUBER, WILLIAM	HUGHES, JAMES
HOTES, DONNA	HOWELL, VALERIE	HUBERMAN, GLENN	HUGHES, JAN
HOTHAM, SHARON	HOWELL-COLEMAN,	HUBERT, ELIZABETH	HUGHES, JAN
HOTOPP, JEAN	FRANCES	HUCKEL, MARK	HUGHES, JANICE
HOTTEL, DEREK	HOWELL-COLEMAN,	HUDDLESTON, HEATHER	HUGHES, JOAN
HOTTENSTEIN, TARA	FRANCES	HUDDLESTON, MOLLY	HUGHES, KEVIN
HOTTENSTEIN, TARA	HOWELLS, BENTON	HUDDLESTONE, LAURA	HUGHES, LANA
HOTTENSTEIN, TARA	HOWENSTINE, JENNIFER	HUDSON, ALICE	HUGHES, LISA
HOTTENSTEIN, TARA	HOWERTON, MARILYN	HUDSON, ALICE	HUGHES, LYNNE
HOUGH, DENNIS	HOWIE, LINDA	HUDSON, ALICE	HUGHES, LYNNE
HOUGH, ELIZABETH	HOWLAND, DONNA	HUDSON, ALICE	HUGHES, MELVIN
HOUGH, HEATHER	HOWLETT, PHYLLIS	HUDSON, ALICE	HUGHES, PATRICIA
HOUGHAM, TOM	HOWREN, KAT	HUDSON, JUANITA	HUGHES, PATRICIA
HOUGHTALING,	HOWSE-KURTZ, MISSY	HUDSON, MARCELLA	HUGHES, ROBERT
TIMOTHY	HOWZE, ELIZABETH	HUDSON, MARIA	HUGHES, VICKI
HOUGHTON JR,	HOY, JUDY	HUDSON, ROBIN	HUGHES, VICKI
RONALD	HOYER, MARK	HUDSON, SEAN	HUGO, KIM
HOUGHTON, ABIGAIL	HOYES, ANGELA	HUDSON, SELENA	HUIBREGTSE, ANNE
HOULIHAN, JANE	HOYLE, GENNY	HUDZIK, KAREN	HUIZENGA, ANNETTE
HOUSE, JOHN L.	HOYT, ALLEYNE	HUEBNER, GARY	HUIZENGA, BETH
HOUSE, JUDITH	HOYT, DAVID	HUEBNER, HERB	HUIZENGA, CAL
HOUSE, SHARON	HOYT, DEBRA	HUEBNER, MELISSA	HULL, BRANDON
HOUSER, BRIAN	HOYT, DIANNA	HUELKE, ERNESTINE	HULL, CONNIE
HOUSER, ELAINE	HOYT, ELIZABETH	HUETTER, RONALD	HULL, CYNTHIA
HOUSER, RON	HOYT, KATHERINE	HUEY, TERRY	HULL, EVELYN
HOUSER, RONALD	HOYT, LINDSAY	HUFF, CLAIRE	HULL, LISE
HOUSTON, BARBARA	HREN, JOYCE	HUFF, ELAINE	HULL, RON
HOUSTON, BARBARA	HRICENAK, DAVID	HUFF, RAE	HULLSTRUNG, JEFFREY
HOUSTON, DEBORAH	HRUSKA, T	HUFF, ROBIN	HULSE, GWEN
HOUSTON, MEGHAN	HRYCUNA, KATHY AND	HUFF, ROBIN	HULSEY, WAYNE
HOUTMAN, LINDA	CHUCK	HUFF, ROBIN	HULSOPPLE, LYNDIA

HULTS, CAROL	HUNTER, TANA	HUSSAIN, GABRIELLA	IANNIZZOTTO,
HUMBERT, MARIA	HUNTINGTON, JOHN	HUSSER, NORMAN	DEBORAH
HUME, BONNIE	HUNTINGTON, NANCY	HUSTON, ANNE	IBANEZ, MIA
HUME, SUZANNE	HUNTINGTON,	HUSTON, ANNE	IBANEZ, MIA
HUMMEL, JANET	STEPHANIE	HUSTVEDT, ANN	IBENTHAL, BRIAN
HUMMEL, LANI	HUNTLEY, HEATHER	HUTCHENS JR., JOHN	ICE, PAMELA E
HUMPHREY, JAY	HUNTLEY, HEATHER	HUTCHENS, MARIE	ICHIKAWA, JERI
HUMPHREY, MATTHEW	HUNTLEY, LYNNE	HUTCHERSON, CATHY	IDSO, BARBARA
HUMPHREY, NANCY	HUNTOON, KRISTIN	HUTCHESON, REBECCA	IDYLE, CYNTHIA
HUMPHREY, PAUL	HUNTSBERGER, NICOLE	A	IERARDI, DEBRA
HUMPHREY, SAROYAN	HUNWICK, MISHIA	HUTCHIN, KRISTINE	IERULLI, BARBARA
HUMPHREY, SAROYAN	HUNZIKER, JANE	HUTCHINS, KATHERINE	IFFLAND, LISA
HUMPHREYS, MANDY	HUPERT, DAVID	HUTCHINS, KATHLEEN	IGNELZI, NOREENE
HUMPHREYS, MARLA	HUR, MICHELLE	HUTCHINS, NATICIA	IGOE, JASON
HUMRICH, GILIA	HUR, MICHELLE	HUTCHINSON, JOHN	IHARA, NANCY
HUNKINS, ANN	HURD, CHRISTINE	HUTCHINSON, SANDI	IHMANN, DIANA
HUNKINS, JEANETTE	HURD, L	HUTCHINSON,	IHRKE, ASHLEY
HUNKLER, LISA	HURD, L	TERRANCE	ILIEVA, STEFANKA
HUNSAKER, JACKIE	HURD, SARAH	HUTCHISON, JOHN	ILLIANO, NEIL
HUNSAKER, TORREY	HURLBUT, CATE	HUTCHISON, LINDA	ILSEN, EVE
HUNSAKER, TORREY	HURLEY HUMPHREYS,	HUTCHISON, STANLEY	IMAGE, SWEET
HUNT, CASHIN	PAIGE	HUTH, GRACIELA	IMANI, PARTOW
HUNT, CYNDI	HURLEY HUMPHREYS,	HUTKO, SUSAN	IMHOLTE, RACHEL
HUNT, DONALD	PAIGE	HUTKO, SUSAN	IMLAY, MARC AND
HUNT, JO	HURLEY, BRADY	HUTSON, KATHERINE	ALICE -
HUNT, JUDITH	HURLEY, DONNA	HUTT, NATHANIEL	IMLER, DONALD
HUNT, JUDITH	HURLEY, SHARON	HUWE, TERRY	IMMEKUS, PENNY
HUNT, KATHLEEN	HURLEY, SUE	HVIDSTON, VICKI	IMMERMANN, FRED
HUNT, LISA	HURLEY, SUE	HVOSLEF, ERIK	IMPASTATO, ARTHUR
HUNT, MARGARET	HURLING, KATHY	HYATT, ALAN	INAGAKI, KEIKO
HUNT, MARY	HURSCHIK, KIMBERLY	HYATT, MARGARET	INCLES, DARA
HUNT, MARY	HURSCHIK, KIMBERLY	HYCHE, KENNETH	INDACOCHA, LUIS
HUNT, MYLES	HURSCHIK, KIMBERLY	HYDE, ELIZABETH	INFANTINO, PATRICIA
HUNT, MYPHON	HURST, GEORGE	HYDE, ELIZABETH	INFIELD, MARYAN
HUNT, MYPHON	HURST, IRENE	HYDE, ELIZABETH	INGALLS, LAMONT
HUNT, MYPHON	HURST, KAREN	HYDE, KAREN	INGENITO, DONNA
HUNT, MYPHON	HURSTING, JONATHAN	HYDER, MARIE	INGENITO, DONNA
HUNT, RITA	HURSTING, JONATHAN	HYDRO, CHRIS	INGLIS, ADRIENNE
HUNT, ROB	HURST-WAITZ,	HYDUKE, CHARA	INGLISS, ROBERT
HUNT, RONALD	ELIZABETH	HYER II, ROBERT	INGRAHAM, MARY
HUNT, SEAN	HURT, SONIA	HYLAND, KARYN	INGRAM, MARCIA
HUNT, STEPHEN	HURTT, KIMBERLY	HYLAND, KARYN	INGRAM, SJ
HUNT, SUZANNE	HURTT, KIMBERLY	HYLTON, LARRY	INGRAM, SJ
HUNTER, D. M.	HURUTADO, MARIANA	HYLTON, STEVE	INGRAM, WILMA
HUNTER, ELIZABETH	HURWITZ, DAVID	HYLTON, STEVE	INMAN, JEAN
HUNTER, JOANN	HURWITZ, DAVID	HYLTON, WALTER	INNAMORATO, FRED
HUNTER, KAREN	HURWITZ, DAVID	HYMAN, KAYLA	INNAMORATO, FRED
HUNTER, KATHY	HURWITZ, JEFFREY	HYMER, MONICA	INNES, CYNTHIA
HUNTER, KENDRA	HURWITZ, JEFFREY	HYNES, KATHLEEN	INNES, DIANE
HUNTER, KONRAD	HUSAIN, SAMIA	HYNES, KATHLEEN	INNESS, LINDA
HUNTER, KYLARA	HUSAK, TODD	HYSLOP, KAREN	INSARDI, NINA
HUNTER, LINDA	HUSAR, LINDA C.	HYUN, PHILIP	INSELMAN, SANDRA
HUNTER, MARGARET	HUSBY, JASON	IACONO, LYNN	INTARASUT, SANDY
HUNTER, MICHAEL	HUSFELT, MELANIE	IACONO, LYNN	INTEMANN, RAYMOND
HUNTER, NAN	HUSFELT, MELANIE	IAMS, VONNIE	INTEMANN, RAYMOND
HUNTER, PATRICIA	HUSK, LAUREL	IANNACONE, CYNTHIA	INTRIERI, RONALD
HUNTER, SHERON	HUSMANN, SABRINA	IANNETTA, VIVIEN	IOVINO, TERESA
HUNTER, TANA	HUSS, GARY	IANNETTA, VIVIEN	IOVINO, TERESA

IOZZIO, MARY JO	JACHE, ELIZABETH	JACOBSON, LISA	JAMES, WENDY
IPE, LYNDA	JACHIMIAK, JAMES	JACOBSON, MAUREEN	JAMESON, NANCY
IPPOLITO, SUZETTE	JACHIMIAK, JIM	JACOBSON, PAUL	JAMISON, KATHERINE
IRADAH, ANAHATA	JACKSON, ANDREW	JACOBSON, ROBERT	JAMISON, VANESSA
IRCINK, JASON	JACKSON, ANN	JACOBSON, ROBERT	JAMMAL, ANTHONY
IRELAND, TOSHIBA	JACKSON, ANNETTE	JACOBSON, TRINA	JAMMAL, ANTHONY
IRION, LYNNE	JACKSON, BONNIE	JACOBSSON, LYNN	JANAC, CINDY
IRIZARRY, MARIA	JACKSON, CLAIRE	JACOBUS, JOLIE J	JANACUA, CATHY
IRIZARRY, ROBIN	JACKSON, CYNTHIA	JACOBY, JILL	JANCZUK, STAN
IRONS, BRIDGET	JACKSON, ELIZABETH	JACOBY, SUSAN	JANDA, JILL
IRONS, BRIDGET	JACKSON, ERICA	JACQUES, KAREN	JANDA, JILL
IRONS, DAVID	JACKSON, GEORGE	JACQUES, KAREN	JANDOUREK, ALEXIA
IRVINE, DON	JACKSON, GREG	JACQUES, KAREN	JANE RODGERS,
IRVINE, LORRAINE	JACKSON, JACKIE	JACQUES, KAREN	KIMBERLY
IRVINE, NANCY	JACKSON, JAMES	JACQUES, SALLY	JANELLE, SUSAN
IRVING, MARK	JACKSON, JAMES K	JACQUES	JANES, KATHLEEN
IRWIN, DAVID	JACKSON, JANE	JADER, ANITA	JANES, LINDA
IRWIN, PAT	JACKSON, JANET	JADERBORG, JANET	JANICK, LORI
IRWIN, SUSY	JACKSON, JANETTE	JAEGER, MICHELLE	JANIS, ALLEN
ISAAC, SHELDON	JACKSON, JODI	JAEGER, PAULETTE	JANKE, DONNA
ISAACSON, CARLA	JACKSON, JOSHUA	JAEGER, ROBERT	JANKE, EILENE
ISAACSON, CHRIS	JACKSON, KATHLEEN	JAFARI, KATY	JANKE, EILENE
ISACKSON, ALICE	JACKSON, KATIE	JAFFE, BURTON	JANSEN, CHRIS
ISBELL, LINDA	JACKSON, KEVIN	JAGER, CALVIN	JANSEN, CYNTHIA
ISBELL, LINDA	JACKSON, LISA	JAGIELLO, CAROL	JANSEN, CYNTHIA
ISEMINGER, ELIZABETH	JACKSON, LISA	JAGODA, LESLIE	JANSEN, DIANE
ISHIGO, HIROKO	JACKSON, LYNN	JAHN, BEVERLY	JANSEN, JAMIE
ISHIGO, HIROKO	JACKSON, MAYA	JAHNKE, MARY LYNN	JANSON, SHARON
ISHII-KIEFER, TAKAKO	JACKSON, MISSY	JAHOS, ELLEN	JANSON, SHARON
ISHMAEL, ELIZABETH	JACKSON, PAMELLA	JAIMEZ, LUCAS	JANSSSEN, HILLIE
ISHMAEL, ELIZABETH	JACKSON, PETER S.	JAISSE, KATHLEEN	JANSSSEN, SUE
ISIAHO, DELIA	JACKSON, RICHARD	JAKEMAN, MOLLY	JANUARY, GERALDINE
ISKRA, STEVEN	JACKSON, RICHARD	JAKOBY, JOHN	JANUSAUSKAS,
ISLAM, ZIA	JACKSON, RICHARD	JAKOPAK, PEGGY	MATTHEW
ISMAIL, FARZANA	JACKSON, SANDRA	JAKOPAK, PEGGY	JANUSKO, ROBERT
ISMAIL, FARZANA	JACKSON, SASHA	JAKUSZ, DARLENE	JANZICK, STAN
ISPHORDING, GW	JACKSON, VICKI	JAKUSZ, DARLENE	JAQUI, LAURA
ISPHORDING, GW	JACKSON, VIRGINIA	JAKUSZ, JEAN	JAQUI, LAURA
ITANI, TAMIMA	JACKSON, VIRGINIA	JAMADAR, RUSTOM	JAQUES, REBECCA
ITO, BARBARA	JACKSON-HOLT, JOANN	JAMES, ANN	JAQUES, WENDY
IVENS, ROSALIND	JACOB, APRIL	JAMES, AVERY	JARA, ELISA
IVERS, JENNIFER	JACOB, GUY	JAMES, BRENDA	JARNAGIN, W
IVERS, TIM	JACOB, RONALD	JAMES, BRENDA	JAROCKI, GAIL
IVERSEN, JERI	JACOBOWITZ,	JAMES, DANNY	JAROSICK, MICHAEL
IVERSEN, JERI	ELIZABETH	JAMES, EDITH	JARRELL, ROBIN
IVERSON, JON	JACOBS, CHRISTINE	JAMES, ELYSIA	JARRELL, SARAH
IVERSON, KENT	JACOBS, EMILY	JAMES, ELYSIA	JARRELL, WAYNE
IVERSON, STEVE	JACOBS, LEN	JAMES, JIMMY	JARRETT, WENDY
IVERSON, SUSAN	JACOBS, NANCY	JAMES, JIMMY	JARUSINSKY, DAWN
IVERSON, SUSAN	JACOBS, QUIDA	JAMES, JIMMY	JARVIE, CAROL
IYER, RAHUL	JACOBS, SHANNON	JAMES, JIMMY	JARVIS, ASTRID
IYER, RAJESH	JACOBS, TRUDY	JAMES, JUDY	JARVIS, AUSTIN
J, DANIELLE	JACOBS, TRUDY	JAMES, JUDY	JARVIS, DAVID
J, J	JACOBS, Y	JAMES, LORREN	JARVIS, JANIS
JABLONSKI, KAY	JACOBSEN, CLAIRE	JAMES, NORA	JARVIS, MARSHA
JABLOW, LISA	JACOBSEN, CLAIRE	JAMES, R DEAN	JARVIS, MELISSA
JACE SWARTWOUT,	JACOBSEN, SHIRLEY	JAMES, RICHARD	JASAY, LISA
JACE SWARTWOUT	JACOBSON, JANE	JAMES, SUZANNE	JASIENIECKI, JANICE

JASIEWICZ, EDWARD	JENNINGS,	JOADWINE, JOHN	JOHNSON, ELAINE
JASONI, MARILYN	MR.CHRISTOPHER	JOAQUIN, CLAIRE	JOHNSON, ELAINE
JASONI, MARILYN	JENNINGS, SCOTT	JOBLING, CATHERINE	DOROUGH
JASPERSON, LESLIE	JENNINGS, TRAVIS	JOCHEM, NANCY	JOHNSON, ELIZABETH
JASTRAM, SUSAN	JENNIS-SAUPPE, EILEEN	JOERSS, DETLEF	JOHNSON, ELIZABETH
JASTROMB, VIRGINIA	JENO, CAITLIN	JOHANESSEN, KATHRYN	JOHNSON, ELIZABETH
JASTROMB, VIRGINIA	JENRETTE, HENRIETTA	JOHANESSEN, KATHRYN	JOHNSON, ERIC
JASTROMB, VIRGINIA	JENSEN, BJ	JOHANNESSEN, AMY J	JOHNSON, ERIC
JAUDZEMIS, THOMAS	JENSEN, BRETT	JOHANNSEN, LINDA	JOHNSON, ERIN
JAUDZEMIS, TOM	JENSEN, CORNELIA	JOHANNSEN, MARY	JOHNSON, ERIN
JAUDZEMIS, TOM	JENSEN, CORNELIA	JOHANNSEN, MARY	JOHNSON, EVELYN
JAUREGUIZAR,	JENSEN, DEBORAH	JOHANSEN, CINDA	JOHNSON, G. G.
MARIATERESA	JENSEN, GUY	JOHANSEN, CINDA	JOHNSON, G. G.
JAURON, NIKKI	JENSEN, JOEL	JOHANSEN, GINA	JOHNSON, GARY AND
JAVA, EMMA	JENSEN, KATHY	JOHANSEN, PENELOPE	PAT
JAVINSKY, ELIZABETH	JENSEN, KEVIN	JOHANSON, ERICA	JOHNSON, GEORGE
JAWORSKY, MARINA	JENSEN, LISA	JOHN, HEATHER	JOHNSON, GERIANN
JAWORSKY, MARKIAN	JENSEN, PAMELA	JOHN, PARKE	JOHNSON, GINNY
JAY, RYAN	JENSEN, PETER	JOHNS, ARIANA	JOHNSON, GRACE
JAY-CARROLL,	JENSEN, ROBERT	JOHNS, MARK	JOHNSON, GREGG
KATHERINE	JENSEN, SUSAN	JOHNS, MARY LEE	JOHNSON, HOLLYCE
JAYNE, CATHERINE	JENSEN, SUSAN	JOHNSEN, ANNE	JOHNSON, IRENE
JAYNES, VICKI	JENSEN, VICTORIA	JOHNSEN, ROBERT	JOHNSON, JAMES
JEFFERS, JACQUELINE	JEREMIASON, SIGNE	JOHNSON, ALICE	JOHNSON, JAMIE
JEFFERS, JOANNE	JERGENS, JOVY	JOHNSON, ALICE	JOHNSON, JANE
JEFFERY, PATRICIA	JERMAIN, FRAN	JOHNSON, ALICE	JOHNSON, JANE
JEFFERY, ROSEMARIE	JERRY, SAMANTHA	JOHNSON, ALLISON	JOHNSON, JANICE
JEFFERY, WALTER	JERVIS, TOM	JOHNSON, ALVIN	JOHNSON, JANICE F
JEFFREY, MARY	JESEQUEL, RAE	JOHNSON, ANDY	JOHNSON, JANN
JEFFREY, PAM	JESPERSEN, KARLA	JOHNSON, ANGIE	JOHNSON, JENIFER
JEFFREY, PAMELA	JESPERSEN, KARLA	JOHNSON, ANN S	JOHNSON, JENIFER
JEFFREY, PAMELA	JESS, TERRY	JOHNSON, ANNE	JOHNSON, JENIFER
JEFFREYS, ZACHARY	JESSE, CHARLES	JOHNSON, ANYA	JOHNSON, JENIFER
JEFFRIES, LYNNE	JESSEE, SHERRI	JOHNSON, AUBREY	JOHNSON, JENNIFER
JEFFRIES, LYNNE	JESSEN, BRIDGETTE	JOHNSON, B	JOHNSON, JENNIFER
JEFFRIES, LYNNE	JESSLER, DARYNNE	JOHNSON, BARBARA	JOHNSON, JESSICA
JELLISON, SHARON	JETT, ALEXANDRA	JOHNSON, BECKY	JOHNSON, JO ANN
JELONNEK, AJ	JETT, CATHY	JOHNSON, BERA	JOHNSON, JO
JENCIK, BARBARA	JEVRIC, NICHOLAS	JOHNSON, BETTEMAE	JOHNSON, JOYCE
JENCIK, BARBARA	JEWELL, NIKKI	JOHNSON, BRENDA	JOHNSON, JUDITH
JENKIN, ROBERT	JEWELL-CEDER,	JOHNSON, CAROL	JOHNSON, KAREN
JENKINS, AARON	ANNETTE	JOHNSON, CAROL	JOHNSON, KATHERINE
JENKINS, LESLIE	JEZOREK, JACK AND SUE	JOHNSON, CAROL	JOHNSON, KAY
JENKINS, MARK	JEZOREK, JACK AND SUE	JOHNSON, CAROL	JOHNSON, KELLY V
JENKINS, ROBIN	JEZUSKO, LOUISE	JOHNSON, CAROLANN	JOHNSON, KERRY
JENKINS, ROSE	JIMENEZ, ARCI	JOHNSON, CARROLL	JOHNSON, LAUREN
JENKINS, SARAH	JIMENEZ, ARCI	JOHNSON, CARYL	JOHNSON, LINDSAY
JENKINS, SHIRLEY	JIMENEZ, ASHLEY	JOHNSON, CATHERINE	JOHNSON, LISA
JENKINS, THEODORA	JIMENEZ, CYNDEE	JOHNSON, CHERYL	JOHNSON, LISA
JENKINS, THEODORA	JIMENEZ, ELIA	JOHNSON, CHRISTINE	JOHNSON, LISA
JENKINS, THEODORA	JIMÉNEZ, DIANA	JOHNSON, CHRISTINE	JOHNSON, LORRAINE
JENKINS, THEODORA	JING, PATRICIA	JOHNSON, CONSTANCE	JOHNSON, LYNNE
JENNINGS, BRIAN	JINKS, ELIZABETH	JOHNSON, CRYSTEN	JOHNSON, MARCIA
JENNINGS, BRIAN	JIO, PATI	JOHNSON, CYNTHIA	JOHNSON, MARCIA
JENNINGS, CHERYL	JIRANEK, PAMELA	JOHNSON, DAN	JOHNSON, MARY K.
JENNINGS, EMMA	JIRANEK, PAMELA	JOHNSON, DEBBIE	JOHNSON, MATTHEW
JENNINGS, JAMICE	JITCOV, CRISTINA	JOHNSON, DEBORAH	JOHNSON, MICHAEL
JENNINGS, KATHLEEN	JO, LUANA	JOHNSON, DEBRA	JOHNSON, MICHELE

JOHNSON, MOLLY	JOHNSTON, MARK	JONES, JESSICA	JONES-BUNN, SHAWN
JOHNSON, NANCY	JOHNSTON, OLGA	JONES, JOHANNA LISA	JONES-MORRISON, PHYLLIS
JOHNSON, NANCY	JOHNSTON, SHEILA	JONES, JOSEPHINE	JONES-PISTANA, DENISE
JOHNSON, NANCY L	JOHNSTON, SUE	JONES, JOSEPHINE	JOOS, SANDRA
JOHNSON, NANCY	JOHNSTON, TRACY	JONES, JOSEPHINE	JORDAHL, DAVE
JOHNSON, NANNETTE	JOKELA, MARY AND BRIAN	JONES, JOSH	JORDAN SR, MICHAEL
JOHNSON, NICHOLAS	JOKISCH, ARDETH	JONES, JUDITH	JORDAN, ANDREA
JOHNSON, PAM	JOLIN, JUDY	JONES, JUDY	JORDAN, ANDREW
JOHNSON, PAT	JOLLEY, DEE	JONES, KAIJA	JORDAN, BARBARA
JOHNSON, PAT	JOLLEY, DEE	JONES, KATHLEEN	JORDAN, DOROTHY
JOHNSON, PATRICIA	JOLLY, KEITH	JONES, KATHRINE	JORDAN, KIM
JOHNSON, PATRICIA	JONATOWSKI, CHRISTOPHE	JONES, KATHRINE	JORDAN, LANCE
JOHNSON, PATTI	JONES BARNES, JENNIFER	JONES, KEITH	JORDAN, LEE
JOHNSON, PHILIP	JONES, ALBERTA	JONES, KENNETH	JORDAN, MARILYN
JOHNSON, RACHEL	JONES, ALEXANDER	JONES, KENT	JORDAN, MARILYN
JOHNSON, RANDY	JONES, ALLISON	JONES, KIMBERLY	JORDAN, SARAH
JOHNSON, REBECCA	JONES, ALLY	JONES, KRISTINE	JORDAN, SUSAN
JOHNSON, RICHARD	JONES, AMELIA	JONES, KYLE	JORDAN, SUSAN
JOHNSON, RICHARD	JONES, ANGELA	JONES, KYLE	JORDAN, SUSAN
JOHNSON, RICHARD	JONES, ASHLEIGH	JONES, LESLEY	JORDAN, WENDY
JOHNSON, RICK	JONES, AYANA	JONES, LESLIE	JORDAN-FIDLER, VICKIE
JOHNSON, SHAYNA	JONES, BARBARA	JONES, LINDA	JORET, CATHARINE
JOHNSON, SHEILLA	JONES, BETH	JONES, LINDA	JORGENSEN, ALENA
JOHNSON, STEPHEN A	JONES, BETTI	JONES, LYNNE	JORGENSEN, CHARLOTTE
JOHNSON, STEPHEN A	JONES, BRENDA	JONES, MARILYN	JORGENSEN, KRISTINE
JOHNSON, STEPHEN A	JONES, BRIAN	JONES, MARY	JORGENSEN, LESLEY
JOHNSON, STEPHEN	JONES, BRIAN	JONES, MARY ANN	JORGENSEN, MICHELLE
JOHNSON, STEVE	JONES, BRIAN	JONES, MARY	JORGENSEN, MICHELLE
JOHNSON, SUE	JONES, BRIAN	JONES, MARY	JORGENSEN, RHODIE
JOHNSON, SUSAN	JONES, CANDY	JONES, MELINDA	JOSAITIS LENDZION, MARY
JOHNSON, SUZANNE	JONES, CANDY	JONES, MICHELLE	JOSEPH, ANDREW
JOHNSON, SYLVIA	JONES, CATHERINE	JONES, MICHELLE	JOSEPH, DORI
JOHNSON, THERESA	JONES, CATHRINE	JONES, MICHELLE	JOSEPH, EDWIN
JOHNSON, TINA	JONES, CATHY	JONES, MITZI	JOSEPH, ELLIE
JOHNSON, TOM	JONES, CELESTE	JONES, PAM	JOSEPH, NINA
JOHNSON, VICKI	JONES, CYNTHIA	JONES, PAT	JOSEPH, SANELA
JOHNSON, VICKI	JONES, DANIEL	JONES, PETER	JOSEPH, V
JOHNSON, WALTER	JONES, DEBBIE	JONES, RICHARD	JOSEPH, VICKI
JOHNSON, WILLIAM	JONES, DEBRA	JONES, RUTH	JOSEPHO, ADELE
JOHNSON, WILLIAM	JONES, DIANA	JONES, SELENA	JOSEPHO, ADELE
JOHNSON, WILLIAM	JONES, DIANE	JONES, SELLY	JOSEPHSON, .STEPHEN
JOHNSON-EVERS, CONNIE	JONES, DONNA	JONES, SELLY	JOSEPHSON, .STEPHEN
JOHNSTON, BEVERLY	JONES, DONNA	JONES, SID	JOSEPHSON, .STEPHEN
JOHNSTON, CAITLIN	JONES, ELLEN LOUISE	JONES, STACEY	JOSEPHY, JENNIFER
JOHNSTON, CAROL	JONES, ELLIOT	JONES, STEVE	JOSLIN, HOLLY
JOHNSTON, CARY	JONES, ERIN	JONES, STEVE	JOSLIN, JOHN
JOHNSTON, CHRISTINE	JONES, GARY	JONES, SUSAN	JOSLIN, KAREN
JOHNSTON, CHUCK	JONES, GARY	JONES, SUSAN	JOSLIN, MARK
JOHNSTON, DEBORSH	JONES, HUGH	JONES, SUSAN	JOSLYN, DANA
JOHNSTON, ELIZABETH	JONES, JACKIE	JONES, SUZANNE	JOST, ANTOINETTE
JOHNSTON, ES	JONES, JACKIE	JONES, TONY	JOST, ANTOINETTE
JOHNSTON, GAIL	JONES, JAN	JONES, VIRGINIA	JOST, INGRID
JOHNSTON, JUDY	JONES, JANE	JONES, VIRGINIA	JOST, VIRGINIA
JOHNSTON, KEN	JONES, JANICE	JONES, WILLIAM	JOSWICK, TYLER
JOHNSTON, LOIS	JONES, JAY	JONES, ZARETH	JOUETT, MARCEAU
	JONES, JENNIFER M	JONES-BUNN, SHAWN	JOURDAN, ERICA

JOUSAN, TRACY	K, BARBRA	KAISLA, MARJA	KANE, PAMELA
JOVINGO, BECKY	K, BRIT	KAKUK, SHAWN	KANE, PATRICIA
JOY, KELLY	K, HITOMI	KALAHAN, DEB	KANE, PERCIE
JOY, MARK	K, J	KALAN, SUSAN	KANE, SAMUEL
JOY, SANDRA	K, J	KALAVITY, KAREN	KANE, ZOE
JOY, VEDA	K, JAMIE	KALAVITY, KAREN	KANEKO, MASAYO
JOY, VEDA	K, JASON	KALBAN, SIDNEY	KANG, KUN
JOYCE, CATHERINE	K, KATE	KALEEL, JOSEPH	KANIEL, ABBIGAIL
JOYCE, RICHARD	K, KATE	KALEN, VICKI	KANIEL, ABBIGAIL
JOYCE, THERESA	K, KATE	KALESNIK, TRACY	KANNERSTEIN, DAVID
JUAIRE-DARFLER, JOI	K, KATE	KALIL, LISA	KANNO, TRACY
JUBINSKY, CHRISTINE	K, KATE	KALINOWSKI,	KANTER, IRA
JUDD, DAVID	K, MELISSA	CATHERINE	KANTER, JONATHAN
JUDD, ELIZABETH	K, MELISSA	KALINOWSKI, MARY M	KANTER, L SCOTT
JUDD, ELIZABETH	K, MELISSA	KALISH, ANN	KANTNER, BARBARA
JUDD, SAVANNAH	K, MELISSA	KALKA, PAUL	KANTOLA, ANGELA
JUDGE, MARY A	K, SARAH	KALLENBACH, AMANDA	KANTRUD, VANESSA
JUDKINS, RUTH	K, SARAH	KALLFELZ, LYNN	KANTRUD, VANESSA
JUDKINS, VALERIE	K. CUSICK, ALENORE	KALLICK, MELISSA	KANTZ, KAREN
JUDY, KAROL	K., NAT	KALMAN, JANET	KANZ, ISABELLE
JUEDS, KATHERINE	K., NAT	KALMANSON,	KANZLER, DEBORAH
JULIAN, DIANE	K., NAT	MAUREEN	KAPCHINSKE, STEVEN
JULIAN, JUDITH	K., NAT	KALMENSON, KAREN	KAPELL, DAVID
JULIAN, LUCY	KABAT, ELLEN	KALODUKAS, ASTRA	KAPLAN, ADAM
JULIEN, BEVERLY	KABBARA, SALLY	KALODUKAS, ASTRA	KAPLAN, ELIOT
JULIUS, DANTÉ	KACH, JAMES	KALORE, SHUBHANGI	KAPLAN, JOAN
JULIUS, DANTÉ	KACMAR, LISA	KALUZA, N	KAPLAN, MINI
JULIUS, MAXWELL	KACPERSKI, DENICE	KALUZA, N	KAPOOR, RAJAT
JULIUS, MAXWELL	KADAJ, LILA	KALUZA, N	KAPPEL, CATHERINE
JUNCKER, SUZY	KADAR, ZACH	KALUZA, N	KAPPELER, WALTER J
JUNCO, ELIZABETH	KADEN, MARY	KALUZA, N.	KAPPY, GLEN
JUNEK, MARY	MARGARET	KALUZHSKI, ALEXANDRE	KAPULER, LINDA
JUNEK, PATT	KADETSKY, BARBARA	KAMEIKA, BARBIE	KARABA, TAMMY
JUNG, JEFF	KADY, PAT	KAMENITZ, LAURA	KARAS, CHRISTINA
JUNG, JEFF	KAEHN, S	KAMERER, HELEN	KARAS, KATHRYN
JUNGERS, CAROLANN	KAEHN, S	KAMINSKI, JOHN	KARASEK, LOIS
JUNGKUNTZ, AMANDA	KAEHN, S	KAMINSKI, MONIKA	KARASINSKI, JANET
JUNIOR, JUDITH	KAEMERER, CASEY	KAMLER, CINDY	KARBOUSKY, RENEE
JUNKERMANN, GLORIA	KAEUFER, EDWARD	KAMMANN, SANDRA	KARCH, MEGANN
JUPITER, BONNIE	KAFKA, MO	KAMMER, JEAN	KARCHER, ROSEANN
JURACKA, ROBERT	KAHAKALAU, NALEI	KAMMERUD, LANCE	KARDAN, KAREN
JURASCHEK, ABBY	KAHANER, JOEL	KAMMERUD, LANCE	KARDOS, THERESA
JURASCHEK, ABBY	KAHIGIAN, PETER	KAMO, KATHRYN	KARDT, KENDELL
JURGELA, ELENA	KAHIGIAN, PETER	KAMO, KATHRYN	KAREN, TAYLOR
JURGENS, JANINE	KAHIGIAN, PETER	KAMO, KATHRYN	KARL, DOROTHY
JURKOWSKI, MELISSA	KAHL, KIM	KAMPERT, CAROL	KARLOVITZ, GERALD
JUROFF, DANIEL	KAHLE, MELISSA	KAMPMUELLER, ELAINE	KARNISKY, STEPHEN
JURRENS, TERRY	KAHLER, LESLEE	KAMUF, LISA	KAROUE, PATRICIA
JURUS, NICHOLAS	KAHN, JERRY	KANACHKI, GAYLE	KARP, CHUCK
JUST, LINDA	KAHNEY, PAULINE	KANADY, MICHAEL	KARP, MATTHEW
JUST, LINDA	KAISER JOHNSON,	KANE, BROOKE	KARPILOW, JUDITH
JUST, MARGO	SUSAN	KANE, ERIKA	KARPOV, CLARINDA
JUSTICE, JOLAYNE	KAISER, DIANA	KANE, LYNNE	KARR, THERESA
JUSTICE, KIM	KAISER, KATHLEEN	KANE, MARGARET	KARRENBERG, CHRIS
JUSTIS, CATHERINE	KAISER, KATHLEEN	KANE, MISTI	KARRMANN, DAVE
JUSTUS-RUSCONI,	KAISER, REBECCA	KANE, PAMELA	KARRMANN, DAVE
VALERIE	KAISER, ROBERT	KANE, PAMELA	KARTMAN, SUE
K, ANNA	KAISER, ROBERT	KANE, PAMELA	KARVELIS, JOHN

KARWOWSKI, LOU	KAUFER, HEDY	KEAL, LAURA	KEGLER, LORI
KARZANOV, KERRY	KAUFFMAN, GARRY	KEAL, LAURA	KEGLER, LORI
KARZEN, EILEEN	KAUFFMAN, KIMBERLY	KEANE, CHESA	KEGLER, LORI
KASBARIAN, A	KAUFFMAN, L.L.	KEANE, MARY	KEHAS, ALETHEA
KASBARIAN, A	KAUFFMAN, SUSAN	KEANE, MARY	KEHAS, ALETHEA
KASDAN, SHELDON	KAUFFFINGER, PATRICIA	KEARLEY, GWEN	KEHEW, LINDA
KASELLE, MARION	KAUFMAN, ANDREA	KEARNEY, DEE	KEHL, MIKE
KASEY, C	KAUFMAN, JEFFREY	KEARNEY, DEE	KEIFNER, SHANNON
KASEY, C	KAUFMAN, JOHNATHAN	KEARNEY, DEE	KEIGHRON, AMANDA
KASEY, C	KAUFMAN, LAURA	KEARNEY, DEE	KEIL, STEPHEN
KASEY, C.	KAUFMAN, LENORE	KEARNEY, DEE	KEIM, CATHERINE
KASHINSKY, NORA	KAUFMAN, LENORE	KEARNEY, LAURA	KEIM, JOHN
KASHISHIAN, BARBARA	KAUFMAN, MICHELLE	KEARNEY, MARY	KEIM, ROBERT
KASHNER, JOHN	KAUFMAN, MICHELLE	KEARNS, KATHY	KEIN, BELINDA
KASKE, EILEEN	KAUFMAN, MICHELLE	KEARNS, PATRIC	KEIR, GARY
KASKIE, PAULA	KAUFMANN, BETTY	KEAST, ALIX	KEISER, CAROL
KASLANDER, CAROL	KAUHL, LISA	KEATING, AIDAN	KEISER, ROBERT
KASLANDER, CAROL	KAUSHIK, NAGENDER	KEATING, C	KEISER, ROBERT
KASLOW, MATTHEW	KAUSHIK, NAGENDER	KEATING, CHRIS	KEITH, KATHLEEN M
KASNICKA, CINDY	KAUTZ, FELICIA	KEATING, CHRIS	KEITH, MELISSA
KASPER-PLACK,	KAVANAGH, KATHY	KEATING, GREGORY	KEITHLER, MARY
GABRIELLE	KAVANAGH, LAURA	KEATING, MICHELLE	KEITZ, CATHERINE
KASSAS, JOY	KAVC, JOHN	KEATING-SECULAR,	KEKULE, DIANA
KASSL, VALERIE	KAWA, KAREN	KAREN	KEKULE, DIANA
KAST, KENNETH	KAWAZOE, ELIZABETH	KEATS, ROBERT	KELETI, STEVEN
KAST, RACHAEL	KAWECKI, KATHRYN	KECK, BOBBI	KELL, JOHN M.
KASTEL, DIANE	KAWECKI, KATHRYN	KECK, TERRY	KELL, JOHN M.
KASTEL, DIANE	KAWSZAN, KAREN	KECK, TERRY	KELLAM, MARCIA
KASTEL, DIANE	KAWSZAN, KAREN	KECK, TERRY	KELLAR, PAULA
KASTEL, DIANE	KAWSZAN, KAREN	KECK, TERRY	KELLAS, LISA
KASTEL, DIANE	KAWSZAN, KAREN	KECKLER, MARY	KELLEHER, NEIL
KASTIGAR, LISE	KAWSZAN, KAREN	KEDDERIS, PAMELA	KELLER, ANNETTE
KASTLER, BILL	KAWSZAN, KAREN	KEE, WILLIAM	KELLER, CHRISTINA J
KASTRINOS, ROBERT	KAY, EDEN-LISA	KEE, WILLIAM	KELLER, MARY CAROLYN
KASUKONIS, MARY	KAY, JOEL	KEEFE, PATRICIA	KELLER, ROBERT
KATCHER, RACHEL	KAY, JUDITH	KEEFE, PATRICIA	KELLER, RUDOLPH
KATES, DAISY	KAY, LORRAINE	KEEFER, BARBARA	KELLER, SALLEE
KATES-COLLINS,	KAY, LORRAINE	KEEFER, KELLY	KELLER, SHERRIE
ANNETTE	KAY, MINDY	KEEGAN, CONSTANCE	KELLERMAN, DEVIN
KATHAN, CHERYL	KAY, S.	KEEGAN, ELIZABETH	KELLETT, BESS
KATRAK, KAREN A	KAYE, DEBORAH	KEEGAN, MARK	KELLETT, JAMES
KATRENSKY, STEPHEN	KAYE, DEBORAH	KEELEY, DANISE	KELLEY, ALISON
KATSOUROS, TRACEY	KAYE, DEBORAH	KEELEY, TERESA	KELLEY, ANDREA R
KATT, CATHERINE	KAYE, DEBORAH	KEEM, DONNA	KELLEY, BARBARA
KATZ ROSE, ELANA	KAYE, ROBERT	KEENAN, ANN	KELLEY, CAROL
KATZ ROSE, ELANA	KAYS, ELEANOR	KEENAN, SHARAH	KELLEY, DORINDA
KATZ, BARBARA	KAYSER, BARBARA	KEENE, CAROLE	KELLEY, KATHLEEN
KATZ, DAVID	KAYSER, LORRAINE	KEENE, ELERY	KELLEY, KATHLEEN
KATZ, DAVID	KAYYALI, SUSANNE	KEENE, SHYRLINE	KELLEY, LOIS
KATZ, DONNA	KAZEMI, HAMID	KEENE, STEPHANIE	KELLEY, NANCY
KATZ, KATIE	KAZLAUSKAS, ANNE	KEENER, STEPHEN	KELLEY, NANCY
KATZ, PAULA	KAZMIERSKI,	KEENEY, HAYLEY	KELLEY, PAT
KATZ, PUCZNIK	ALEXANDRA	KEESLING, BRIAN	KELLEY, RACHEL
KATZ, RUTH E	KAZMIERSKI, JOEL	KEESLING, BRIAN	KELLEY, RYAN
KATZ, SARA	KDD, JK	KEETON, DENISE	KELLEY, SHEILA
KATZ, SHERYL	KDD, JK	KEGANS, LINDA	KELLEY, SHEILA
KATZEN, JOANNE	KEAFER, TRINA	KEGLER, LORI	KELLEY, SHEILA
KAU, LISA	KEAHEY, FLORENCE	KEGLER, LORI	KELLMAN, LISA

KELLO, KATHRYN	KENDRICK, MISSY	KENT, MARY	KERWELL, CHERRIE
KELLOGG, JUDITH	KENDRICK, MISSY	KENT, PATRICIA	KERWELL, CHERRIE
KELLOGG, KEITH	KENGOR, BRETT	KENT, RACHEL	KESKE, CARRIE
KELLOGG, LORIE	KENGOR, KIM	KENT, ROSEMARY	KESS, RHONDA
KELLOGG, NANCY	KENNA, DIANE	KENT, STEVE	KESSINGER, LINDA
KELLY AND FAMILY, LISA	KENNEDY, ALYS	KENT, STEVE	KESSLER, JESSE
ANN	KENNEDY, BARBARA	KENT-BERMAN,	KESSLER, LAREN
KELLY, ANN	KENNEDY, CATHERINE	MEREDITH	KESSLER, LEONELLE
KELLY, BARBARA	KENNEDY, CHARLES	KENT-BERMAN,	KESSLER, ROBERT
KELLY, BARBARA	KENNEDY, CURT	MEREDITH	KESSLER, ROBERTA
KELLY, BARBARA	KENNEDY, DIANE	KENTROS, MARY	KESSLER, WAYNE
KELLY, DEBRA	KENNEDY, EMMALISA	KENTROS, MARY	KESTEL, LISA GRACE
KELLY, DEXTER	KENNEDY, ERIN	KENVIN, DAVID	KESTENBAUM, IVETTE
KELLY, DIANE	KENNEDY, HANNELORE	KENYON, DAWN	KESTER, CYNTHIA
KELLY, FLO	KENNEDY, HANNELORE	KENYON, DEBBIE	KESTER, CYNTHIA
KELLY, GERARD	KENNEDY, JOHN	KENYON, GARY	KESTER, HEATHER
KELLY, JOAN	KENNEDY, JOY	KEOHANE, HANNAH	KESTER, KYRA
KELLY, KRISTIAN	KENNEDY, KAREN	KEOUGH, DENISE	KESTERMAN, CAROLYN
KELLY, LYNN	KENNEDY, KELSEY	KEOWN, JOY	KESTREL, CINDI
KELLY, MARGARET	KENNEDY, KRISTINE	KEPCHA, ANDREA	KETCHERSIDE, SHARON
KELLY, MAUREEN	KENNEDY, KRISTINE	KEPIC, LAWRENCE	KETCHMARK, NANCY
KELLY, MIKE	KENNEDY, LINDA	KEPIC, LAWRENCE	KETEL, SCOTT
KELLY, MIKE	KENNEDY, LYDIA	KEPLER, VALERIE	KETNER, DEBORAH
KELLY, MIRACLE	KENNEDY, MARY	KERBOW, DEVON	KETTNER, GERDA
KELLY, MONICA	KENNEDY, PATRICIA	KERINS, MARY	KETZ-ROBINSON,
KELLY, PATRICIA	KENNEDY, PATSY	KERMIET, CHRIS	ELIZABETH
KELLY, PATRICIA	KENNEDY, PEGGY	KERN, CHRISTINE	KEUTHAN, ALIYAH
KELLY, SHARON	KENNEDY, ROBERT	KERN, DEBRA	KEY, LYNDA
KELLY, TERESA	KENNEDY, SABRINA	KERN, EDWARD	KEY-HOOSON, TERI
KELLY, TERI	KENNEDY, SANDRA	KERN, EDWARD	KEYLOR, TWILA
KELLY, THERESA	KENNEDY, SCOTT	KERN, EDWARD	KEYSER, DONALD
KELLY, WENDY	KENNER, KATE	KERN, EDWARD	KHALIL, MARY
KELSEY, ELIZABETH	KENNEY, ED	KERN, G	KHALSA, MHA ATMA S
KELSEY, MARY	KENNEY, LILLIAN	KERN, RHIANNA	KHALSA, MHA ATMA S
KELSEY, MICHELE	KENNEY, LILLIAN	KERNAN, RITA	KHAN, ASMAH
KELSO, JEFFREY	KENNING, RITA	KERNEN, RODMAN	KHAN, ASMAH
KELSON, ELIZABETH	KENNINGTON, JANET	KERNER, JIM	KHAN, ESTHER
KELTONIC, EMILY	KENNISON, LEIGH	KERNS, ARRON	KHAN, MARYANN
KELTS, SHARON	KENNY, AMANDA	KERNS, KELLY	KHAN, ROSHAN
KEMBLE-TELLER,	KENNY, C AIDEN	KERNS, KELLY	KHANLIAN, MARCO M.
EVANNA	KENNY, DEBRA	KERR, CAROLE	KHARCHE, ROXANNE
KEMINK, HANNA	KENNY, GAIL	KERR, CHRIS	KHARE, PHYLLIS
KEMISH, ARTHUR	KENNY, TAMI	KERR, CHRIS	KHOURY, ANNE
KEMMERER, CAROL	KENOSIAN, DAVID	KERR, ELIZABETH	KIBA, AMY
KEMMERER, PAT	KENOSKY, DIANNE	KERR, GAYLE	KIBBEL, KATHI
KEMNITZER, JOAN	KENOSKY, DIANNE	KERR, LYNDA	KIBLER, JK
KEMP, JUDITH	KENOSKY, DIANNE	KERR, MARION	KIBLER, MARK
KEMP, JUDITH	KENOSKY, JOSEPH	KERR, PATRICK AND	KICK, JOHN
KEMPER, LINDA	KENOSKY, JOSEPH	DIANE	KIDD, CARLOTTA
KEMPLE, JASON	KENOSKY, JOSEPH	KERR, PATTY	KIDD, JANICE
KEMPNER, JAMES	KENOSKY, MICHAEL	KERR, SANDRA	KIDD, MARYELLYN
KEN, KLEMKE	KENOSKY, MICHAEL	KERR, TARA	KIDD-GOODMAN, LISA
KENDALL, ANDREA	KENOSKY, MICHAEL	KERSTEIN, HARVEY	GLENN
KENDALL, CATHERINE	KENT, ADELAIDE	KERSTEN, DAVID	KIDD-GOODMAN, LISA
KENDALL, CATHERINE	KENT, DIANE	KERSTEN, EVE	GLENN
KENDALL, ROBIN	KENT, GWENDOLYN	KERSTNER, PATRICIA	KIDD-GOODMAN, LISA
KENDALL, T.	KENT, HELEN	KERVIN, LINDA	GLENN
KENDRICK, KENDRA	KENT, LINDA	KERWELL, CHERRIE	KIEC, NANCY

KIEDIS, ANTHONY	KIM, SUN HAE	KING, MARY ELLEN	KIRK, JENNY
KIEFER, MARC	KIMBALL, JESS	KING, REGINA	KIRK, JOHN
KIEFER, MARJORIE	KIMBALL, KRISTEN	KING, REGINA	KIRK, JOHN
KIEFER, MARJORIE	KIMBALL, LARRY	KING, RUTH	KIRK, ROBERTA
KIEFFER, DEBORAH	KIMBEL, STEPHEN F.	KING, SEAN	KIRK, SUSAN
KIEFFER, LYNDA	KIMBERLY, GEORGE	KING, SHELLEY	KIRK, VIVIAN
KIEFFER, RICK	AND ELIZABETH	KING, SONIA	KIRKHAM, ALYSSA
KIEL, CAROLYN	KIMBERLY, MARY	KING, SUE	KIRKHAM, JESSE
KIEL, KEN	KIMBROUGH, KEVIN	KING, SUSAN	KIRKPATRICK, MARIAN
KIEL, KEN	KIMMEL, KEVIN	KING, SUSAN	KIRKPATRICK, MARY
KIER, MARY ALICE	KIMMEL, REIDA AND	KING, SUSAN	KIRKPATRICK, PAMELLA
KIERKLO, EDWARD	CHARLES	KING, TAMMY	KIRKPATRICK, TERESA
KIERNAN, BARBARA	KIMMEL, REIDA -	KING, TAMMY	KIRSCH, CAROLINE
KIERNAN, BARBARA	CHARLES	KING, TERRY	KIRSCH, JO
KIESLICH, BRETT	KIMMET, AMANDA	KING, THEODORE	KIRSCH, KATJA
KIESLING, JON	KIMSEY, REBECCA	KING, TIM	KIRSCH, ROBERT
KIESLING, JON	KIMZEY, JACQUELINE	KING-CHUPARKOFF,	KIRSCHMAN, D
KIFFMEYER, STEVE	KINCAID, SUSAN	CATHERINE	KIRSH, JULIE
KIGER, NICK	KINDEL, KAREN	KING-CHUPARKOFF,	KIRSHON, BRYAN
KIJAK, REGINA	KINDER, STEPHEN	CATHERINE	KIRST, ARIEL
KILBANE, CAROLINE	KINDERMANN, SANDRA	KING-CHUPARKOFF,	KIRTLAND, KAREN
KILBER, ELEANOR	KINDSCHUH, TYLER	CATHERINE	KIRTON, LAURA
KILBON, SHELLEY	KINER, CAROL	KINGREN, MARY	KIRWAN HAVENS,
KILGORE, ANNE	KING, ADAM	KINKAID, DAVID	JULIET
KILGORE, DEBRA	KING, ANN	KINKLEY, GARY	KIS, BRADLEY
KILICHOWSKI,	KING, ANN	KINNAMON, SONG	KISEDA, KATHY
FRANCENE	KING, CAROL	KINNEY, LUCRETIA	KISELEWICH, KATHLEEN
KILIGIAN, SUSAN	KING, CECELIA	KINNEY, STACY	KISER, ALLISON
KILISHEK, KELLY	KING, CHRIS	KINNEY, STACY	KISER, MIKE
KILLAM, LYNN	KING, CHRIS	KINNEY, TODD	KISINGER, PATRICIA
KILLAY, SHARON	KING, CHRISTEN	KINNEY, WANDA	KISSEL, ELAINE
KILLEBREW, ANN	KING, CHRISTEN	KINSEY, HOLLY	KISSILOVE, BETTY
KILLEBREW, ANN	KING, CHRISTINE	KINSEY, ALLISON	KISSINGER, JIM AND
KILLEEN, LEAH	KING, CINDY	KINZFOGL, KATHY	JUDY
KILLEEN, LEAH	KING, CYNTHIA	KIONKA, CHRISTINA	KISTLER, ANDREW
KILLEEN, ROBERT	KING, DANNIE	KIPLING, CAROLINE	KISTLER, LOUISE
KILLENBECK, DEBORAH	KING, ELIZABETH	KIPLING, CAROLINE	KISTLER, LOUISE
KILLION, CONNIE	KING, FAWN	KIPPING, KERRY	KISTLER, WHITNEY
KILLION, CONSTANCE	KING, HANNAH	KIRBY, CHARYSE	KITAEN, MARC
KILLORAN, DIANE	KING, INGE	KIRBY, CHARYSE	KITAZAWA, SHARON
KILPATRICK, DAUN	KING, JANICE	KIRBY, CHARYSE	KITCHEN, JUDY
KILPATRICK, GAIL	KING, JEANETTE	KIRBY, ELIZABETH ANN	KITCHEN, JUDY
KILPATRICK, WILMA	KING, JUDITH	KIRBY, ELIZABETH ANN	KITCHEN, LINDA
KILROY, ELIZABETH	KING, JUDY	KIRBY, ELIZABETH ANN	KITE, DAVID
KIM, ANGELA	KING, JULIA	KIRBY, JACQUELINE	KITE, RICHARD
KIM, ELIZABETH	KING, JULIA	KIRBY, MARGUERITE	KITNER, MIA
KIM, JEAN	KING, JULIA	KIRBY, YVONNE	KITSON, JAMIE
KIM, JEAN	KING, JUSTINE	KIRCHHOF, MARY	KITSON, JAMIE
KIM, JEAN	KING, JUSTINE	KIRCHNER, JOHN	KITSON, SALLY
KIM, JEAN	KING, K.	KIRCHNER, JOHN	KITTELL, ELLEN
KIM, JEAN	KING, KAREN	KIRCHNER, JOHN	KITTINGER, SUSAN
KIM, JI-YOUNG	KING, KARI	KIRCHNER, VICKI	KITTNER, LORRAINE
KIM, JI-YOUNG	KING, KATHLEEN	KIRCHOFFNER,	KITTNER, LORRAINE
KIM, JI-YOUNG	KING, KIM	MEREDITH	KITZINGER, JANA
KIM, JOHN	KING, KIM	KIRIATY, SUSANNE	KIVA, JO ANN
KIM, PAUL	KING, LAUREL	KIRK, BRIAN	KIZER, LISA
KIM, SARAH	KING, LAURIE	KIRK, BRIDGET	KJAERULFF, MARIA
KIM, SUN HAE	KING, LINDA	KIRK, GALE	KJAERULFF, MARIA

KJONO, PAMELA	KLERER, LEONA	KNECHT, THOMAS	KOBOS, MICHAEL
KLABIN, JULIE	KLETT, KAREN	KNEE, CHRISTINA	KOCER, JOHN
KLACIK, JOHN	KLICHE, DIANA	KNEE, CHRISTINA	KOCH, CHRISTOPHER
KLADKE, ROBIN	KLIGFELD, JULIE	KNEPLEY, MATT	KOCH
KLADKE, ROBIN	KLINE, BROOKS	KNICKERBOCKER,	KOCH, JENNIFER
KLAFTA, KEVIN	KLINE, DAVID	DEANNA	KOCH, JILL
KLAFTA, KEVIN	KLINE, HELEN	KNIERIM, KRISTAN	KOCH, JOANN
KLAAHR, PAUL	KLINE, LAUREN	KNIGHT, CHARLES	KOCH, JUDITH A.
KLAAHR, PAUL	KLINE, LOU	KNIGHT, GREGORY	KOCH, LIZ
KLANSKY, SHIRLEY	KLINE, LOU	KNIGHT, GREGORY	KOCH, MITZI
KLAPPER, KAYE	KLINE, MARY	KNIGHT, HEATHER	KOCH, NANCY
KLAPPERICH, HUNTER	KLINE, MELISSA	KNIGHT, JIM	KOCH, PATRICIA
KLAPPERICH, HUNTER	KLINE, NATASHA	KNIGHT, JULIA	KOCH, WILLIAM
KLARE OP, JACKIE	KLINE, STEVE	KNIGHT, KENDRA	KOCHER, KAREN
KLARE, MAXWELL	KLINE, TOM	KNIGHT, KENDRA	KOCHERT, THERESA
KLASEN, APRIL	KLINGENSMITH, DAVID	KNIGHT, LINDA	TERRI
KLASS, DAVID	KLINGENSMITH, SCOTT	KNIGHT, REBECCA	KOCHERT, THERESA
KLASS, DAVID	KLINGENSMITH, SCOTT	KNIGHT, ROBERT	TERRI
KLAUBER, ROBERT	KLINGER, DENISE	KNIGHT, ROBERT	KOCHIS, LIZ
KLAUDT, HANS-THEO	KLINK, CHERI	KNIGHTLY, DAVID	KOCORAS, PEGGY
KLAUK, AMANDA	KLINK, CHERI	KNIGHTLY, DAVID	KOCYAN, KIRSTEN
KLAUK, AMANDA	KLINKE, DAVID	KNIGHTLY, DAVID	KODET, STEFAN
KLEBER, CRAIG	KLINKEL, JASON	KNIGHTON, PATTI	KODET, STEFAN
KLEBER, KEITH	KLINKO, MADELINE	KNIGHTS, LINDSAY	KOEB, KEITH
KLEEN, LAURIE H.	KLISH, WENDY	KNIOLEK, LINDA	KOECHNER, DONNA
KLEIN, AMY	KLOCK, WILLIAM	KNIPE, JOAN	KOECK, DIANA
KLEIN, CHRISTINE	KLOCK, WILLIAM	KNIPP, DONNA	KOECK, DIANA
KLEIN, DEBORAH	KLOEPPER, BEN	KNIPPLE, SANN	KOEHL, LISA
KLEIN, DOUGLAS	KLOOS, HELMUT	KNITTER, ANNETTE	KOEHLER, ANGELA
KLEIN, HEATHERJOY	KLOPFER, ULRIKE	KNOBEL, GARRETT	KOEHLER, CAROL
KLEIN, JAMES	KLOSSING, TRINA	KNOLL, EVE	KOEHLER, CHRISTINE
KLEIN, JAN	KLOSTERMAN, PETE	KNOLL, KRISTINE	KOEHLERSEN, GLENN
KLEIN, JANETTE	KLOSTER-PREW, JOHN	KNOOP, PAT	KOENIG, BOBBIE
KLEIN, JEFF	KLOSTER-PREW, JOHN	KNOPP, JULIE	KOENIG, KATHY
KLEIN, JOANNE	KLOS-WELLER,	KNOPPERS, SHERRY	KOENIG, SHON
KLEIN, KELYN	STEPHANIE	KNOTT, ANN	KOENIGSDORF, JILL
KLEIN, LINDA	KLOUZAL, LINDA	KNOTT, ELIZABETH	KOERNER, NORMAN
KLEIN, MARION	KLUCSAR, BARBARA	KNOTT, JAMES	KOERPER, MJ
KLEIN, MIRIAM	KLUDY, BARBARA	KNOWLES, ELLEN	KOESSEL, KARL
KLEIN, ROBERT	KLUEGER, SANDRA	KNOWLTON, CHARLENE	KOESSEL, KARL
KLEIN, SAMI	KLUFT, NEIL	KNOWLTON,	KOESSELE, KARL
KLEIN, SAMI	KLUG, FRANK	JACQUELINE	KOESSELE, KARL
KLEIN, SHERRY	KLUGIEWICZ, MARK	KNOX, ELENA	KOESTER, TANYA
KLEIN, SHIRLEY	KLUGIEWICZ, MARK	KNOX, LAURA	KOFF, MARILYN
KLEINDIENST, HOLLY	KLUKOWSKI, NANCY	KNOX, MAYUMI	KOFFLER, DOUGLAS
KLEINFELDT, CAROL	KLUMB, CAROLE	KNOX, OLIVER EMMETT	KOFFLER, MICHELLE
KLEINHANDLER, KELLY	KLUSARITZ, THOMAS	KNUDSEN, JOLENE	KOFSKY, LAUREN
KLEINHENZ, LINDA	KLUSARITZ, THOMAS	KNUTH, LILLY	KOGAN, RICHELLE
KLEIN-ROBUCK,	KMONK, NANCY	KNUTH, PHILIP	KOGEN, BARRY
BARBARA	KNABLE, ANGELA	KNUTSEN, MAUREEN	KOGER, PATTI
KLEJNA, TOM	KNABLE, ANGELA	KNUTSON, CHRIS	KOGLER, LORRAINE
KLEM, JAMIE	KNAPP, BONITA	KNUTZEN, STEVE	KOHL, JOAN
KLEMIC, PRISCILLA	KNAPP, DORIS	KO, CAROLINE	KOHL, KATHERINE
KLEMICK, ESTEE	KNAPP, NICOLE	KO, HILDY	KOHL, RENEE
KLEMKE, KEN	KNAPP, TRACY	KOB, STEPHANIE	KOHL, TERESA
KLEMM, EDWINA	KNAUBER, NICOLE	KOBAK, CYNTHIA	KOHLER, AMALA
KLEMPIN, SERENA	KNAUBER, ROBERT	KOBAYASHI, ANNE	KOHLER, FRED
KLEPPERICH, DENISE	KNECHT, THOMAS	KOBERNAT, STEVEN	KOHLER, GLENN

KOHLER, LISA	KOORS, TOM	KOSS, HELEN	KRAHN, EMILY
KOHLOFF, M	KOPCHAK, JOSELLA	KOSSMAN, DIANE	KRAIMER, REBECCA
KOHN, ALAN	KOPECK, ASHLEY	KOSSMAN, DIANE	KRAJNAK, DEBRA
KOHN, ERICKA	KOPEREK, SHARON	KOSTA, CHRIS	KRAL, MARY BELLE
KOHN, LINDA	KOPESKY, JANET	KOSTER, JANET	KRAM, LINDA
KOHNEN, RENEE	KOPESKY, JANET	KOSTIDIS, NICHOLAS	KRAMARZ, WALTER
KOITSCH, LUCY	KOPF, MARILYN	KOSTIUK, TERRY	KRAMER, EARL
KOKASKA, YVONNE	KOPINSKI, VICKI	KOTCH, BRANT	KRAMER, EDWARD
KOKKINEN, EILA	KOPP, JOHANNA	KOTECHA, RUTH	KRAMER, ELIZABETH
KOLACKI, MARCIA	KOREN, THEO	KOTERBA, MICHAEL	KRAMER, JACOB
KOLAKOWSKI, AMANDA	KORITZ, MARK	KOTHE, NOREEN	KRAMER, JEFFREY
KOLASA, JOYCE	KORITZ, MARK	KOTHE, NOREEN	KRAMER, JEFFREY
KOLASKI, DIANA	KORITZ, RALEIGH	KOTLAR, ROSALIND	KRAMER, JEFFREY
KOLB, EMILY	KORKES, KELLY	KOTOWSKI, ELEANORE	KRAMER, JULIE
KOLBE, TIFFANY	KORMAN, SCOTT	KOTSIS, ELENI	KRAMER, KELLY
KOLBERG, VERLA	KORN, MERYLE A.	KOTSIS, ELENI	KRAMER, LESLIE
KOLESAR, LYNDA	KORNBLUM, ELISABETH	KOTSIS, ELENI	KRAMER, MARC
KOLESNIK, ROBERT	KORNFELD, LAUREL	KOTZ, CHARLES	KRAMER, MARISSA
KOLESSAR, GREGG	KORNFELD, RICHARD	KOURY, RICK	KRAMER, MARK L
KOLESSAR, GREGG	KORNFELD, RICHARD	KOURY, STEPHEN	KRAMER, MICHAEL
KOLESSAR, JOAN	KORNFELD, RICHARD	KOUTNIK, MICHAEL	KRAMERPERRY, AMY
KOLLAR, NIKA	KORNRICH, MIKE	KOVACH, LOUIS	KRANJC, EVA
KOLLER, DAVID	KOROSY, MARIANNE	KOVACSISS, LINDA	KRANOWSKI, STEVEN
KOLLOS, MICHAEL	KOROSY, MARIANNE	KOVACSISS, LINDA	KRANTZ, BARBARA
KOLLOS, MICHAEL	KOROSY, MARIANNE	KOVAL, JENNIFER	KRAPF, DEBBIE
KOLOVOU, ANNA	KORRICK, CARLA	KOVAL, JENNIFER	KRASNE, JULIE
KOMADINA, IRENE	KORSO, MARLENE	KOVALCIK, NICHOLAS	KRASNER, SHAY
KOMARA, M	KORSON, STEVEN	KOVALSKAYA, JENNIFER	KRAUS, CATHY
KOMARA, M	KORSON, STEVEN	KOVALSKY, GREG	KRAUS, PAUL
KOMARA, M	KORSON, STEVEN	KOVATS, A B	KRAUS, ROXANNE
KOMAREK, SUZI	KORTENHOF-STRUCK,	KOVENCZ, JENNIFER	KRAUSE, CHERYL
KOMIENSKY, CHRIS	SHELBY	KOVENCZ, JENNIFER	KRAUSE, DIANE
KOMMERSTAD-REICHE,	KORTLEVEN, SIMON O	KOVENCZ, JENNIFER	KRAUSE, DOUG
CAROL	KORTRIGHT, JILL	KOVITCH, MIKE	KRAUSE, DOUG
KOMMERSTAD-REICHE,	KORTZ, DIRK	KOVSHUN, RITA	KRAUSE, KRISTAL
CAROL	KOSBAB, REBECCA	KOVSHUN, RITA	KRAUSE, KRISTAL
KOMRAS, HENRIETTA	KOSEC, DAWN	KOWACZ, STEPHANIE	KRAUSE, PEGGY
KONCSOL, KIM	KOSEC, DAWN	KOWALCZYK, LESLIE	KRAUSE, RAMONA
KONECNA, EMMA	KOSEC, DAWN	KOWALCZYK, LESLIE	KRAUSE, RAMONA
KONIECZKO, COURTNEY	KOSEK, RAPHAEL	KOWALEWSKI, SHIRLEY	KRAUSE, WENDY
KONIG, JOSEPH	KOSEL, KATHLEEN	KOWALKOWSKI, ANGIE	KRAUSHAAR, SUNDAY
KONING, HILLARY	KOSHAK, GREG	KOWALSKI, NELLIE	KRAUSS, DEBRA
KONITS, BARBARA	KOSHOFER, BONNIE	KOWSKY, MAUREEN	KRAUSS, WENDY
KONKEL SETUM, KAREN	KOSINS, YUKIKO	KOZAK, BRANDON	KRAUSZ, LISA
KONRAD, DAK	KOSINSKI, KATHY	KOZEL, TOM	KRAUSZ, LISA
KONRAD, ZINTA	KOSIOREK, J	KOZIE, KARIN	KRAUTER, MARSHA
KONRAD, ZINTA	KOSIOREK, J	KOZINSKI, SUSAN	KRAUTHEIM, DEBORAH
KONSTANTY, KRISTIN	KOSIOREK, J	KOZINSKI, SUSAN	KRAVCOV MALCOLM,
KONSTANTY, KRISTIN	KOSIOREK, JOHN	KOZLOVSKY, THOMAS	KAREN
KONTZAMANYS, KRISTA	KOSKELIN, JOYCE	KOZLOWSKI, ANNA	KRAVETZ, DARLA
KONZ, DICK	KOSLEK, TERRY	KOZLOWSKI, SANDRA	KREAGER, ANITA
KOOGLER, CATHY	KOSOW, JANE	KOZMINSKY, DENISE	KREBS, JAMES
KOOKEN, JONI	KOSOW, JANE	KOZMINSKY, MOLLY	KREBS, JAMES
KOONCE, RHEAMA	KOSOW, JANE	KOZOLL, SCOTT	KREBS, JAMES
KOONE, NANCY	KOSOW, JANE	KOZUB, JOHN	KREBS, JAMES
KOOP, KANDYCE	KOSOW, JANE	KOZUL, DAVORIN	KREBS, JIM
KOOPMAN, WILLIAM	KOSOW, JANE	KOZUSKO, THOMAS	KREBS, RM
KOOPMAN, WILLIAM	KOSOWICZ, ALEKS	KRAFT, CINDY	

KREBS, WOLF	KROLIK, JOHN AND	KUJALA, KAREN	KUTA, NANCY
KREES, LOUISE	CINDY	KUKUK, MINA	KUTACH, JEFF
KREIMAN, CINDY	KROMER, SANDRA	KULA, PATRICIA	KUTCHEN, JAN
KREINDLER, DORIAN	KRONE, JEANNENE	KULICK, JUSTINA	KUTER, ANN
KREINER, DENNIS	KRONER, MATT	KULKARNI, CLAUDETTE	KUTER, ANN
KREINER, DENNIS	KRONIKA, JESSICA	KULKARNI, CLAUDETTE	KUTICKA, SHERI
KREIS, DORIS	KRONIKA, JESSICA	KULKARNI, CLAUDETTE	KUTISH, DAVID
KREISBERG, BARBARA	KROPCZYNSKI, JAN	KULL, BARB	KUTISH, DAVID
KREISER, JUSTIN	KROSS, WALTER	KULL, BARB	KUTSKEL, DIANE
KREISER, KELLY	KROUT, BARBARA	KULL, BARB	KUTZ, CARISSA
KREISER, KELLY	KRUCZEK, CHERYL	KULP, JEFF	KUTZ, SUSAN
KREISHEIMER, CAROL	KRUCOFF, RACHEL	KULP, LOUISE	KUZMA, DIANE
KREKELER, NANCY	KRUEGER, BETH	KULP, PENNY	KUZMA, LAURA
KRELL, ELINORE	KRUEGER, CATHERINE	KULP, ROGER	KUZMA, LAURA
KRENKE, MELISSA	KRUEGER, JON	KUMAR, ANANDITA	KUZMESKUS, DAVID
KRENT, SYBIL	KRUEGER, MICHELLE	KUMLER, ROBIN	KUZNIAK, ISABELLA
KREPEL, LAURA	KRUEGER, MICHELLE	KUNAMNENI, SRUTHI	KVINGE, ABBY
KRESS, JULIA	KRUGER, SUZANNE	KUNAU-HANLON,	KWARCINSKI, JANINE
KRESSLEY, ELISE	KRUPICZEWICZ, JAMES	JUANITA	KWASNESKI, CATHIE
KRESTA, GEORGIA	KRUPINSKI, K	KUNCIR, FRANK	KWASNIK, BARBARA
KRETMAR, GERALD	KRUPINSKI, K	KUNIE, JOYCE	KWIT, MARVIN
KRETMAR, GERALD	KRUPINSKI, K	KUNKEL, CHRIS	KYDD-SUMBERG,
KREUTZJANS, VIVIAN	KRUPINSKI, K	KUNKEL, MICHAEL	COLLEEN
KRICHEVSKY, EVAN	KRUPINSKI, K	KUNKEL, MICHAEL	KYDONIEUS, MARIA
KRIDER, SHERRY	KRUPINSKI, K	KUNKEL, MICHAEL	KYER, MELISSA
KRIEG, GERRY	KRUPINSKI, KEITH	KUNSCH, LISA	KYLE, MEGAN
KRIEGER, GAYLE	KRUPPA, MURIEL K	KUNSTMAN, SUZANNE	KYLE, SUSAN
KRIEMELMEYER,	KRUPSKI, CAROL	KUNZ, CHERI	KYLE, SUSAN
MILDRED	KRUS, LOUISE	KUNZ, MARY	KYSE, BARBARA
KRIER, BARBARA	KRUSE, GORDON	KUNZMAN, JOHN	L, A
KRIKAVA, MARTHA	KRUSE, GRACE	KUPERSTEIN, DANYA	L, A
KRIKORIAN, LINNELL	KRUSE, M.A.	KUPP, LAUREN	L, A
KRIKORIAN, LINNELL	KRUSE, M.A.	KUPPERT, AMBER	L, A
KRIKORIAN, LYNN	KRUSE, MICHELLE	KUPPLER, GEORGE	L, A
KRIKORIAN, LYNN	KRUSE, TERESA	KURNIK, JAMIE	L, EMILY
KRING, JULI	KRUSZEWSKA, SYLWIA	KURONYA, JEREMY	L, G
KRINKE, JENNIFER	KRUTH, GERALD	KURTH, BECKY	L, K
KRINKE, JENNIFER	KRYGER, BETTY	KURTIS, SANDRA	L, K
KRISATIS, BIRGITT	KRYGER, HEATHER	KURTIS, SANDRA	L, K
KRISKO, BECKY	KRYGIER, LESLIE	KURTIS, SANDRA	L, K
KRISS, EVAN JANE	KRYGSHELD, CLARENCE	KURTZ, DIANNE	L, L
KRIST, JAMES	KRYNICKI, KENNETH	KURTZ, KEN	L, L
KRISTEL, LISA	KRZEPINA, MARGARET	KURTZ, KEVIN	L, P
KRISTENSEN, TERESE	KRZEWINSKI, ROBERT	KURTZ, MAYA	L, P
KRISTOFF, DIANE	KSIAZEK, SARAH	KURTZ, MICHELE	L, P
KRISTOFF, DIANE	KUBACKI, KATHERINE	KURTZ, MICHELE	L, S
KRITZER, SHERRON	KUBASTA, MARYLEE	KURTZ, WILLIAM	L, S
KRITZIK, SUSAN	KUCEWICZ, LEO	KURTZBERG, EVELYN	L, S
KRITZMAN, PHILIP	KUCHAR, WILLIAM	KURTZMAN, SHAWN	L, S
KRIVIT, TAMI	KUCHTA, JUDITH	KURTZMAN, SHAWN	L, S
KROEGER, LINDA	KUCKEL, CHARLES	KURY, KAT	L, VINCENT
KROEGER, STEVEN	KUCYNSKI, RONALD	KURZ, DANIEL	L, VINCENT
KROEHLER, CORBETT	KUEHL, TOM	KURZ, LINDA	L, VINCENT
KROFT, FARRIS	KUEHNEL, ROBERT	KUSCHEL, SANDRA	L, VINCENT
KROH, MARYTHERESA	KUEHNELING, SUSAN	KUSH, LYNN	L, VINCENT
KROHN, AARON	KUELPER, CAROL	KUSKE, SONIA	L, VINCENT
KROHN, DAVID	KUHL, WILLIAM	KUSTKA, TAMARA	L, VINCENT
KROHN, JOHN	KUHN, CARA	KUSZAJEWSKI, ED	L., K.

L., KEN	LADIN, MARSHA	LAMAR, STEPHANIE	LANDAU, DOUG
L., KEN	LADNEY, JUDY	LAMARRE, FRANK	LANDAU, DOUG
L., REBECCA	LADORE, LISA	LAMB, ANN	LANDAU, JOHN
L., REBECCA	LADORE, LISA	LAMB, CHERYL	LANDBERG, ALEX
LA BURT, SUZANNE	LAENDLE, MONIKA	LAMB, CHERYL	LANDEEN, CLINT
LA FRINERE, ROCHELLE	LAEVEY, SUSAN	LAMB, CHERYL	LANDERS, DONALD
LA MAGNA, LETICIA	LAFARO, TERRY	LAMB, CHERYL	LANDERS, DONALD
LA MAGNA, LETICIA	LAFARO, TERRY	LAMB, CHERYL	LANDERS, DONALD
LA MAGNA, LETICIA	LAFARO, TERRY	LAMB, CHERYL	LANDESS, CAT
LA MARCA, JOHN	LAFARO, TERRY	LAMB, CHERYL	LANDIS, DELORES
LA MONT, SANDRA	LAFFERTY, AMY	LAMB, CYNTHIA	LANDIS, DELORES
LA MONT, SANDRA	LAFFERTY, HELENA	LAMB, ELENA	LANDIS, LUELLA
LA ROSA, ANNETTE	LAFFERTY, JANINE	LAMB, LYNETTE	LANDMAN, STEFANIE
LA TORRE, JENNIFER	LAFFERTY, LYDIA	LAMB, PETA-MAREE	LANDON, LAURA
LA TORRE, JENNIFER	LAFFEY, JAMES W	LAMBEAU, CATHERINE	LANDRY, VICKY
LA VOVE, TIMOTHY	LAFLEUR, DONNETTE	LAMBERT, JEANNE	LANDSKRONER, RON
LA, FA	LAFLEUR, DONNETTE	LAMBERT, KAY	LANE JR, LESLIE M
LAANO, LAAKEA	LAFLEUR, DONNETTE	LAMBERT, KAY	LANE JR, LESLIE M
LAANO, SYLVIA	LAFLEUR, TERESIA	LAMBERT, LAURA	LANE JR, LESLIE M
LABADIE, HOWARD	LAFONTSEE, DANA	LAMBERT, PATISU	LANE JR, LESLIE M
LABADIE, PAULA	LAFRANCE, KATHLEEN	LAMBERT, REBECCA	LANE, CAROL
LABAUVE, CYNTHIA	LAFRANCE, ROBERTA	LAMBERT, ROGER	LANE, DIANNE
LABB, DEBORAH	LAGANO, SASHA	LAMBERT, ROY	LANE, ERIC
LABELLA, CINDY	LAGAUDIA, LOUIS	LAMBERT, SUSAN	LANE, JEFF
LABERGE, LUCIE	LAGO, MABEL	LAMBERT, SYLVIA	LANE, MS. JUDITH
LABERTA, CAROLYN	LAGO, TOM	LAMBETH, LARRY	LANE, MS. JUDITH
LABINER, DAVID AND	LAGOE, LAURIE	LAMBETH, LARRY	LANE, PRISCILLA
JANIS	LAGOE, LAURIE	LAMBETH, LARRY	LANEÉ, KIMMI
LABINER, DAVID AND	LAGOE, LAURIE	LAMBORN, PHYLLIS	LANEYRIE, JOYCE
JANIS	LAGOW, BARBARA	LAMBROS, KATHRYN	LANG, ELA
LABOROWICZ, RICHARD	LAGRONE, AMY	LAMBROW, KATHY	LANG, KAR
LABOY-VAGELL,	LAHEY, MICHAEL	LAMERE, ALEXIS	LANG, KAR
MARJORIE	LAHIFF, MAUREEN	LAMERE, ALEXIS	LANG, KATARINA
LABOY-VAGELL,	LAHREN, DIANE	LAMERS, STEVEN	LANG, LIANA
MARJORIE	LAHREN, DIANE	LAMKE, MARY	LANG, LIANA
LABOY-VAGELL,	LAHTI, TEIJU	LAMMERS, MATT	LANG, LYNN C.
MARJORIE	LAHY, CAROL	LAMONT, DIANE	LANG, LYNN C.
LABOY-VAGELL,	LAICHE, REAGAN	LAMOTTA, STEPHANIE	LANG, MARGARET
MARJORIE	LAICHE, REAGAN	LAMOTTA, STEPHANIE	LANG, MICHELLE
LABRECQUE, CHERYL	LAICHE, REAGAN	LAMP, JACK	LANG, PAT
LABRECQUE, SHARON	LAIRD, CHERYL	LAMP, LINDA	LANG, PAT
LABRIOLA, MADELINE	LAIRD, DAVID	LAMP, LYNN	LANG, STACY
LABUDA, LINDA	LAIRD, MICHAEL	LAMPMAN, MARILEE	LANGA, HELEN
LACASSE, MONJA	LAIRD, VICTORIA	LAMPMAN, MARILEE	LANGAN, EILEEN
LACEY, SUSAN	LAJEUNESSE, PAUL	LAMPROPOULOS,	LANG, ALVIN
LACHAPELLE, LONNY	LAKE, CAROL	TERESA	LANGE, ELENA
LACHAPELLE, ROXANNE	LAKE, LESLEY	LANAGAN, PAMELA	LANGE, KATHY
LACINA, RICKY	LAKE, MAUREEN	LANAGAN, PAMELA	LANGE, MARLENA
LACKEY, MERCEDES	LAKOS, JENNIFER	LANAGAN, PAMELA	LANGE, MARLENA
LACKEY, MERCEDES	LALA, KIAA	LANAGAN, PAMELA	LANGE, MONA
LACKEY, MERCEDES	LALONE, JANE	LANAHAN, FRED	LANGE, THERESA
LACLAIR, CYNTHIA	LAMAGNA, LETICIA	LANCASTER-RIEMER,	LANGELAN, M.
LACLAIR, GARY	LAMAGNA, LETICIA	NEENAH	LANGELAN, M.
LACOUNTE, CHERYL	LAMAGNO, PATRICIA	LANCE, JUDITH	LANGELAN, M.
LACY, MR.LYNNWARD	LAMAGNO, PATRICIA	LANCIANO, DOMENIC	LANGELIER, KAREN
LADD, CEIL	LAMAGNO, PATRICIA	LANCMAN, DEBORAH	LANGELIER, KAREN
LADE, C. M.	LAMANNA, MARGARET	LANDA, DMITRY	LANGENBACH, ROBIN
LADER, ROSALIND	LAMAR, KATHRYN	LANDAETA, HILDA	LANGENMAYR, ADAM

LANGER, KARMA	LARKIN, RHONDA	LAST NAME, FIRST	LAW, DENNIS
LANGER, PAMELA	LARM, VALERIE	NAME	LAW, KIMBERLEY
LANGEVIN, ANN	LARNER, HERBERT	LASTRAPES, PAT	LAW, MEYA
LANGFORD, JEAN	LARNER, HERBERT	LASWELL, JACKIE	LAW, MEYA
LANGGUTH, D.S.	LARNER, HERBERT	LASZLOFFY, TRACEY	LAW, MICHELE D.
LANGHAM, JERI	LAROCCA, CATHERINE	LATANE, CAM	LAW, MICHELE D.
LANGHAM, LORAINÉ	LAROCCA, CATHERINE	LATCH, LARK	LAWHORN, CATHY
LANGLEY, ROBERT	LAROCCA, JANET	LATHAM, KATHERINE	LAWLER, ELLEN
LANGLEY, WAYNE	LAROCCA, LULU	LATHROP, SARAH	LAWLER, MARY
LANGSDALE, LORI	LAROCCA, LULU	LATIERRA, CAROLYN	FRANCES
LANGSDALE, LORI	LAROCHELLE, JOHN	LATIMER, JONATHAN	LAWLER, NAN
LANGSTON, ZED	LAROSA, BONNIE	LATIMER, SUSAN	LAWREMCE, LAURA
LANHAM, JOHN	LARRABEE, HOLLYN	LATO, BERNADETTE	LAWRENCE, ASHLEY
LANIADO, JULIEN	LARRABEE, JANE	LATONA, KAY	LAWRENCE, CAROL
LANIGAN, BRIAN	LARRO, STEPHANIE	LATTA, GEORGE	LAWRENCE, CLAIRE
LANIGAN, PEGGY	LARRO, STEPHANIE	LATTA, GEORGE	LAWRENCE, CLAIRE
LANKA, MIKE	LARROWE, JILL	LATTA, GEORGE	LAWRENCE, CLAIRE
LANKENAU, MEGAN	LARSEN, ADY	LATTA, GEORGE	LAWRENCE, CLAIRE
LANKFORD, JESSE	LARSEN, ANDREE	LATTANZIA, PATRICIA	LAWRENCE, DANIEL
LANKFORD, SANDRA	LARSEN, CAROLE	LATTANZIA, PATRICIA	LAWRENCE, GERI
LANNING, ALESSA	LARSEN, DANA	LATZGO, JENNIFER	LAWRENCE, JAEN
LANSING, JAMES	LARSEN, JULIA	LATZGO, THOMAS	LAWRENCE, JOAN
LANSPA, KELLY	LARSEN, PAMELA	LAU, KARA J	LAWRENCE, JOHN
LANT-BAIRD, VICKI	LARSEN, REBECCA	LAU, PAUL	LAWRENCE, JULIA
LANTING, MICHELLE	LARSEN, RICK	LAUBACH, KAREN	LAWRENCE, JULIA
LANTOW, SUSAN	LARSON JR, R DENE	LAUDATI, KIM	LAWRENCE, JULIA
LANTRY, GAVIN	LARSON JR, R DENE	LAUER, JENNIFER	LAWRENCE, MELISSA
LANZ, JEAN	LARSON JR., R. DENE	LAUGHLIN, BETH	LAWRENCE, NANCY
LANZER, DAVID	LARSON, ALLEN	LAUGHON, CHARLOTTE	LAWRENCE, NANCY
LANZETTA, DANTE	LARSON, CHERYL	LAUGHTER, RON	LAWRENCE, PHIL
LAPIERRE, DEBBIE	LARSON, CHERYL	LAUKEVICZ, GEROLYNN	LAWRENCE, RENA
LAPLANTE, CHERYL	LARSON, DAN	LAUPHEIMER, MAGGIE	LAWRENCE, ROBERT
LAPOINTE, DRENA	LARSON, ELIZABETH	LAUR, JANET	LAWRENCE, SUZY
LAPOLICE, KARENLU	LARSON, EMILIE	LAUREN, MICHELE	LAWRENCE, VINNEDGE
LAPOLLA, JOHN	LARSON, GAYLE	LAURENCE, CANDICE	LAWS, MIKI
LAPORTE, CANDACE	LARSON, JANET	LAURENCE, K.	LAWS, RAYMOND
LAPORTE, CANDACE	LARSON, JEANNE	LAURENCELL, CAROL	LAWS, RAYMOND
LAPORTE, MICHELE	LARSON, LARRY	LAURENITIS, DIANA	LAWSON, CAROLINE
LAPPE, ROSHANE	LARSON, LENORE	LAURIE, ANNIE	LAWSON, ELEANOR
LAPPEN, JOHN	LARSON, LENORE	Laurita, MARGARET	LAWSON, JOSEPH
LAPRADE, LORRAINE	LARSSON, JACOB	Laurson, EDWARD	LAWSON, KATHLEEN
LAPRADE, REBECCA	LARUE, ERIK	Laurson, EDWARD	LAWSON, KATHY
LARA, TAMARA	LARUE, SHIRLEY	LAUTENBERG, DEBORAH	LAWSON, RAMONA
LARA-LEON, RUBY	LARUSSO, MARY	LAUXMANN, TIMOTHY	LAWSON, TERESA
LARAMIE, DAVID G.	LASAHN, J	LAUZON, CHARLENE	LAWTON, LARRY
LARAUS, KATHERINE	LASCANO, NATACHA	LAVELLE, KATHLEEN	LAWTY, MONICA
LARENCE, MELISSA	LASEK, PATRICIA	LAVENDER, DAVID	LAYA, ALBERT
LARGAY, CATHY	LASHAWAY, LISA	LAVENDER, MICHAEL	LAYDEN, S RENEE
LARGE, DEBORAH	LASHINSKI, AMY	LAVERNE, DAVID	LAYDEN, S RENEE
LARGE, VENETIA	LASKE, MARGARET	LAVERTY, APRIL	LAYMAN, JUDITH
LARGMAN, MICHELE	LASQUADE, DEBORAH	LAVESPERE, SUSAN	LAYNE, ALLISTER
LARIME, BARBAARA	LASSANDRELLO,	LAVEZZO, FRED	LAYNE, ALLISTER
LARIMORE, RICHARD	NOREEN	LAVISH, DENISE	LAYZER, KATE
LARIO, ROCIO	LASSERRE, BRIAN	LAVON, ANN	LAZAR, MAGDOLNA
LARKIN, DESI	LASSIG, RICHARD	LAVY, FRED	LAZAR, SHARON
LARKIN, KELLY	LASSITER, DANIEL	LAVY, FRED	LAZARUS, EVA
LARKIN, OLIVIA	LASSITER, DONNA	LAW, CHRIS	LAZAS, MARY
LARKIN, OLIVIA		LAW, DENNIS	LAZENBY, MORGAN

LAZENBY, MORGAN	LEBLANC, RACHEL	LEE, JUNKO	LEGAROFF, KYRA
LAZZARINI, HOWARD	LEBLANC, VICTORIA	LEE, JUNKO	LEGATOS, LISA
LAZZARINI, HOWARD	LEBLANC, VIRGINIA	LEE, KELLY	LEGAULT, RICHARD
LAZZERI, JON	LEBLANC, VIRGINIA	LEE, L	LEGER, MELISSA
LAZZERI, JON	LEBLANC, VIRGINIA	LEE, MARINA	LEGEZA, MARIANNE
LAZZERI, JON	LEBLANC, VIRGINIA	LEE, MARY	LEGG, NORA
LAZZERI, PATRICIA	LEBO, HARLAN	LEE, MICHAEL	LEGG, TIM
LAZZERI, PATRICIA	LEBO, MARION	LEE, MICHAEL	LEGETT, KAY
LAZZERI, PATRICIA	LEBOEUF, BRENDA	LEE, MICHAEL	LEGGETT, ROBERT
LAZZERI, PATRIZIA	LEBOEUF, BRENDA	LEE, MICHELLE	LEGITTINO, AL
LE BIHAN, MARIE	LEBOEUF, BRENDA	LEE, N.	LEGZDINS, ALBERT
LE BLANCO, SYLVIA	LEBOEUF, BRENDA	LEE, NITA	LEHEW, MICHAEL
LE DEM, JEAN	LEBOEUF, BRENDA	LEE, PETER	LEHMAN, CYNTHIA
LE MIEUX, DANIEL	LEBOEUF, BRENDA	LEE, R D	LEHMAN, ERIC GABRIEL
LE, JAMIE	LEBOEUF, BRENDA	LEE, RICHARD	LEHMAN, EUGENE
LE, JAMIE	LEBOEUF, BRENDA	LEE, RICHARD	LEHMAN, M.
LEA, SUSAN	LEBOWITZ, KAREN	LEE, RICHARD	LEHMANN, CAYLAC
LEACH, TERRA	LEBRON, ISRAEL	LEE, RICHARD	LEHMBERG, RACHAEL
LEADAMAN, ROB	LEBRON, LARAINE	LEE, SANDRA	LEHNERT, JERRY
LEADMAN, SHAWNA	LECCESE, MONICA	LEE, SANDRA	LEHRBACH, OTTO
LEADER-PELOSO, DAWN	LECHICKY, MICHAEL	LEE, SUSAN	LEHRMAN, CLAIRE
LEAF, ARLENE	LECHNER, BECKY	LEE, TANYA	LEHTINEN, JEAN MARIE
LEAHY, PATIENCE	LECKLITER, LINDA	LEE, TANYA	LEIBACHER, CELIA
LEAKE, CAROL	LECLAIR, SUSAN	LEE, TARA	LEIBOWITZ, SUSAN
LEANNAH, GERALYN	LECOURS, CAROLINA	LEE, TERESA	LEIBY, BRUCE
LEANNAH, MIKE	L'ECUYER, DANIELLE	LEE, TERRY	LEICHER, DOROTHEA
LEAPER, SANDRA	LEDBETTER, BARBARA	LEE, TIANA	LEICHT, BARBARA
LEARCH, LYNN	LEDBETTER, CELIA	LEE, TIANA	LEIFKER, KAREN
LEARN, MICHELE	LEDDEN, DENNIS	LEE, TOM	LEIGHTON, JACKIE
LEARS, JESSICA	LEDERAMAN, GAYLE	LEE, VIRGINIA	LEIGHTON, NAOMI
LEARY, JOANNA	LEDERER, JEAN	LEE-ALLEN, KELLI	LEIGHTON, NAOMI
LEAS, ARLENE	LEDFORD, JENNIFER	LEE-ALLEN, KELLI	LEIMAN, ANDREA
LEAS, ARLENE	LEDFORD, THOMAS	LEEB, KURT	LEIN, DORIS
LEAS, BRIGGID	LEDFORD, THOMAS	LEECH, LISA	LEINBAUGH, TRACY
LEAS, REBECCA	LEDGERWOOD, PAMELA	LEEDER, CYNTHIA	LEINENKUGEL, ANGELI
LEAS, REBECCA	LEDUKE, LINDA	LEEDS, VICKI	LEININGER, SALLY
LEAS, REBECCA	LEE, AVERY	LEE-FAITH, NICOLE	LEISTER, DIANE
LEAS, REBECCA	LEE, BRENDA	LEEMAN, CHRISTINE	LEISTER, KATHLEEN
LEAS, REBECCA	LEE, BRENDA	LEEMANN, JULIE	LEISZ, MARILYN
LEASE, TERESA	LEE, BRENDA	LEEPER, VICKIE	LEISZ, MARILYN
LEATH, JAN	LEE, BRENDAN	LEES, JHAN	LEITCH, MARY ANN
LEATH, JAN	LEE, CAROL	LEESON, MARK	LEITNER, SHANNON
LEATHER, ROSE	LEE, CAROLINE	LEES-TAYLOR, ALISON	LEITNER, SHANNON
LEATHERMAN, MARILYN	LEE, CAROLYN	LEEVY, YOSEIF	LELAND, LORA
LEATHERS, ED	LEE, CHARLOTTE	LEEVY, YOSEIF	LEMA, ASHLEY
LEATHLEY, CHRISTIAN	LEE, CHERYL	LEEWRIGHT, RUSTY	LEMAY, ANN
LEAVITT, DONNA	LEE, DAVID	LEFCOURT, PHILIP	LEMBO, BARBARA
LEAVITT, DONNA	LEE, DIANA	LEFCOURT, PHILIP	LEMERISE, MARYANN
LEAVITT, DONNA	LEE, DOMINIQUE	LEFEVRE, ANNY	LEMISON, JANE
LEAVITT, DONNA	LEE, DOROTHY	LEFEVER, ELIZABETH	LEMISON, JANE
LEAVITT, DONNA	LEE, EMILY	LEFFERTS, EDWARD	LEMKE, HANNAH
LEAVITT, JANE	LEE, FANNIE	THOMAS	LEMKUIL, RITA
LEAVITT, JANE	LEE, FANNIE	LEFFERTS, EDWARD	LEMKUIL, RITA
LEAVITT, SUSAN	LEE, GEORGE	THOMAS	LEMKUIL, RITA
LEBEAU, BARRY	LEE, HYUN	LEFFLER, BOB	LEMLEY, SUSAN
LEBER, SUSAN	LEE, J	LEFFLER, BOB	LEMMER, ANNE
LEBERT, MARY	LEE, J	LEFLER, JACQUE	LEMOINE, KATHRYN
LEBLANC, HEATHER	LEE, JEAN	LEFLORE, ELISA	LEMOINE, KATHRYN
LEBLANC, KENNETH	LEE, JILLIAN		

LEMOINE, KATHRYN	LEPPANEN, ALICA	LEVERING, EDMUND	LEWIS, CINDY
LEMON, PENELOPE	LEPPARD, JOYCE	LEVERT, BETH	LEWIS, CLAUDIA
LEMONIK, B. R.	LEPPO, BOB	LEVESQUE, AMANDA	LEWIS, DEBORAH
LEMONIK, B. R.	LENER, AMY	LEVESQUE, AVRIL	LEWIS, DEBRA
LEMONS, CORI	LENER, MARIELLE	LEVESQUE, MARIA	LEWIS, DIANA
LEMS, CASSANDRA	LEROYER, ROBERT	LEVETON, LAJEANNNE	LEWIS, DIANE
LEN, NEE	LESANSKY, HENRY R	LEVETON, LAJEANNNE	LEWIS, ELLEN
LENARD, DENA	LESEM, KEN	LEVI, ANNA-LINA	LEWIS, FELICIA
LENARDSON, DENISE	LESER, ELIZABETH	LEVI, LOUIS	LEWIS, GLORIA
LENAS, DELORIS	LESHAW, HANNAH	LEVIER, MAUREEN	LEWIS, JODY
LENAT, DALE	LESHER, MARK	LEVIN, ADAM	LEWIS, KAYE
LENAT, DALE	LESINSKI, PETE	LEVIN, ALLISON	LEWIS, KIMBERLY
LENCHNER, NICHOLAS	LESINSKI, PETE	LEVIN, BETH	LEWIS, KRISTIN
LENDERMAN, JANIS	LESINSKY, MARGARET	LEVIN, DEBRA	LEWIS, KRISTIN
LENDERMAN, JANIS	LESINSKY, MARGARET	LEVIN, JULIE	LEWIS, LEE
LENGEL, DENNIS	LESKO, ROBERT	LEVIN, MARK	LEWIS, LESLIE F
LENGEL, GAIL	LESLEY, MIKE	LEVIN, SUSAN	LEWIS, LISA
LENGEL, NANCY	LESLIE, CHRISTIANE	LEVINE MD, SANDRA	LEWIS, LISA
LENHARDT, DE	LESLIE, J Z	LEVINE, ALAN D	LEWIS, MICHELE
LENHARTH, SCOTT	LESLIE, LESLIE	LEVINE, BARBARA	LEWIS, NANCY
LENIGAN, CANDY	LESLIE, LESLIE	SONDRA	LEWIS, NANCY
LENIGAN, CANDY	LESLIE, M. VIRGINIA	LEVINE, BETH	LEWIS, NORA
LENK, ALAN	LESMAN, ELIZABETH	LEVINE, HARRIET	LEWIS, NORA
LENNON, KINGA	LESSARD, ANDRE	LEVINE, MICHAEL	LEWIS, NORA
LENNON, SARAH	LESSARD, PATRICIA	LEVINE, MICHAEL	LEWIS, NORMAJEAN
LENOIR, JUDY	LESSE, DEBBI	LEVINE, MIKE	LEWIS, NORMAN
LENOX, TAMI	LESSER, GEORGE	LEVINE, MIKE	LEWIS, O
LENROW, MITCHEL	LESSER, MARGO	LEVINE, RHO	LEWIS, PATRICIA
LENT, NANCY	ROGERS	LEVINSON, DAVID	LEWIS, PATRICIA
LENTZ, CHRISTINE	LESSIG, BARBARA	LEVINSON, GILDA	LEWIS, POLLY
LENTZ, SUSAN	LESSIG, BARBARA	LEVINSON, GILDA	LEWIS, RICHARD
LENTZ, VIVIAN	LESSIG, BARBARA	LEVINSON, GILDA	LEWIS, RITA
LENZ, BERNARD	LESSIG, BARBARA	LEVINSON, STEPHANIE	LEWIS, ROGER LEWIS
LENZ, JANET	LESTER, BETHANY	LEVINSTEIN, KATE	LEWIS, STEPHANIE
LEON, KAMERON	LESTER, DONNA	LEVITAN, LUCY	LEWIS, VERLENE
LEON, MARY A	LESTER, FREDERICA	LEVITT, LACEY	LEWMAN, LINDA
LEON, SHARON	LESTER, LAURA	LEVITT, LACEY	LEY, CID
LEONARD, BRIAN	LESUEUR, ELIZABETH	LEVITT, MARY	LEYDEN, WENDY
LEONARD, C	LESZCZYNSKI, M	LEVKOFF, JANIS	LEYVA, GILBERT AND
LEONARD, CAMI	LESZCZYNSKI, M	LEVNO, STACEY LEVNO	SONYA
LEONARD, CAMI	LESZCZYNSKI, M	LEVOUS, PAULA	LHEUREUX, JOLE
LEONARD, CAMI	LESZCZYNSKI, M	LEVOUS, PAULA	LHEUREUX, JOLE
LEONARD, GREG	LESZCZYNSKI, M	LEVOUS, PAULA	LHEUREUX, JOLE
LEONARD, JOHN	LETHRIDGE, LESLIE	LEVY, JEFF	LHEUREUX, JOLE
LEONARD, JULIE	LETOURNEAU, RON	LEVY, LESLIE	LHOST, KARI
LEONARD	LETSOM, BARBARA	LEVY, NOEL	LI CALZI, DOROTHY
LEONARD, KATHRYN	LETTIERI, TAMMY	LEVY, SHARON	LI CALZI, DOROTHY
LEONARD, LINDA	LETTS, ELI	LEWANDOWSKI, DAN	LI, INARI
LEONARD, VALERIE	LETUSICK-SPEAR, JANET	LEWANDOWSKI, JEAN	LIANG, ALICIA
LEONE, TERIA	LEUBA, SANFORD	LEWANDOWSKI, TIM	LIANZI, THERESA
LEONESSA, CONNI	LEUBA, SANFORD	LEWIN, ASHLEY	LIAO, ANITA
LEONESSA, CONNI	LEUENBERGER, CAROL	LEWIN, JEFF	LIBBY, DOMINIC
LEONIS, CAROL	LEUTHOLD, MARK	LEWIS, ANDREA	LIBBY, KATHLEEN
LEONIS, CAROL	LEUTHOLD, MARK	LEWIS, ANDREA	LIBERGE, MARCEL
LEOW, JACK	LEVAS, SANDRA	LEWIS, BRENDA	LIBERTY, LADY
LEPOME, PENELOPE	LEVASSEUR, JULIE	LEWIS, CHARLES	LIBERTY, SANDRA
LEPORE, LEE	LEVENTIS, ANGELA	LEWIS, CHERYL	LICHACZ, TRUDY
LEPOSKY, GEORGE	LEVERETT, CHARLOTTE	LEWIS, CHERYL	LICHENBERT, BOB

LICHTENBERG, GARY	LINDEMULDER HARRIS,	LINZEE, JILL	LITTLEMAN, TINA
LICHTER, LENNIE	LAURIE	LION, DANIELLE	LITTLEMAN, TINA
LICKTEIG, JULIE	LINDEMULDER HARRIS,	LION, DANIELLE	LITTLEWOOD, ANN
LIDD, CYNTHIA	LAURIE	LION, DANIELLE	LITTLEWOOD, JENNIE
LIDDICK, SHAWN	LINDEMULDER HARRIS,	LIONETTI, LINDA	LITTLEWOOD, RYAN
LIDMAN, CYNTHIA	LAURIE	LIONETTI, MARC	LITTLEWOOD, STEVEN
LIEB, DAVID AND LINDA	LINDEMULDER HARRIS,	LIONETTI, MARC	LITWIN, EDIE
LIEBENAU, DEBORAH	LAURIE	LIONETTI, MARC	LITWIN, EDIE
LIEBESKIND, AL	LINDEN, SUSAN C	LIONETTI, MARC	LIU, ANNE
LIEBETREU, AMY	LINDEN, ZOYA	LIOTTA, RICCARDO	LIU, SARAH
LIECHTI, BARBARA	LINDENBERGER, SUSAN	LIOTTI, SONJA	LIU, SARAH
LIEDIKE, ROBERT	LINDENMUTH, LISA	LIPKA, FRANCINE	LIVELY, CAROL
LIELBRIEDIS, LINDA	LINDER, JANIS	LIPKA, FRANCINE	LIVESEY, CHRISTINA
LIENHARD, JUDITH	LINDER, JEAN	LIPKA, FRANCINE	LIVESLEY, KATHIE
LIERCKE, KRISTY	LINDER, LC	LIPMAN, ELIZABETH	LIVINGSTON, ELAINE
LIEROW, RICHARD	LINDER, NANCY	LIPMAN, ELIZABETH	LIVINGSTON, ELAINE
LIGHT, GREGORY	LINDER, TAMI	LIPMAN, LENORE	LIVINGSTON, JENNA
LIGHT, KRISTINE	LINDERMAN, MAGGIE	LIPMAN, MYRNA	LIVINGSTON, JESSE
LIGHT, WENDY	LINDERMAN, MAGGIE	LIPPERT, CONNIE	LIVINGSTON, JOHN
LIGHTHEART, CELESTE	LINDERMAN, MAGGIE	LIPPERT, TIMOTHY	LIVINGSTON, PENNI
LIGHTNING, JANE	LINDGREN, CONNIE	LIPPINCOTT, BECKY	LIVINGSTON, TAWNEE
LIGORELLI, TERESA	LINDHEN, SAKARI	LIPPINCOTT, CLAUDIA	LIVINGSTONE, STEPHAN
LIKENS, JESSICA	LINDHOLM, JANENE	LIPPINCOTT, LAURA	LIZARDSLIME,
LILITH, MS	LINDHOLM, MELISSA	LIPPMAN, ALICIA	SNAKEMEAT
LILITH, MS	LINDNER, LYNETTE E	LIPPMAN, CYNTHIA	LIZIE, MARY
LILITH, MS	LINDQUIST, RON	LIPPMAN, JANE	LLARENA, JUAN
LILITH, MS	LINDSAY, BARBARA	LIPSCOMB, JOHN	LLINAS, STEPHANIE
LILL, CAITLIN	LINDSAY, JAMES	LIPSCOMB, MATTIE	LLINAS, STEPHANIE
LILL, NANCY ENZ	LINDSAY, JAMES	LIPSKY, CAROL	LLOORCA, SUSAN J
LILLARD, CHARLES	LINDSAY, JOHANNA	LIPTAK, ANDREW	LLOYD, AA
LILLARD, JIM	LINDSAY, JOHN	LIPTAK, LINDA	LLOYD, BECKY
LILLEY, KATHRYN	LINDSAY, LESLIE	LIPTON, MELANIE	LIPTON, MELANIE
LILLING, GLENDA	LINDSEY, AUDRA	LIPTON, MELANIE	LIPTON, PAUL S.
LILLY, LAURA	LINDSEY, CAZA	LIRA, STEFON	LIRA, STEFON
LILLY, MARILYN	LINDSEY, DAVID	LIRA, STEFON	LISAFELD, MONICA
LILLYWHITE, LESLEY	LINDSEY, IRVIN	LISAFELD, MONICA	LISCHYNSKY, SUZANNE
LIM, ROBIN	LINDSEY, IRVIN	LISH, CHRISTOPHER	LISH, CHRISTOPHER
LIMA, CHRIS	LINDSEY, IRVIN	LISH, CHRISTOPHER	LISH, CHRISTOPHER
LIMA, PAUL	LINDSEY, JUDITH	LISKA, ALLAN	LISOTTO, MARIA
LIMARZI, TULLIA	LINDSEY, LINDA	LISOTTO, MARIA	LISS, CYNTHIA
LIMARZI, TULLIA	LINDSTROM, STEVEN	LISS, CYNTHIA	LIST, HENRIETTA
LIMAURO, D.	LINEHAN, VICTORIA	LIST, HENRIETTA	LISTA, CASSANDRA
LIMBACH, JOHN	LINEK, RON	LISTA, CASSANDRA	LISTA, CASSANDRA
LIMPALAIR, YVES	LINERUD, TIM	LITCHEF, WARE	LITCHEF, WARE
LIN, CAROL	LINFANTE, GAY	LITRENTA, LISA	LITRENTA, LISA
LIN, MELISSA	LINFIELD, BRENDA	LITTLE, CYNTHIA	LITTLE, CYNTHIA
LINA, CHARLES AND	LINGO, GILLIAN	LITTLE, GODFREY	LITTLE, GODFREY
CHRISTIN	LININGER, BETTY	LITTLE, GODFREY	LITTLE, JOAN
LINCOLN, DEB	LININGER, JOANN	LITTLE, JOAN	LITTLE, MICHAEL
LINCOLN, JO ANN	LINK, ANNE M	LITTLE, MICHAEL	LITTLEMAN, LAWRENCE
LINDA, LAUREN	LINK, JAMES	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE
LINDBERG, RACHEL	LINKER, LINDA	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE
LINDBLOM, DAVE	LINK-NEW, VIRGENE	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE
LINDE, SHERRY	LINKS, CATHARINE	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE
LINDELL, SUSAN	LINN, BEA	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE
LINDELL, SUSAN	LINN, KAREN	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE
LINDEMANN, A	LINN, RUTH	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE
LINDEMANN, ANNA	LINTNER, DIANA	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE
	LINTZ, BARBARA	LITTLEMAN, LAWRENCE	LITTLEMAN, LAWRENCE

LOCKWOOD, JENNY	LOMMEL, LOIS	LOPER, KATHRYN	LOTT, KELLY
LOCKWOOD, LINDA	LOMON, DEVIN	LOPER, MATT	LOTZ, JONATHAN
LOCKYEAR, PAT	LONANO, MARI	LOPES, LORI	LOTZ, JUDITH
LODGE, MARISA	LONDON, JOY	LOPEZ BLANCO, TILKY	LOUCHARD, O'NEILL
LOE, STEVE	LONDON, JOY	LOPEZ, A	LOUCKS, CONNIE
LOERA, ANN	LONDON, RACHEL	LOPEZ, AUDREY	LOUCKS, CYNTHIA
LOERCH, JESSI	LONEY, JOAN	LOPEZ, CHRISTOPHER	LOUCKS, GLENDA
LOESCH, MARY LOU	LONG, DAVID	LOPEZ, DAMIAN	LOUDEN, MAGGIE
LOESCH, MARY LOU	LONG, ELAINE	LOPEZ, DIAN	LOUDIS, VICTORIA
LOESCH, MARY LOU	LONG, EVA	LOPEZ, ELIZABETH	LOUGHBOM, JACKLYN
LOESCH, MARY LOU	LONG, EVA	LOPEZ, EMILY	LOUGHLIN, KATHLEEN
LOESCH, MARY LOU	LONG, GARY	LOPEZ, ILIANA	LOUGHLIN, MARY
LOESWICK, JENN	LONG, JEFFREY	LOPEZ, IM	LOUIE, DENISE
LOFDAHL, KATHARINE	LONG, JENNIFER	LOPEZ, IRENE	LOUIS, HILARIE
LOFFREDO, ANNY	LONG, JON	LOPEZ, JEFF	LOUIS, KRISTIN
LOFFREDO, ANNY	LONG, KAROL	LOPEZ, JOANN	LOUISE, DEB
LOFGREN, LEIGH	LONG, KAROL	LOPEZ, JOSEFINA	LOUISE, MELINDA
LOFTIN, NANCY	LONG, KAROL	LOPEZ, LOURDES	LOUTTIT, DEBRA J
LOFTUS, WILLIAM	LONG, KATHY	LOPEZ, LOURDES	LOVAS, LIANA R
LOFTUS, WILLIAM	LONG, KATHY	LOPEZ, M	LOVE, DENNIS
LOGAN, DONNA	LONG, KATHY	LOPEZ, M	LOVE, HELEN
LOGAN, GLENDA	LONG, LARISA	LOPEZ, M	LOVE, JENNIFER
LOGAN, MARILYN	LONG, LAURA	LOPEZ, RALPH	LOVE, JENNIFER
LOGAN, MARILYN	LONG, LAURA	LOPEZ, SAMANTHA	LOVE, JERRI
LOGAN, SHARON	LONG, MARILYN	LOPEZ, SUZANNE	LOVE, JUDY
LOGAN, TONI	LONG, MICHAEL	LOPEZ, TRINIDAD	LOVE, MICHELLE
LOGAN, TONI	LONG, SEAN	LOPEZ-BISHOP, WENDY	LOVE, REEVE
LOGEL, FRANK	LONG, STEVEN	LOPEZLIRA, MARCELA	LOVE, SAMANTHA
LOGIUDICE, R.	LONGFELLOW, K.	LOQUET, WALTER	LOVE, SOFIA
LOGIUDICE, R.	LONGINO, DEBORAH	LORCH, JAY	LOVE, SOFIA
LOGRASSO, ELIZABETH	LONGLEY, RICHARD	LORD, CHRISTOPHER	LOVE, SOFIA
LOGRASSO, ELIZABETH	LONGMORE, C	LORD, DIAN	LOVEJOY, JANE
LOGUE, REGINA	LONGMORE, C	LORD, HERBERT	LOVELACE, LANELLE
LOHLI, ARLINE	LONGO, DAWN	LORD, HERBERT	LOVELACE, STEVE
LOHLI, ARLINE	LONGO, MARIE	LORD, MICHELLE	LOVELADY, BONNIE
LOHLI, ARLINE	LONGORIA, MARIA	LORD, MICHELLE	LOVELAND, JIM
LOHMAN, ALEXANDRA	LONGORIA, TERRI	LORD-WOOD,	LOVELL, CAITLIN
LOHMAN, BRANDI	LONGORIA, TERRI	DOMINICA	LOVELL, LAWRENCE
LOHMAN, JAMES	LONGORIA, TERRI	LORENTSON, NANCY	LOVERING, KAITLIN
LOHMAN, JAMES	LONGSWORTH CRISP,	LORENTZEN, ROBIN	LOVETT, ANGELA
LOHMAN, LOHMAN	MELISSA	LORENZ, ALICE	LOVEWELL, MARLENA
LOHMANN, JENNIFER	LONGWELL, ELIZABETH	LORENZ, DANIEL	LOVINGER, BARRY
LOHN, PATRICIA	LONGWORTH, MILLY	LORENZ, LAIRD	LOVINS, LAURA
LOHR, MARILYN	LONGYEAR, SHARON	LORENZINI, LORRAINE	LOW, CODY
LOHSE, ROLF	LONGYEAR, SHARON	LORENZO, SANDY	LOWBER, CONNIE
LOIACONO, LYNN	LONSETH, ANDREA	LORENZONI, ALICIA	LOWDEN, ROCHELLE
LOIELO, MARY	LOO, CAMILLE	LORENZONI, ALICIA	LOWE, AMANDA
LOJO, ROSEMARY	LOO, CHRIS	LORIG, CONSTANCE	LOWE, AMANDA
LOLLI, MARK	LOOMIS, JENNIFER	LORIMER, JOEL	LOWE, ANNE
LOLLIS, SANDE	LOOMIS, LAURA	LORING, LAURA	LOWE, BARBARA
LOLMAUGH, VICTORIA	LOOMIS, REA	LORION, JAN	LOWE, BETH
LOMAGLIO, FRANCINE	LOOMIS, REBECCA	LORITO, TONY	LOWE, DAVID
LOMAS, GAYLE	LOOMIS, SUSANNE	LORUSSO, PHOEBE	LOWE, GERALDINE
LOMBARD, KATRINA	LOOPER, RUTH	LOSASSO, DIANNE	LOWE, JOHN
LOMBARD, RICHARD	LOOS, MICHAEL	LOSASSO, DIANNE	LOWE, KATI
LOMBARD, RON	LOOSLEY, DONALD	LOSI, LORA	LOWE, MANUELA
LOMBARDI, DAN	-LOOSMORE, -	LOSLIE, DAVID	LOWE, MARGOT
LOMBARDI, ROBERT	LAWRENCE	LOTITO, MARK	LOWE, MELISSA

LOWE, PATRICIA	LUCAS, LAURIE	LUNA, KELLY	LYNCH, DEBORAH
LOWE, ROBERT	LUCAS, ROSA	LUNCEFORD, ROSETTA	LYNCH, DENNIS
LOWE, SANDRA	LUCAS, SHERYL	LUND, AMY	LYNCH, GAIL
LOWE, SUSAN	LUCAS, STEVE	LUND, CHRISTINE	LYNCH, GLEN
LOWE, SUSAN	LUCAS, STEVE	LUNDBERG, CATHY	LYNCH, JOHN
LOWE, SUSAN	LUCAS, STEVE	LUNDEEN, JAMES	LYNCH, KATE
LOWEN, STEVEN	LUCAS, STEVE	LUNDGREN, JAN	LYNCH, LEE
LOWERY, CANDICE	LUCAS, STEVE	LUNDQUIST, KAREN	LYNCH, LEE
LOWERY, JOANNE	LUCAS, STEVE	LUNDQUIST, LIZ	LYNCH, LISA
LOWERY, KAREN	LUCAS, STEVE	LUNDQUIST, MARCY	LYNCH, ROBIN
LOWERY, KAREN	LUCAS, VALERIE	LUNKEN, DINA	LYNCH, STEVE
LOWERY, MARLENE	LUCASSEN, ROSAIRE	LUOSTARI, ALEXANDRIA	LYNCH, THERESA
LOWIN, LYNN	LUCCA, PAMELA	LUOSTARI, ALEXANDRIA	LYNCH, W
LOWIN, LYNN	LUCE, CORA	LUOSTARI, ALEXANDRIA	LYNCH, W
LOWMAN, ALANNAH	LUCE, CORA	LUPENSKI, STEPHANIE	LYNCH, W
LOWRANCE, HERB	LUCE, CORA	LUPIEN, SUE ELLEN	LYNETTE, RENEE
LOWRANCE, HERB	LUCE, DON	LUPO, MAUREEN	LYNN, ANDY
LOWREY, BRUCE	LUCE, MARY	LUPO, PAT	LYNN, BROOKE
LOWREY, JAN	LUCHTERHAND, ERIKA	LUPPI, MAXA	LYNN, GEORGIA
LOWRIE, PATRICIA	LUCIANO, ANGEL	LUPPINO, TAMMY	LYNN, HEIDI
LOWRY, LORRAINE	LUCK, PATRICIA	LUPTON, CLAIRE	LYNN, JES
LOWRY, LORRAINE	LUCKETT, MARTHA	LUQUE, MARGARITA	LYNN, MADELYN
LOWRY, MARSHA	LUCKHAUPT, KIMBERLY	LURIE, ALEC	LYNN, STUART
LOWRY, MARSHA	LUCKING, SUSAN	LURIE, ALEC	LYNN, YVONNE
LOWY, SANDRA	LUCKINI, KAREN	LURIE, ALEC	LYNNETTE ANDERSON,
LOYD, TRACEY	LUCZYSKI, RICHARD	LURTZ, JAMIE	LYNNETTE ANDERSON
LOYD, TRACEY	LUDBROOK, HELEN	LUSK, JOHN	LYON, BARBARA
LOYD, VALERIE	LUDI, GARY	LUSSIER, JESSICA	LYON, BILLIE
LOYE-KEY, KRISTY	LUDI, GARY	LUTHER, DORIS	LYON, CHARLES
LOYE-KEY, KRISTY	LUDI, GARY	LUTHER, LYNN	LYON, JANE
LOYOLA, MARIA	LUDINGTON, MARY	LUTSKY, DAWN	LYON, KELLY
LOZANO, DONNA	LUDOWITZ, KEITH	LUTSKY, DAWN	LYON, LEONARD
LOZON, KRISTINA	LUDWIG, GEORGE	LUTSKY, DAWN	LYONS, CHARLENE
LOZON, KRISTINA	LUDWIG, RAMONA	LUTTICH, STU	LYONS, CHRISTINE
LOZON, SHARON	LUDWIG, WENDY	LUTTON, JO	LYONS, LYNNE
LOZON, SHARON	LUETZOW, LIZ	LUTZ, DIANE	LYONS, MARGARET
LOZORAITIS, HELEN	LUFT, ALICIA ANN	LUTZ, JACK	LYONS, MARGARET
LOZORAITIS, SUSAN	LUGO, MELISSA	LUTZKER, DANIEL	LYONS, PAMELA
LOZOW CLEARY, KAREN	LUGO, MIGUEL	LUX, THOMAS	LYONS, STEVE
AND WILL	LUHRING, CARL	LUYENDYK, LAURA	LYONS, TIM
LOZOW CLEARY, KAREN	LUHRING, CARL	LUZI, CAROLYNN	LYSTIG, REBECCA
AND WILL	LUKASIEWICZ, JUDY	LYALL, ANDREW	LYTLE, CHRISTINE
LU, AMY	LUKE, FRED	LYALL, ANDREW	LYTLE, DAVID
LUBIN RAUSHER, HILARY	LUKE, LINDA	LYALL, ANDREW	LYTLE, DENISE
LUBIN RAUSHER, HILARY	LUKE, MADELINE	LYALL, ANDREW	LYTLE, DENISE
LUBIN RAUSHER, HILARY	LUKE, ROBERT	LYDAY, DENNIS	LYTLE, MARY
LUBIN, DIANA	LUKENSMEYER, PAT	LYKE, LINDA	LYTLE, MARY
LUBIN, JAN	LUKENSMEYER, PAT	LYLE, K	LYTSELL, D
LUBIN, STEVEN	LUKES, ZACHARY	LYLE, KEITH	M HART, ROBERTA
LUBIN, THALIA	LUKEY, ROBERT	LYLES, DIANA	M, AMY
LUBLIN, LINDA	LUKICH, LYN	LYLES-DIERS, KATHY	M, AMY
LUBONOVICH, D.J.	LUKOWITZ, WENDY	LYMAN, MIKE	M, CARRIE
LUC, MARY	LULL, DAWN	LYMAN, TERESA	M, D
LUCACIU, LIDIA	LULL, PATRICIA	LYMWORTH, BHAVANA	M, D
LUCAS, ADRIEN	LUM, CHRISTIE	LYNCH, BERNADETTE M	M, F
LUCAS, AMANDA	LUMPKIN, MIKE	LYNCH, CLAUDIA	M, F
LUCAS, ANN	LUNA, DANA	LYNCH, CYNTHIA	M, F
LUCAS, JEREMY	LUNA, DONNA	LYNCH, DEBORAH	M, FRANCES

M, FRANCES	MACIEL, MARIE	MADDEN, SUSANNE	MAHER, TIM
M, J	MACIEL, MARIE	MADDOCK, PATRICIA	MAHER-BRISEN,
M, J.	MACIJUNAS, LEONARD	MADDOCK, TYANA	PATRICIA
M, L	MACILROY, CAROL	MADDOX, ANITA	MAHER-BRISEN,
M, L	MACINA, VICKI	MADDOX, JASON	PATRICIA
M, L	MACINTOSH, ARLENE	MADDOX, KIM	MAHLER, LEE
M, L	MACK, ALAN	MADDOX, SANDRA	MAHLIS, LARRY
M, L	MACKAY, DONALD SAGE	MADER, TERRY	MAHNISKE, WENDY
M, LIAM	MACKAY, GENE	MADESKA, VALERIE	MAHONEY, DAVID
M, LIAM	MACKAY, LEAH	MADIA, SCOTT	MAHONEY, JOHN
M, MARY ANN	MACKELVIE, ELIZABETH	MADIGAN, JILL	MAHONEY, PAULA
M, N	MACKELVIE, ELIZABETH	MADIGAN, JUDY	MAHONEY, RITA
M, RACHELLE	MACKENZIE, CURT	MADISON, GAIL	MAHONEY, RITA
M., J.	MACKENZIE, CURT	MADOLE, GARY	MAHONY, DEBRA
M., J.	MACKENZIE, PENNY	MADOLE, GARY	MAHONY, LIZ
M., J.	MACKER, TERRI	MADRID, JADE	MAIDEN MUELLER,
M., J.	MACKEY, CLAUDIA	MADRIGALE, ANGELO	PAUL
M., K.	MACKEY, KATHERINE	MADRONE, CALLI	MAIER, VERONICA
M., K.	MACKICHAN, MARY LEE	MADRONE, CALLI	MAIKISH, MARY ANN
M., M.	MACKIN, MARINA	MADRONE, CALLI	MAIKISH, MARY ANN
M., MICHAEL	MACKIN, RICH	MADSEN, JILL	MAIKISH, MARY ANN
MAAT, BARBARA	MACKINNON, KRISTINA	MADSEN, JILL	MAINIERO, JOANNE
MABRY, MONICA	MACKLER, DONALD	MADSEN, MICHAEL	MAISH, SALLY
MAC MARTIN, PEGGI	MACKLER, DONALD	MADSON, SUSAN	MAISH, SALLY
MACADAMS, KEITH	MACKOWN, LINDA	MADURA, WILLIAM	MAJOR, BRIAN
MACADAMS, KEITH	MACLAGAN, LYNETTE	MAENDL, DEBBY	MAJOR, DIANE
MACAN, CATHERINE	MACLAMROC, ALAN	MAESTRO, BETSY	MAJOR, ELIZABETH
MACARILLA, LIZ	MACLAUGHLIN, SHARYN	MAFUZ-LOPEZ, DIANA	MAJOR, ELIZABETH
MACARTHUR, JUNE	MACLENNAN, MELANIE	MAGARET, AMALIA	MAJORS, JAMES
MACARTHUR, RONALD	MACLEOD, NEIL	MAGATHAN, PAMELA	MAKA, JANUSZ
MACARTHUR, RONALD	MACLEOD, SUSAN	MAGATHAN, PAMELA	MAKA, JANUSZ
MACARTHUR, RONALD	MACMICHAEL, MELISSA	MAGATHAN, PAMELA	MAKER, MEREDITH
MACARTNEY, BILL	MACMILLAN, GAIL	MAGATHAN, PAMELA	MAKI, CAROL
MACAULEY, WENDY	MACMILLAN, GAIL	MAGEE, ELLEN	MAKRIS, CAROL
MACBRIDE, HANNAH	MACMILLAN, SHARON	MAGEE, JOHN	MAKSOUDIAN, ARAX
MACCABEE, CHRISTINE	MACNARY, JULIE	MAGEE, ROBERT	MALAGON, MAURICIO
MACCARO, LISA	MACOMBER, JESSICA	MAGGI, JAMES	MALANEY, SHAWN
MACCRIMMON,	MACOMBER, PAUL	MAGIN, BARBARA	MALAROCHE,
KATHERINE	MACOMBER, SUSAN	MAGLIOLA, LAWRENCE	CHRISTINE
MACCURDY, JOE	MACON, LEE-ELLEN	MAGLIONE, JUDE	MALASPINO, MICHELLE
MACDONALD, JENNIFER	MACON, WILLIAM	MAGNE, KATHY	MALAVE, DUNKAN
MACDONALD, LINDA	MACRAE, DIANN	MAGNUSON, BARBARA	MALDONADO, TERESA
MACDONALD, MYRNA	MACRAE, KAREN	MAGONE, M.ELIZABETH	MALEK, CATHERINE
MACDONALD,	MACRAITH, BONNIE	MAGORIAN, ALICE	MALECKA, STEPHEN
NICHOLAS	MACSTAY, A. ALIA	MAGRATH, PAT	MALESEV, SHARON
MACDONALD, REANN	MACY, LINDA	MAGUIRE, JEAN	MALEY, MICHAEL
MACDONALD, RUTH	MACY, MICHELLE	MAGUIRE, JOEL	MALIK, JANE
MACDONALD, WENDY	MACY, MICHELLE	MAGUIRE, SUSAN	MALIK, LALITA
MACE, PAT	MACY, MICHELLE	MAGUIRE, TERRILL	MALINISH, JUDI
MACE, PAT	MACY, MICHELLE	MAHANAY, LILLIAN	MALLAHAN, LISA
MACEO, TONY	MACY, MICHELLE	MAHER, HELEN	MALLAM, KAREN
MACFARLANE, ANITA	MACZYNSKI, MARK	MAHER, LORENA	MALLARD, RON
MACHIN, RICK	MADDEN, EDUARDE	MAHER, MARY J	MALLER, JON
MACHINIAK, MEGAN	MADDEN, ELIZABETH	MAHER, MARY	MALLERY, LINDA
MACHUSIC, KARIN	MADDEN, HEATHER	MAHER, ROBERT	MALLETT, ANA
MACIAS, SHERRY	MADDEN, MICHAEL	MAHER, SARA	MALLON, BARBARA
MACIE, CINTHIA	MADDEN, MICHAEL	MAHER, SUSAN	MALLORY, JANETH
MACIEL, ALMA	MADDEN, SUSANNE	MAHER, SUSAN	MALLOY, JOHN

MALMROS, WILLIAM	MANGIONE, WARREN	MARABLE, NINA	MARIE, ANN
MALMSHEIMER, LONNA	MANGOLD, PAUL	MARANCIK, DAVID	MARIE, ANN
MALNATI, PEGGY	MANIFOLD, CAROL	MARANDA, SUSAN	MARIE, ANN
MALONE, ANDREE	MANION, MELINDA	MARANDA, SUSAN	MARIE, ANN
MALONE, JOYCE	MANION, MELINDA	MARANOWSKI, ERICA	MARIE, ANN
MALONE, LORALEE	MANION, VERNA	MARCEAU, PAUL	MARIE, CATHERINE
MALONE, MARLENA	MANISTA, DINAH	MARCELLA, MICHAEL	MARIE, KATHLEEN
MALONE, STACIE	MANKA, LINDA	MARCELLO, SARAH	MARIN, JESUS
MALONE, SUSAN	MANLEY, MARY	MARCERON, DENNIS	MARIN, LYNDA
MALONEY, BONNIE	MANN, DOREEN	MARCH, JANICE	MARINE, ROBERTA
MALONEY, CHARLOTTE	MANN, LISA	MARCHAND, BABS	MARINELLI, LORI
M	MANN, LOUISE	MARCHAND, BABS	MARINI, VALERIE
MALONEY, KATIE	MANN, MARY	MARCHAND, BABS	MARINI, VALERIE
MALONEY, KYLEIGH	MANN, MARY	MARCHAND, DEBORAH	MARINILLI, JENNIFER
MALONEY, MARCUS	MANN, SANDRA	MARCHETTI, NANCY	MARINILLI, JENNIFER
MALONEY, MARGARET	MANNE, LETTY	MARCI, JOE	MARINO, JACK
MALONEY, MARGE	MANNERS, H	MARCO, STEPHANIE	MARINO, JACK
MALONEY, PATRICK	MANNERS, HELEN	MARCOVECCHIO, TERRI	MARION, CAROLYN
MALONEY, PATRICK	MANNERS, TONY	MARCUM, GINA	MARION, FAYE
MALONEY, STEPHANIE	MANNEY, GARY	MARCUM, JOHN	MARIORENZI, MARIA
MALONEY, STEPHANIE	MANNICK, ELIZABETH	MARCUS, DAVID	MARIS, CHRISTINA
MALOUIN, MARY	MANNING, ALEXANDRA	MARCUS, EUGENIA	MARITTIMI, SOLE
MALSHEIMER, FRAN	MANNING, ALPHONSO	MARCUS, JACK DAVID	MARK, DARIAN
MALT, BARBARA	MANNING, BARBARA	MARCUS, LEONARD	MARK, DARIAN
MALVEN, TANIA	MANNING, MAUREEN	MARCUS, SYBIL	MARK, DARIAN
MALY, RACHEL	MANNING, TAMI	MARCUSSEN, PAUL	MARK, PETER
MALYON, ANN	MANNIX, JILL	MARCUSSEN, PAUL	MARK, ROBERT
MALYON, ANN	MANNIX, JILL	MARCUSSEN, PAUL	MARKEE, PATRICK
MALYON, ANN	MANNS, STEVE	MARCZAK, HOLLY	MARKELL, SARAH
MALYON, ANN	MANO, MICHELLE	MARCZAK, HOLLY	MARKERT, LYNN
MALZONE, ANTHONY	MANOLAS, TERI	MARCZAK, HOLLY	MARKEVICH, CHRISTEL
MAMDANI, TAHERA	MANOR, MATTHEW	MARCZAK, HOLLY	MARKEY, ALICE
MAMMEL, RICHARD	MANOS, CYNTHIA	MARCZAK, HOLLY	MARKHAM, ANN
MAMOYAC, STEVE	MANOS, RY	MARCZAK, HOLLY	MARKHAM, COLLEEN
MAMOYAC, STEVE	MANSER, BILL	MARCZAK, HOLLY	MARKHAM, COLLEEN
MAMOYAC, STEVE	MANSFIELD, CAMERON	MARCZAK, HOLLY	MARKHAM, JOHN
MAN, CAVE	MANSFIELD, MARK	MARCZAK, HOLLY	MARKHAM, JOHN
MAN, CAVE	MANSKE, AMBER	MARCZAK, HOLLY	MARKHAM, KATHRYN
MANCHESTER, STEVE	MANSKE, AMBER	MARCZYK, CATHY	MARKHAM, NANCY
MANCINI, ALFRED	MANSLOW, MARCELLA	MARDEL, LINDA	MARKIS, CONSTANCE
MANCINI, LAUREN	MANSLOW, MARCELLA	MAREN, KELSEY	MARKLE, ANNABEL
MANDATO, RHONDA	MANSOR, DONNA	MARGE, DEBRA	MARKLEY, JANE
MANDE, JACE	MANSOUR, AMIRA	MARGOLIS, BARB	MARKLEY, LAURA
MANDELL, MAXINE	MANSOUR, AMIRA	MARGOLIS, KARIN	MARKLEY, SHANNON
MANDIGO, RICHARD	MANTELL, NANCY	MARGOLIS, LAURENCE	MARKOE, KEVIN
MANDLER, JOY	MANTEY, EMILY	MARGOWSKI, FRANK	MARKOFF, LORRAINE
MANDULA, BARBARA	MANUKYAN, KARINA	MARGULIES, LEE	MARKOV, ELLWYN
MANFREDA, LORI	MANYX, SHARON	MARGULIS, ELISE	MARKS, CYNTHIA
MANGAN, DEBORAH	MANZ, LAURA	MARGULIS, ELISE	MARKS, CYNTHIA
MANGANARO, CHRISTINE	MANZER, MARLENE	MARGULIS, KATHLEEN	MARKS, CYNTHIA
MANGANELLO, MARILYN	MAPES, JAMES	MARI, MARIANNE	MARKS, DONNA
MANGANIELLO, PAUL	MAPES, JENNY AND DAVID	MARIA, MACHADO	MARKS, ELISE
MANGES, EDD	MAPES, JENNY AND DAVID	MARIA, MACHADO	MARKS, HELEN
MANGES, EDD	MAPES, JENNY AND DAVID	MARIANO, CHRISTINE	MARKS, MICHAEL
MANGILI, TARZAN	MAPES, JENNY AND DAVID	MARICHAL, ZENEN	MARKS-PHOENIX
MANGINI, ANTHONY	MAPLES, TRACEY	MARIE, ALICE	MARKS-BOREN, PATRICIA
		MARIE, ANN	MARKS-CURATOLO, EVA
		MARIE, ANN	

MARKS-CURATOLO, EVA	MARSHALL, BETH	MARTIN, LINDA	MARTINO, MICHAEL
MARKS-CURATOLO, EVA	MARSHALL, CINDY	MARTIN, MARY	MARTINOVIC,
MARKUS, GAIL	MARSHALL, COLIN	MARTIN, MELODIE	MARGARET
MARKUSHEWSKI,	MARSHALL, DEE	MARTIN, MELODY	MARTINS, ISABEL
EDWARD	MARSHALL, DEMETRIUS	MARTIN, MICHAEL	MARTINS, ISABEL
MARKUSHEWSKI,	MARSHALL, DORRINE	MARTIN, MICHAEL	MARTINS-FERNANDES,
EDWARD	MARSHALL, JOAN	MARTIN, MICHAEL	ANA-PAULA
MARLATT, PATRICIA	MARSHALL, KELLY	MARTIN, MICHAEL	MARTINS-FERNANDES,
MARLATT, VICKIE C	MARSHALL, LAURIE	MARTIN, MICHELE	ANA-PAULA
MARLBOROUGH, ANNE	MARSHALL, LINDA	MARTIN, NANCY	MARTINS-FERNANDES,
MARLEY, YVONNE	MARSHALL, MARLA	MARTIN, NANCY	ANA-PAULA
MARMION, DIANA	MARSHALL, NANCY	MARTIN, PATRICK	MARTINSON, JANE
MARMOR, MARCELLA	MARSHALL, RAYMOND	MARTIN, PAUL	MARTIRE, R
MARNEY, JAN	MARSHALL, SHANNON	MARTIN, REMEDIOS	MARTON, DENNIS
MARNIN, BRYER	MARSHALL, SHEILA	MARTIN, RICHARD	MARTORANO, RAY
MARONE, CHRISTINA	MARSHALL, TONI	MARTIN, ROBERT	MARTORANO, RAY
MARONE, PHILIP	MARSIC, JOANNE	MARTIN, ROBIN	MARTUCCI, JANET
MARONE, SALLY	MARSTED-ELBERS,	MARTIN, SALLIE	MARUKI-FOX, SETSUKO
MARONGE, PETER	WILLIAM	MARTIN, SALLIE	MARULANDA, MARIBEL
MAROTTA, PAULETTE	MARTEL, JESSIE	MARTIN, SARA	MARUZLO, HOPE
MAROTTA, TRACY	MARTELL, JON	MARTIN, STEPHANIE	MARVIL, REBECCA
MARQUES, AUDREY	MARTELLA, VERONICA	MARTIN, SUSAN	MARY, SANDERS
MARQUES, AUDREY	MARTENS, JULIE	MARTIN, THERESA	MARY, SANDERS
MARQUET, JANE	MARTENS, RUSSELL	MARTIN, TINA	MARZELLA, ERIN
MARQUET, JANE	MARTENSEN, SANDRA	MARTIN, VICKIE	MARZETT, CYNTHIA
MARQUET, JANE	MARTENSON, JULIE	MARTIN, WILLIAM	MASAR, JACKI
MARQUEZ III, MARIANO	MARTI, VALLI	MARTINELLI, JULIA	MASCARO, HOLLY
MARQUEZ, ERNESTO	MARTIEN, REBECCA	MARTINELLI, NANCY	MASCARO, JOHN
MARQUEZ, SHARON	MARTIN, A	MARTINEZ, C.	MASCARO, JOHN
MARR, BETTY	MARTIN, ABBOTT	MARTINEZ, C.	MASCH, LORRAINE
MARRA, ALBERT	MARTIN, ADAM	MARTINEZ, DEBBIE	MASCH, BETH
MARRA, BEN	MARTIN, AMY	MARTINEZ, ELIZABETH	MASCK, MARY
MARREN, JUDY	MARTIN, AMY	MARTINEZ, GABRIEL	MASDEN, CAROL
MARRERO, ARNOLD	MARTIN, ANN J.	MARTINEZ, GABRIEL	MASE, CAROL
MARRERO, ARNOLD	MARTIN, BERNIE	MARTINEZ, JAMI	MASEK, ELIZABETH
MARRERO, ARNOLD	MARTIN, BRENDA	MARTINEZ, JANIE	MASELLI, JUNE
MARRERO, ARNOLD	MARTIN, CAROL	MARTINEZ, JANIE	MASHEWSKE, TAMARA
MARRINGTON, LINDY	MARTIN, CATHY	MARTINEZ, JANIE	MASIN, HOWARD
MARRIOTT, JENNIFER	MARTIN, CONNIE	MARTINEZ, JOHN	MASIN, HOWARD
MARRIOTT, PAT	MARTIN, DANIELLE	MARTINEZ, JUDY	MASLANKO, LINDA
MARRIOTT, SONYA	MARTIN, DEBBIE	MARTINEZ, KATHERINE	MASON, BARBARA
MARRO, JOHN	MARTIN, DREW	MARTINEZ, LAURA	MASON, CARL
MARRO, JOHN	MARTIN, FRED	MARTINEZ, LORRAINE	MASON, CHARLOTTE
MARRO, JOHN	MARTIN, GAYLE	MARTINEZ, LORRAINE	MASON, CHRISTY
MARRONE, CORINNE	MARTIN, JAIME	MARTINEZ, MARINA	MASON, JAMES
MARRS, CYNTHIA	MARTIN, JEFF	MARTINEZ, MARINA	MASON, JAMES
MARRS, RANDY	MARTIN, JEREMY	MARTINEZ, MARIO E	MASON, KATHRYN
MARSALA, BARBARA	MARTIN, JESSICA	MARTINEZ, MARISOL	MASON, KATHY
MARSALA, JOE	MARTIN, JOANNA	MARTINEZ, MARTHA	MASON, KATHY
MARSH, CARMEN	MARTIN, JOEL	MARTINEZ, PAMELA	MASON, KATHY
MARSH, CORNELIA	MARTIN, JOY	MARTINEZ, PATRICIA	MASON, KIT
MARSH, GEORGE	MARTIN, JULIE	MARTINEZ, PRISCILLA	MASON, LINDA
MARSH, HAYDEN	MARTIN, JULIE	MARTINEZ, PRISCILLA	MASON, LISA
MARSH, MERRILL	MARTIN, KIM	MARTINI, DANIEL AND	MASON, MARCIE
MARSH, SUSAN	MARTIN, KYLE	DENISE	MASON, MARY M.
MARSH, TIFFANY	MARTIN, LAURA	MARTINI, DENISE	MASON, MARY
MARSHALL, ANGELA	MARTIN, LESLIE	MARTINI,	MASON, SANDRA
MARSHALL, ANITA	MARTIN, LINDA	MARYTHERESA	MASONER, BARBARA

MASONTURCIOS, KIMBERLY	MATHESON, BRUCE	MATTSON, LYNN	MAY, MARTI
MASOTTI, KATHERINE	MATHEUS, LISA	MATULA, KATHLEEN	MAY, PATRICIA
MASSA, LINDA	MATHEW, VICTORIA	MATULINA, KAREN	MAY, PATRICIA
MASSEY, CAROLYN	MATHEW, VICTORIA	MATULINA, KAREN	MAY, STEPHANIE
MASSEY, CAROLYN	MATHEWS, AMY	MATULINA, KAREN	MAYA, TABITHA
MASSEY, CAROLYN	MATHEWS, DENNIS	MATZ, BARBARA	MAYEDA, LYNN
MASSEY, CAROLYN	MATHEWS, GAIL	MATZ, SUE	MAYER, DAVID
MASSEY, CF	MATHEWS, HOLGER	MATZKE, TINA	MAYER, FREDERICK
MASSEY, CLAIRE	MATHEWS, MARGARET	MAUCK, PATRICIA	MAYER, GREGG
MASSEY, EILEEN	MATHEWSON, SALLY	MAUER, IRENE	MAYER, HELEN
MASSEY, ROCHELLE	MATHEY, G. DALE	MAUER, IRENE	MAYER, HELEN
MASSINGALE, MICHELLE	MATHEY, G.DALE	MAUGHAN, CAROL	MAYER, HELEN
MASSINGILL, RUTH	MATHIESON, TERRY	MAUGHAN, CAROL	MAYER, JEANETTE
MASSMAN, JOHN	MATHIS, KATE	MAUGHAN, DIANNE	MAYER, MARK
MASSMAN, JOHN	MATIAS, FRANKLIN	MAUMUS, MARIANNE	MAYER, MARK
MASTALLI, PETER	MATLACK, PRISCILLA	MAURER, KIMBERLY	MAYER, OTTO
MASTANDREA, KAREN	MATLIN, THELMA	MAURER, SUSAN	MAYER, STEPHAN
MASTBAUM-WENSING, EVA	MATLOCK, DALE	MAURER, SUSAN	MAYER, SUSAN
MASTENBROEK, PETER	MATLOCK, KEVIN	MAURER, TARA	MAYLE, BARBARA
MASTERMAN, JOAN	MATLOCK, KEVIN	MAURER, TIM	MAYNARD, GENE
MASTERS, PALMAJEAN	MATNEY, CHERYL	MAURICE, KEN	MAYNARD, JULIA
MASTERSON, BRENDAN	MATNEY, CHERYL	MAURIELLO, MEGAN	MAYNARD, KATHERINE
MASTERSON, LORI	MATOS, MILAGROS	MAVROVOUNIOTIS, GRETCHEN	MAYNARD, LINDA
MASTRANDREA, DEBORAH	MATRA, ROBYN	MAVROVOUNIOTIS, MICHAEL	MAYNARD, LORRAINE
MASTRANDREA, DEBORAH	MATRA, ROBYN	MAXCY, MARJORIE	MAYNE, SANDRA
MASTRANDREA, DEBORAH	MATSON, LEILA	MAXEDON, EDWARD	MAYNOR, SARA
MASTRI, FRANCIS	MATTA, DAWN	MAXELL, DIANA	MAYORGA, BELLA
MASTRI, FRANCIS	MATTA, DAWN	MAXFIELD, CASEE	MAYORGA, CAROLINA
MASTRICOLO, ROCCO	MATTA, DAWN	MAXFIELD, CASEE	MAYS, TERESA
MASTRO, MARY	MATTAN, STEVE	MAXON, ZOE	MAYS, THERESA
MASTROPRIMIANO, LENA	MATTE, WARREN	MAXWELL, CARL	MAYSER, DARLENE
MASTROPRIMIANO, LENA	MATTEODO, ALLY	MAXWELL, CONNIE	MAYTUBBIE, LAMINGUS
MASTROTOTARO, JILL	MATTHEISEN, ALISON	MAXWELL, CONNIE	MAYWORTH, ROBERT
MASTRYUKOV, PAULINA	MATTHEWS, ALLISON	MAXWELL, DEB	MAZAR, CLAUDIA
MASULLO, ANNE	MATTHEWS, BLEUDA	MAXWELL, EVA	MAZAR, LAURA
MASUR, BERNADETTE	MATTHEWS, CAROLE	MAXWELL, HEATHER	MAZAR, OZALA
MATA, AURORA	MATTHEWS, DESIREE	MAXWELL, MADELINE	MAZARIEGOS, DAVID
MATANGA, JANE	MATTHEWS, DOMINIQUE	MAXWELL, MINDY	MAZARIEGOS, DAVID
MATARELLI, LYNN	MATTHEWS, GAIL	MAXWELL, MIRANDA	MAZIARZ, ROSEMARY
MATARELLI, LYNN	MATTHEWS, GAIL	MAXWELL, MIRANDA	MAZUR, IRENE
MATE, KAREN	MATTHEWS, JOHN	MAXWELL, MONROE	MAZZA ANDERSEN, MARY
MATEJA, BEAR	MATTHEWS, JOHN	MAXWELL, PAMELIA	MAZZA ANDERSEN, MARY
MATEL, MICHELLE	MATTHEWS, KARA	MAXWELL, STEPHEN	MAZZA, BOBBIE
MATER, ROBIN	MATTHEWS, MARY	MAXWELL, VAN	MAZZA, VALENTINA
MATER, ROBIN	MATTHEWS, PHILLIP	MAY, APRIL	MAZZARA, PAUL
MATERE, ROBIN	MATTHEWS, RHONDA	MAY, CATHARINE	MAZZITELLI, JOSEPH
MATERI, SANDRA	MATTHEWS, TOM	MAY, CATHARINE	LOUIS
MATHENY, ALBERT R.	MATTHIessen, LAURA	MAY, CHRISTOPHER	MAZZITELLI, JOSEPH
MATHENY, VICKI	MATTICE, GREGORY	MAY, CHRISTY	LOUIS
MATHER, JAMES	MATTICE, LINDA	MAY, DONNA	MAZZOLA, LISA
MATHES, KAREN	MATTINGLY, SARAH	MAY, DONNA	MAZZOLA, LISA
	MATTISON, CATHY	MAY, DOROTHEA	MAZZOLA, LISA
	MATTISON, SANDY	MAY, JOE	MC GLINN, RICHARD
	MATTISON, SANDY	MAY, JULIE	MC GURER, DALE
	MATTKE, PAMELA AND	MAY, KATHLEEN	MC MAHON, KATHLEEN
	THOMAS	MAY, LINDA	
	MATTSON, LYNN	MAY, MARTI	

MC QUINN, JANNA	MCCARTHY, ALESIA	MCCOLLUM, SUDI	MCCRAE, MARIA
MC QUINN, JANNA	MCCARTHY, BARBARA	MCCOLLUM, SUDI	MCCRARY, RICHARD
MCADAM, KYLE	MCCARTHY, CHRISTINE	MCCOLLUM, TAMAR	MCCRARY, RICHARD
MCALEER, KEVIN	MCCARTHY, CLARENCE	MCCOMAS, BARNEY	MCCRAY, ALAN
MCALEER, KEVIN	MCCARTHY, DEBBIE	MCCOMAS, BARNEY	MCCRAY, DEBI
MCALISTER, KEVIN W.	MCCARTHY, DONNA	MCCOMAS, BARNEY	MCCRAY, SANDY
MCALLISTER, HELEN	MCCARTHY, GERALYN	MCCOMBS, RICHARD	MCCREA, MEGAN
KATE	MCCARTHY, JACKIE	MCCONAUGHY, JEFFERY	MCCREADY, TAMARA
MCALLISTER, SOPHIA	MCCARTHY, JAMES	MCCONKEY, KAREN	MCCREADY, TAMARA
MCALLISTER, STEVEN	MCCARTHY, JOHN	MCCONKEY, KIMBERLY	MCCREADY, TAMI
MCANDREWS, CARYN	MCCARTHY, KIMBERLY	MCCONNAUGHEY,	MCCREADY, TAMI
MCARDLE, KIMBERLEE	MCCARTHY, LINDA	SARAH	MCCREADY, TAMI
MCAROY, FRANCES	MCCARTHY, MARY	MCCONNELL,	MCCREADY, TAMI
MCATEER, MARILYN	ELISABETH	ANNMARIE	MCCREARY, JAN
MCAULEY, JOANNE	MCCARTHY, MELISSA	MCCONNELL, CATHY	MCCREARY, JAN
MCAULEY, LUCY	MCCARTHY, MICHAEL	MCCONNELL, DAVID	MCCREARY, JAN
MCAULIFFE, CJ	MCCARTHY, MONICA	MCCONNELL, DENISE	MCCRORY, LAURA
MCBETH, KRISTIN	MCCARTHY, SHIRLEY	MCCONNELL, EDNA	MCCROSKY, LINDA
MCBIRNEY, JOANNE	MCCARTHY, SUSAN	MCCONNELL, EDNA	MCCROSSIN, JULIA
MCBRIDE, ANNE	MCCARTNEY, ROBIN	MCCONNELL, POLLY	MCCRUMMEN, CATHY
MCBRIDE, DELIA	MCCARTY, CHRIS	MCCONNELL, RICHARD	MCCRYSTAL, JOHN
MCBRIDE, JAMES	MCCARTY, CHRIS	MCCONVILLE, CRISTEN	MCCUE, ELIZABETH
MCBRIDE, JODY	MCCARTY, JAN	MCCOOL, MIKE	MCCUE, JANICE K.
MCBRIDE, NANCY	MCCARTY, MIC	MCCORD, NORMAN	MCCULLOCH, JAMIE
MCBRIDE, ROSE	MCCARVER, KATIE	MCCORD, NORMAN	MCCULLOUGH, AL
MCCABE, DANIEL	MCCASKEY, LINDSEY	MCCORKLE, MARSHALL	MCCULLOUGH, DAVID
MCCABE, ELAINE	MCCASLIN, GLENN	MCCORMACK, RICHARD	MCCULLOUGH, DEBRA
MCCABE, MARK	MCCAUGHEY, SUSAN	MCCORMACK, SHEILA	MCCULLOUGH, KIM
MCCABE, TOM	MCCAULEY,	MCCORMICK, ANDREW	MCCULLOUGH, LINDA
MCCAFFREY, CAROL	JACQUELINE	MCCORMICK, CHANCE	MCCULLOUGH, MARY
MCCA HILL, IRENE	MCCAW, KAREN	AND CRICKET K	ANN
MCCALL, A	MCCCLACHRE, KIM	MCCORMICK, DEVIN	MCCULLOUGH, NANCY
MCCALL, KAYE	MCCLAIN, BARBARA	MCCORMICK, DEVIN	MCCULLOUGH,
MCCALLIE, KATIE	MCCLAIN, JANET	MCCORMICK, JESSICA	WILLIAM
MCCALLISTER, LISA	MCCLANAHAN,	MCCORMICK, JOAN	MCCULLOUGH,
MCCALLUM, LINDA	PATRICIA	MCCORMICK, RANDY	WILLIAM
MCCALLUM, MEAGHAN	MCCLEARY, BOB	MCCORMICK, SHERMAN	MCCULLY, MARTHA
MCCALLUM, SARAH	MCCLEARY, HARRIET	MCCORMICK, TERRY	MCCUMBER, PETER
MCCALLUM, TRACY	MCCLELLAND, KERRY. S.	MCCORRY, EILEEN	MCCUNE, BONNIE
MCCAMBRIDGE,	MCCLELLEN, THOMAS	MCCOUBRIE, ELISE	MCCUNE, BONNIE
ELIZABETH	MCCLELLEN, THOMAS	MCCOURT, MARGARET	MCCUNE, ERIN
MCCAMBRIDGE, NANCY	MCCLENAHAN, BRUCE	MCCOURT, MARGARET	MCCUNE, SYLVIA
MCCAMMON, CARLA	MCCLINTOCK, GLORIA	MCCOURT, MARGARET	MCCURDY, JACK
MCCAMPBELL, MIKE	MCCLOSKEY, CATHY	MCCOURT, MARGARET	MCCURRY, STEPHANIE
MCCANDLESS, NANCY	MCCLUNG, MAUREEN	MCCOY, ALAN	MCCUTCHAN, SUSAN
MCCANE, BARBARA	MCCLUNG, PAUL	MCCOY, AMANDA	MCCUTCHEON, JO
MCCANN, ANNIE	MCCLURE, CAROL	MCCOY, AMY	MCCUTCHEON,
MCCANN, ANNIE	MCCLURE, JAMES	MCCOY, AMY	MEGHAN
MCCANN, ANNIE	MCCLURE, JAMES	MCCOY, DAN	MCCUTCHEON, ROBERT
MCCANN, ANNIE	MCCLURE, JAMES	MCCOY, DARILYNN	MCDANIEL, BARBARA
MCCANN, ANNIE	MCCLURE, SUSAN	MCCOY, DARILYNN	MCDANIEL, DARLIN
MCCANN, HEIDI	MCCLURE, SUSAN	MCCOY, JUDE	MCDANIEL, KIM
MCCANN, LEE	MCCLUSKEY, KEVIN	MCCOY, MARGARET	MCDANIEL, LISA
MCCANN, LEONA	MCCLUSKEY, PAT	MCCOY, MARY	MCDANIEL, LISA
MCCARTER, AND	MCCOBB, WENDY	MCCOY, MICHELLE	MCDANIEL, TERRY
MCCARTER, ANGEL	MCCOLE, STEVEN	MCCOY, SHAR	MCDERMIT, EVAN
MCCARTER, DANIEL	MCCOLLOM, LESLIE	MCCOY, WILLIAM	MCDERMOTT, ANN
MCCARTER, EARL	MCCOLLOUGH, KEVIN	MCCRACKEN, LINDA	MCDERMOTT, KEITH

MCDERMOTT, MARLEY	MCELROY, RICHARD	MCGREW, REBECCA	MCKEEHAN, CHESTER
MCDERMOTT	AND CAROL	MCGREW-THOMAS,	MCKEEL, JENNIFER
MCDERMOTT, MAURA	MCENERNEY, MOLLY	CINDY	MCKEIGHEN, DANIEL
MCDERMOTT,	MCENROE, EILEEN	MCGUFFEY, LUCY	MCKEIGHEN, DANIEL
RUTHANN	MCENTEE, CAROL	MCGUFFIN, PATRICK	MCKELROY, CHARLES
MCDERMOTT,	MCEVOY, DENISE	MCGUINN, KEVIN	MCKENNA, CAEPHREN
RUTHANN	MCEVOY, KELLY	MCGUINNESS, KAREN	MCKENNA, ELAYNE
MCDONAGH, JAN	MCEWAN, DIANE	MCGUIRE, ELLIE	MCKENNA, JERRY
MCDONAL, STACEY	MCEWAN, LINDA	MCGUIRE, KAREN	MCKENNA, KENDRA
MCDONALD CVT, ERIN	MCEWAN, NANCY	MCGULLAM,	MCKENNA, LORI
MCDONALD CVT, ERIN	MCEWEN, JENNIFER	MARGARET	MCKENNA, PAMALA
MCDONALD CVT, ERIN	MCFADDEN, HUGH	MCGUNAGLE, WILLIAM	MCKENNA, PAMALA
MCDONALD MICHALSKI,	MCFADDEN, HUGH	MCHENDRY, KATHLEEN	MCKENZIE, E
MAUREEN	MCFADDEN, SHERYL	MCHENDRY, KATHLEEN	MCKENZIE, EMMA
MCDONALD, BRENDA	MCFADDEN, TERRY	MCHENRY, DENISE	MCKEON, JILL
MCDONALD, CAROL	MCFADDIN, LEIGH	MCHUGH, HEATHER	MCKEON, RENAE
MCDONALD, CAROLYN	MCFADZEN, VICTORIA	MCHUGH, JOHANNA	MCKEON, SUSAN
MCDONALD, CAROLYN	MCFALL, KERRY	MCHUGH, PATRICIA	MCKEOWN GALLICHO,
MCDONALD, CAROLYN	MCFARLAND, BRIAN	MCHUGH, YVONNE	MONICA
MCDONALD, CHAD	MCFARLAND, KATE	MCINERNEY, ANTON	MCKEOWN GALLICHO,
MCDONALD, HOLLY	MCFARLAND, KRISTA	MCINERNEY, JUDI	MONICA
MCDONALD, JUDY	MCFARLAND, S.M.	MCINERNEY, MATTHEW	MCKEOWN GALLICHO,
MCDONALD, KAE	MCFARLANE, ANN	MCINNIS, JEFF	MONICA
MCDONALD, LINDA	MCFEETERS, CATHERINE	MCINTEE, CATHY	MCKEVITT, DEBBIE
MCDONALD, MARK	MCGARRITY, COLETTE	MCINTEE, CATHY	MCKEVITT, DEBBIE
MCDONALD, MAUREEN	MCGARRY, JANET	MCINTIRE, SANDRA	MCKEVITT, DEBBIE
MCDONALD, NIKKI	MCGAUGHEY, MARY	MCINTIRE, SANDRA	MCKILLIP, LINDA
MCDONALD, PATRICIA	MCGEARY, MARY	MCINTOSH, JAMES	MCKILLIP, LINDA
MCDONALD, PATRICIA	MCGEE, BRIAN	MCINTOSH, JOANN	MCKILLOP, LISA
MCDONALD,	MCGEE, DENNIS	MCINTOSH, LESLIE	MCKINLEY, KATHLEEN
SAMANTHA	MCGEE, DIANNE	MCINTOSH, PAM	MCKINLEY, KATHLEEN
MCDONALD, STACEY	MCGEE, MO	MCINTYRE, DAVID	MCKINLEY, PATTI
MCDONALD, STACEY	MCGEE, MO	MCINTYRE, LIZ	MCKINLEY, PATTI
MCDONNELL, ROBERT	MCGEOCH, ANDREW	MCINTYRE, MARY	MCKINNEY, CATHY
MCDONNELL, ROBERT	MCGHIE, ANNE	MCINTYRE, MICAH	MCKINNEY, DONNA
MCDONNELL, ROBERT	MCGILL, ANN C	MCINTYRE, PAMELA	MCKINNEY, DONNA
MCDONNELL, ROBERT	MCGILL, JOHN	MCINTYRE, RENE	MCKINNEY, MARY
MCDONOUGH,	MCGINN, JUDITH	MCISAAC, STACEY	MCKINSEY, KATHERINE
BARBARA	MCGINNISCRAFT,	MCISAAC, STACEY	MCKNIGHT, JEREMY
MCDONOUGH, BRAD	KATHY	MCISAAC, STACEY	MCKNIGHT, RACHELLE
MCDONOUGH, JOSEPH	MCGINTY, ALISON	MCJILTON, MARY T	MCLAIN, JOHN
MCDONOUGH,	MCGLOTHLIN, NANCY	TRAEYC	MCLAIN, TOM
KIMBERLY	MCGOLDRICK, KERRI	MCJUNKIN, DIANE	MCLANDAU, FELICIA
MCDONOUGH, MARY	MCGOLDRICK, TRACY	MCKAY, CLAIRE	MCLANDAU, FELICIA
MCDONOUGH,	MCGOLDRICK, WILLIAM	MCKAY, JENNA	MCLANE, KATHLEEN
REBECCA	MCGOVERN, DONLON	MCKAY, MEGAN	MCLANE, RICHARD
MCDONOUGH, SUSAN	MCGOVERN, KELLY	MCKAY, RACHEL	MCLAREN, KIM
MCDOUGAL, LINDA	MCGOVERN, MARY	MCKEAN, SUE	MCLAREN, KIM
MCDOUGALL, C.D.	MCGOWAN, MARE	MCKEE, BECKY	MCLARNON, TRACY
MCDOWELL, ELIZABETH	MCGOWAN, MICHAEL	MCKEE, BRIAN	MCLAUGHLIN, JULIE
MCDOWELL, KELLEY	MCGRATH CURTIS,	MCKEE, DONALD AND	MCLAUGHLIN, CAROL
MCDUFFIE, HOLLY	JACQUELINE	DENA	MCLAUGHLIN, CHRIS
MCDUFFIE, KARI	MCGRATH, KAREN	MCKEE, DONNA	MCLAUGHLIN,
MCEACHERN, HALI	MCGRATH, KATIE	MCKEE, KATHRYN	CHRISTINE
MCELROBERTS, DEBRA	MCGRATH, PATRICK	MCKEE, RENEE	MCLAUGHLIN, DAGMAR
MCELROBERTS, DEBRA	MCGRATH, SUE	MCKEE, SARAH	MCLAUGHLIN, ELLEN M
MCELROY, CAMERON	MCGRAW, JANET	MCKEE, SHELLEY	MCLAUGHLIN, KEVIN
	MCGREGOR, HILARY	MCKEEHAN, CHESTER	MCLAUGHLIN, NANCY

MCLAUGHLIN, ROHANA	MCNALLY, SUE	MCTEAGUE, PATRICIA	MEEHAN, DENISE
MCLAUGHLIN,	MCNAMARA, ANDREW	MCVEAN, DAVID	MEEHAN, DON
ROXANNA	MCNAMARA, ANITA	MCVEY, DIANN	MEEHAN, DON
MCLAUGHLIN,	MCNAMARA,	MCVEY, JONATHAN	MEEHAN, DONALD
STEPHANIE	CATHERINE	MCVEY, JUDY	MEEHAN, ELLIE
MCLAUGHLIN, SUSAN	MCNAMARA, CYNTHIA	MCVEY, JUDY	MEEHAN, ELLIE
MCLAUGHLIN, SUSAN	MCNAMARA, IRENE	MCVEY, SCOTT	MEEHAN, EMMA
MCLAUGHLIN, WILLIAM	MCNAMARA, JENNIFER	MCVIE, MARYBETH	MEEHAN, EMMA
MCLAUGHLIN, WILLIAM	MCNAMARA, MARION	MCWHIRTER, CAROL	MEEHAN, KATHLEEN
MCLEAN, HEATHER	MCNAMARA, NANCY-	MCWHORTER, ELAINE	MEEHAN, SHEILA
MCLEAN, KEVIN	JEAN	MEACHAM, STEPHANIE	MEEK, KAILY
MCLEAN, MARY	MCNAMARA, PAULA	MEAD, CAROLINE	MEEKER, CARLENE
MCLELLAN, JUDY	MCNAMEE, SUSAN	MEAD, CAROLINE	MEEKS, MARK
MCLEMORE, ROBERTA	MCNAMER, ANDREW	MEAD, JOAN	MEESE, GAIL
MCLEMORE, SARAH	MCNAMER, ANDREW	MEAD, MAGGIE	MEHALL, REBECCA
MCLEMORE, SHAWNEE	MCNAMER, ANDREW	MEAD, MITCHELL	MEHL, CAROLE
MCLLENAGHAN, ELAINE	MCNAMER, ANDREW	MEAD, SAM	MEHLE, ANTHONY
MCLENDON, ROBERT	MCNAUGHTON,	MEAD, STEPHEN	MEHRING, GWEN
MCLEOD, KEELY	PATRICIA	MEADE, AUDREY	MEHRING, VALERIE
MCLEOD, KEELY	MCNAUGHTON,	MEADE, AUDREY	MEHRMAN, EVAN
MCLEOD, KEELY	PATRICIA	MEADE, DAVID	MEIDEL, SUSANNE
MCCLOUGHLIN, GISELE	MCNEAL, NORMA	MEADE, DONOVAN	MEIER, COLLEEN
MCCMAHAN, BARBARA	MCNEAL, NORMA	MEADE, PATTIE	MEIER, HEIDI
MCCMAHAN, MARK AND	MCNEAL, SARAH	MEADE, PATTIE	MEIER, HEIDI
PATRICIA	MCNEIL, MARCIA	MEADE, SUSAN	MEIER, JILL
MCCMAHAN, SANDRA	MCNEILL, SUSAN	MEADOR, TONI	MEIER, TED
MCCMAHON, ANNIE	MCNEIRNEY, ELLEN	MEADOWS, LYNETTE	MEINERDING, TONY
MCCMAHON, EMILY	MCNENY, LINDSEY	MEADOWS, MARCY	MEINERT, MARGARET
MCCMAHON, NANCY	MCNENY, LINDSEY	MEALER, ROXANNE	MEINKE, TIM
MCCMANNIS, MELISA	MCNEW, ARLYN	MEANS, PATTY	MEISEL, MYRON
MCCMANUS, JOHN W	MCNICOLL, COLLEEN	MEANY, MARY	MEISSHALTER, JACKIE
MCCMANUS, VERONICA	MCNULTY, LOUISE	MEARS, NENA	MEIXNER, CARLA
MCCMATH, CYNTHIA	MCNULTY, ROBERT	MEARS, TINA	MEJIA, LILY
MCCMENAMIN, ROSALIE	MCNULTY, SHANNON	MEAUX, GERALYN	MEJIA, LILY
MCCMICHAEL, SCOTT	MCPARTLAND, KARLYN	MECHLER, S	MEJIA, LILY
MCCMILLAN, DOUGLAS	MCPEAK, PAT	MEDÁL, TOMASITA	MEJIA, TATIANA
MCCMILLAN, JOANNE	MCPHEE, CAMILLE	MEDEIROS, AMELIA	MEJUTO, JAMES
MCCMILLAN, JOANNE	MCPHEETERS, ANITA	MEDERT, ANNE	MELBERT, ERIN
MCCMILLAN, JOANNE	MCPHEETERS, ANITA	MEDERT, ANNE	MELBO, ANITA
MCCMORRAN, SPARROW	MCPHERSON, ALAN	MEDINA, KATHLEEN	MELCHERT, CAROLYNN
MCCMULLEN, GAIL	MCPHERSON, ELLEN	MEDINA, LESLIE	MELDRUM, CHRIS
MCCMULLEN, GAIL	MCPHERSON, KAREN	MEDINA, TATIANA	MELEAR, ERIK
MCCMULLEN, MARILYN	MCPHERSON, TRACY	MEDLEN, IDA	MELEAR, EVAN
MCCMULLIN, KELSEY	MCPHERSON	MEDLEY, CATHY	MELEG, CHRISTINE
MCCMULLIN, WILLIAM	MCRAE, CALISTA	MEDLEY, CATHY	MELLENDEZ, MIGUEL
MCCMURDO, PREM	MCRAE, EDIE	MEDLEY, ELIZABETH	MELGAREJO, MARISOL
MCCMURRAY, BRITT	MCRAE, ELLA	MEDLEY-LUNAG,	MELI, MICHELE
MCCMURTREY, MICHAEL	MCRAE, NANCY	LILLIAN	MELIA, DONNA
MCCMURTRY, SHAWN	MCRILL, SUSAN	MEDLIN, BARRY	MELILLO, JERRY
MCCMYLER, MAGGIE	MCRILL, SUSAN	MEDLIN, NELLIE	MELINKOFF, MARC
MCCNAB, MARYANNE	MCRUIZ, MICHELLE	MEDLIN, NELLIE	MELISSA, MELISSA
MCCNAIR, DIANA	MCSHANE, JANICE	MEDLIN, NELLIE	MELISSA, MELISSA
MCCNAIR, LINDA	MCSHANE, JANICE	MEDLIN, NELLIE	MELKA, PETER
MCCNALL, SHIRLEY	MCSHANE, MARI	MEDOFF, CAROL	MELLEN, GLENN
MCCNALLY, JOHN	MCSHANE, SANDI	MEDOW, EVELYN	MELLEN, LINDA
MCCNALLY, PATRICIA	MCSWAIN, J.A.	MEE, MEE	MELLINGER, EMMA
MCCNALLY, SUE	MCSWAIN, J.A.	MEE, MEE	MELLO, KAREN
MCCNALLY, SUE	MCSWAIN, SUSAN	MEE, MEE	MELLO, SANDRA

MELLOTT, MICHELLE	MERCADO, JOYCE	MESSINGER, LISA	MICCICKE, DEBORAH
MELNICK, ANDREW	MERCER, JUDITH	MESSMER, KIM	MICCIO, LAURIE
MELNICK, ANDREW	MERCER, KB	MESSURI, ETHEL	MICCIULLA, ADRIANA
MELO, ELIZABETH	MERCURIO, SHIRLEY	METAKOS, M	MICHAEL, KATHLEEN
MELO, MARIO	MERDA, GAIL	METCALF, EDNA	MICHAEL, MARCIA
MELOTT, FRANCES	MEREDITH, CAROL	METCALF, ELIZABETH	MICHAEL, MELINDA
MELOTT, STEPHEN	MEREDITH, JULIA	METHVEN, B	MICHAEL, VERONICA
MELSHA, RON	MERIAUX, THIERRA	METILDI, JEANINE	MICHAELIS, JASON
MELTON, ALYSSA	MERICLE, DEANNA	METRESS, DR. EILEEN	MICHAELIS, MARYLYNN
MELTON, ALYSSA	MERICLE, ROBYN	METZ, EMILY	MICHAELS, BRENDA
MELTON, ALYSSA	MERICLE-GRAY, ELISSA	METZGER, CHERYL	MICHAELS, BRENDA
MELTZER, GWENN	MERINO, AIMEE	METZGER, LUKE	MICHAELS, CB
MELTZER, LESLIE	MERITHEW, MARCIA	METZGER, PAUL	MICHAELS, CB
MELVILLE, BETH	MERIWETHER, DON B.	MEUNIER, LISA	MICHAELS, DEANNA
MEN, C.	MERKEL, ALISON	MEUSER, KRISTIN	MICHAELS, DEANNA
MEN, C.	MERKEL, DONNA	MEYER, BARBARA	MICHAELS, DEANNA
MEN, C.	MERKEL, KARYNN	MEYER, CHRISTINA	MICHAELS, JULIA
MENARD, BOB	MERKER, FRAN	MEYER, COLONEL	MICHAELS, KATHLEEN
MENASCO, KEITH AND	MERKER, JULIA ANNE	MEYER, COLONEL	MICHAELS, YOLANDE
JACKIE	MERKLE, JIM	MEYER, COLONEL	MICHAELSON, LINDA
MENASIAN, HELEN M	MERLINE, LAURIE	MEYER, COLONEL	MICHALEK, DAVID
MENCHER, ROBYN	MERLJAK, JULIJA	MEYER, COLONEL	MICHALOS, EFFIE
MENDAK, PEGGY	MERMELSTEIN, STEVE	MEYER, DOUGLAS	MICHALSKI, KEITH
MENDELBLAT, RONALD	MERRICK, DIANE	MEYER, ELIZABETH	MICHALSKY, MARGARET
MENDELL, NEHAL	MERRICK, JUDY	MEYER, ERIC	MICHAUD, MICHELLE
MENDELSON, MARK	MERRICK, NEIL	MEYER, FRED	MICHEL, RON
MENDEN, SANDY	MERRILL, BETH	MEYER, KAREN	MICHELL, NANCY
MENDEN, SANDY	MERRILL, LYNN	MEYER, LEEALLEN	MICHELL, NANCY
MENDEN, SANDY	MERRILL, SAM	MEYER, LEONARD	MICHELLE, MARTINE
MENDES, STACEY	MERRIMAN, DEAN	MEYER, LESLEY	MICHELS, BARBARA
MENDEZ, EVELYN	MERRIMAN, KAITLYN	MEYER, LISA	MICHENER, KRISTI
MENDEZ, LORI	MERRIMAN, MARY	MEYER, MELVA	MICHETTI, LESLIE
MENDEZ, VIRGINIA	MERRIMAN, TRINA	MEYER, MORANDA	MICHETTI, LESLIE
MENDIETA, VINCE	MERRITT, CAMA	MEYER, MORANDA	MICHL, MARIE
MENDOLA, ANN MARIE	MERRY, WILLIAM	MEYER, PATRICK	MICHL, MARIE
MENDON, S	MERSON, ELEANOR	MEYER, ROBERT	MICHNIEWICZ, BARB
MENDON, S	MERTES, JULIE	MEYER, ROBERT	MICHNIEWICZ,
MENDOZA, GUADALUPE	MERTZ, GEORGE	MEYER, ROBERT	BARBARA
MENDOZA	MERZ, TERRI	MEYER, RONALD	MICK, MARILYN
MENDOZA, NANCY	MERZ, VIRGINIA MERZ	MEYER, SARAH	MICK, MARILYN
MENDOZA, RED	MERZARIO, LOU	MEYER, SUZETTE	MICKELSON, ARNOLD
MENDOZA, STEVEN	MÉSAVAGE, R.	MEYER, TWYLA	MICKELSON, DAVID
MENDOZA, VANESSA	MÉSAVAGE, R.	MEYERS, AMY	MICKEY, ALAN
MENDOZZA, KYLA	MESHNA, JENNIFER	MEYERS, AMY	MICKEY, ALAN
MENECHHELLA, TONY	MESLAR, GERALD	MEYERS, CINDY	MICKEY, JUDY
MENEGUZZO, DAWNE	MESSER, GRETCHEN	MEYERS, CINDY	MICKEY, JUDY
MENENDEZ, RICK	MESSER, JOHN	MEYERS, DAWN	MICKEY, JUDY
MENNE, SUZANNE	MESSER, JOHN	MEYERS, DONNA	MICKEY, KYNDAL
MENNEL-BELL, MARI	MESSER, JON	MEYERS, LYNDA	MICKEY, KYNDAL
MENNEL-BELL, MARI	MESSER, KATHLEEN	MEYERS, LYNN	MIDBOE, TIM
MENNEL-BELL, MARI	MESSERSCHMITT,	MEYERS, PAUL	MIDDLEBROOKS, DANA
MENNEL-BELL, MARI	SUSAN	MEYERS, SARAH	MIDDLEBROOKS, ETHAN
MENNEL-BELL, MARI	MESSICK, LINDA	MEYERS, SUE	MIDDLETON, DESIREE
MENNEL-BELL, MARI	MESSINA, CAROL	MEYERS, SUE	MIDDLETON, VICTORIA
MENNEL-BELL, MARI	MESSINA, JENNIFER	MEZA, ELIZABETH	MIDDOUR, SANDRA
MENOTTI, ANNE	MESSINA, JENNIFER	MI, DEY	MIDDOUR, SANDRA
MENTES, LISA	MESSINEO, JACKIE	MIANO, RICHARD	MIDDOUR, SANDRA
MENTI, ROB	MESSINEO, JACKIE	MIBUS, KAREN	MIDGETT, JENNIFER

MIDGETT, JENNIFER	MILHAUPT, SHANNON	MILLER, DORETTA	MILLER, NANCY
MIDHA, ABJA	MILHAUPT, SHANNON	MILLER, DORETTA	MILLER, NEIL AND
MIDKIFF, DONALD	MILHAUPT, SHANNON	MILLER, DOTTIE	JENNIFER
MIDYETTE, SHIRLEY	MILIONE, REGINA	MILLER, DOUGLAS	MILLER, NORA
MIELKE, BB	MILITTI, JEFFREY	MILLER, ELIZABETH	MILLER, NORA
MIELKE, BB	MILIZIO, PARICIA	MILLER, ELIZABETH	MILLER, PAM
MIELKE, BB	MILKOFSKY, CATHY	MILLER, ELLEN	MILLER, PAM
MIELKE, JEANINE	MILKOWSKI, GEORGE	MILLER, EVANS	MILLER, PAM
MIELKE, JEANINE	MILL, MM	MILLER, GILLIAN	MILLER, PAMELA
MIELKE, JEANINE	MILL, MM	MILLER, GREGORY	MILLER, PAMELA
MIELNICZUK, ALLISON	MILLACI, LAUREL	MILLER, HEATHER	MILLER, PAMELA
MIELNICZUK, ALLISON	MILLAR, M	MILLER, HELEN	MILLER, PAULA
MIELNICZUK, ALLISON	MILLAR, WILLIAM	MILLER, JAMES	MILLER, PEGGYM
MIERLOT, MONIQUE	MILLAR, WILLIAM	MILLER, JAMES	MILLER, PHYLLIS
MIERS, MELISSA	MILLARUELO, ANA	MILLER, JANET	MILLER, RANDALL
MIETUS, NORBERT	MILLER MCCASEY, SUE	MILLER, JENNIFER	MILLER, REBECCA
MIGLIORE, JOSEPH	MILLER RN, BETTY	MILLER, JOAN	MILLER, REBECCA
MIHALO, DEBORAH	MILLER WILLIAMS,	MILLER, JOAN	MILLER, RICHARD
MIILLER, VICTOR	CHRIS	MILLER, JOAN	MILLER, RICK
MIK, KYRA	MILLER, ALLEN	MILLER, JOAN	MILLER, ROBERT
MIKA, MARIE	MILLER, AMANDA	MILLER, JOAN	MILLER, ROBERT
MIKA, NORM	MILLER, ANN	MILLER, JOMMY	MILLER, ROXANNE
MIKALAUSKAS, JOAN	MILLER, ANNIKA	MILLER, K E	MILLER, SAM
MIKALSON, CARA	MILLER, ARLETTE	MILLER, K E	MILLER, SARA
MIKAN, EDWARD	MILLER, BARBARA	MILLER, KAREN	MILLER, SARAH
MIKEL, ROBERTA	MILLER, BARBARA	MILLER, KATHLEEN	MILLER, SHARI
MIKELL, GREG	MILLER, BECKY	MILLER, KATHLEEN	MILLER, SHARON
MIKELS, CATHERINE	MILLER, BLAIR	MILLER, KATHRYN	MILLER, SHARON
MIKESELL, EMILY	MILLER, BOB	MILLER, KEITH	MILLER, SHEILA
MIKESELL, MARY	MILLER, BONNIE LIN	MILLER, KELLIE	MILLER, SHEILA
MIKLAS, JANET	MILLER, BRAD	MILLER, KELLY	MILLER, SHIRLEE
MIKLUSCAK, LAURA	MILLER, BRENDA	MILLER, KELLY	MILLER, SHIRLEE
MIKLUSCAK, LAURA	MILLER, BRIAN	MILLER, KENNETH	MILLER, SIRI
MIKLUSCAK, LAURA	MILLER, CAROL	MILLER, KERBY	MILLER, SUE
MIKULAK, MARCIA	MILLER, CAROL	MILLER, KIM N	MILLER, SUSAN
MIKULIN, KATHLEEN	MILLER, CAROL	MILLER, KRISTINE	MILLER, SUSAN
MILAN, KIMBERLY	MILLER, CAROLE	MILLER, LARRY L.	MILLER, SUSAN
MILANI, NANCY	MILLER, CAROLINE	MILLER, LEE	MILLER, SUSAN
MILANO, SAFFRA	MILLER, CHARLES	MILLER, LISA	MILLER, SUSAN
MILANOWSKI, TANYA	MILLER, CHARLOTTE	MILLER, LYNN	MILLER, SUSAN
MILARSKI, AIMEE	MILLER, CHRIS	MILLER, LYNN	MILLER, SUSAN
MILAZZO, JOE	MILLER, CLAUDIA	MILLER, LYNNE	MILLER, TAMARA
MILAZZO, JOE	MILLER, CONNIE	MILLER, M.	MILLER, TERESA
MILBOURN, CATHERINE	MILLER, CORINNE	MILLER, MARCIA	MILLER, VICKIE
MILBRAND, KYLE	MILLER, CRICKETT	MILLER, MARGIE	MILLER, VICKY
MILENBAUGH, CORBIN	MILLER, CYNTHIA	MILLER, MARLANE	MILLER, VICTOR
MILES, DORI	MILLER, CYNTHIA	MILLER, MARLENE	MILLER, VICTORIA
MILES, DREW	MILLER, DAN	MILLER, MARY	MILLER, VICTORIA
MILES, EDWARD	MILLER, DEBRA MILLER	MILLER, MARY	MILLER, WES
MILES, JANET	MILLER, DENNIS	MILLER, MATTHEW	MILLER-BRASURE, NOLA
MILES, KAREN	MILLER, DENNIS	MILLER, MELISSA	MILLER-LYONS, JUDY
MILES, MELISSA	MILLER, DENNIS	MILLER, MICHAEL	MILLER-WALKER, DAWN
MILES, ROBERT	MILLER, DENNIS	MILLER, MICHAEL	MILLET, MARY
MILES, ROBIN	MILLER, DIANE	MILLER, MIDGE	MILLETTE, ASHLEY
MILEWSKI, NANCY	MILLER, DIANE	MILLER, MIDGE	MILLETTE, SANDY
MILEWSKI, NANCY	MILLER, DON	MILLER, MIDGE	MILLIGAN, KEITH
MILEWSKI, NANCY	MILLER, DONNA	MILLER, MIKE	MILLIGAN, SUSAN
MILFORD, JOAN	MILLER, DORETTA	MILLER, NANCY	MILLIKEN, GERRY

MILLIKIN, ERIN	MINTON, JOANNE	MITCHELL, RICK	MOHR, CAROLE
MILLINGTON, RUTH	MINTON, JOANNE	MITCHELL, ROBERT	MOHR, CAROLYN
LEARY	MINTZ, BARBARA	MITCHELL, ROI	MOHR, COLLEEN
MILLION, CAREY	MINTZ, DAVID	MITCHELL, RUSSELL	MOHR, MICHAEL
MILLION, KATE	MINTZ, KARLY	MITCHELL, STACEY	MOHR, SUSAN
MILLMAN, JONATHAN	MINTZ, KARLY	MITCHELL, STEPHEN	MOHSENI, LEILA
MILLMAN, KATHLEEN	MIO, JANE	MITCHELL, STEPHEN	MOIR, SUSAN
MILLMORE, LAURA	MIRACOLA, JESSICA	MITCHELL, SUMMER	MOKROS, DIANE
MILLS, BRENDA	MIRAGLIOTTA,	MITCHELL, SYLVIA	MOLCHAN, JANET
MILLS, CAROL	ANTHONY	MITCHELL, TERRY	MOLDOVEANU, CAROL
MILLS, CONSTANCE	MIRANDA,	MITCHELL-SHIHABI,	MOLGORA, BIANCA
MILLS, CONSTANCE	CARMENCITA	JESSICA	MOLIN, STEPHEN
MILLS, JACKIE	MIRANDA,	MITRUK, SUSAN	MOLINA, ANNA
MILLS, JENNY	CARMENCITA	MITSCH, KEN	MOLINA, LEONOR
MILLS, JENNY	MIRANDA, E.	MITTAN, RON	MOLINA, MONICA
MILLS, JENNY	MIRANDA, LUIS	MITTELSTAEDT,	MOLINA, NELSON
MILLS, KIMMY	MIRANDA, MARIA	CHRISTINA	MOLINA, ROBERTO
MILLS, KM	MIRANDA, TYLER	MITTELSTAEDT,	MOLINE, JANET
MILLS, LAUREL	MIREAULT, KATHLEEN	CHRISTINA	MOLINE, LINDA
MILLS, LESIA	MIRMAK, DOROTHY	MITTIG, WILLIAM	MOLLEN, PHYLLIS
MILLS, LESIA	MIRMAK, DOROTHY	MITTIG, WILLIAM	MOLLEN, PHYLLIS
MILLS, LINDA	MISECHOK, BARBARA	MITTLESTEADT, DAVE	MOLLEN, PHYLLIS
MILLS, MARIA	MISKELLY, JOHN	MIVILLE, JENNIFER	MOLLEN, PHYLLIS
MILLS, RANDY	MISKELLY, JOHN	MIVILLE, SHARON	MOLLO, ELIZABETH
MILLS, RHONDDA	MISKEND, DONNA	MIX, LARRY	MOLLOHAN, KENT
MILLS, RHONDDA	MISMAS, JOSEPH	MIX-BRYAN, ALTHEA	MOLLOY, MARK
MILLS, SYLVIA	MISNER, ELVIRA	MIXTER, WIN	MOLLOY, MARK
MILLS-BECKER, TERESA	MISNER, JARED	MIZAR, ROBERT	MOLLOY, MARK
MILLSPAUGH, PATTY	MISOVICH, MARIA	MIZEN, JULIE	MOLOFSKY, MERLE
MILLSPAUGH, PATTY	MISRA, SUNIL	MJOS, BRITA	MOLOTSKY, JOSEPH
MILLSPAUGH, PATTY	MISSLER, KEARY	MLYNEK, AARON	MOMA, LESLIE
MILLSPAUGH, PATTY	MISTRETТА, JILL	MNEIRNEY, ELLEN	MOMMA, TONY
MILLU, JANIS	MISTRETТА, TINA	MOBERLY, MARIA	MONACO, MARGARET
MILNE, KATHLEEN	MITCHELL, ALEXANDRA	MOBLEY, HENRY	MONAHAN, KRISTIN
MILNE, MARGO	MITCHELL, ANN	MOCCIO, MIKE	MONAHAN, KRISTIN
MILNER, JESSE	MITCHELL, BONNIE	MOCERI, EILEEN	MONASEVITCH, NINA
MILNES, MATTHEW	MITCHELL, BRETT	MOCERI, EILEEN	MONASEVITCH, NINA
MILO, KAREN	MITCHELL, BRIAN	MOCERI, EILEEN	MONBARON, ALAIN
MILSTEIN, KAREN	MITCHELL,	MOCERI, EILEEN	MONCIVAIS, MARIA
MILSTER, CHARLIE	CHRISTOPHER	MOCK, MARIE	MONDAZZE, GINA
MINAS, PATRICK	MITCHELL, CRYSTAL	MOCZARNEY, CINDY	MONDORE, PATRICIA
MINASSIAN, PATRICK	MITCHELL, DAVID	MODELL, JENNIFER	MONDRAGON,
MINDEL, JANET	MITCHELL, DIANE	MODEROW, JULIET	MICHELLE
MINEROVIC,	MITCHELL, E.	MODJESKI, JAN	MONÉ, CAROL
CONSTANCE	MITCHELL, JAN	MODRAK, MARIAN	MONEN, CHERIE
MINERT, CAROLYN	MITCHELL, JOHN	MODRELL, CAROL	MONEYPENNY, RIAN
MINHAS, RAHMAN	MITCHELL, JONATHAN	MOELLER, CHARLOTTE	MONFORTE, THOMAS
MINIERI, AMANDA	MITCHELL, JONI	MOELLER, FAITH	MONFREDINI, JANET
MINISCALCO, EMMA	MITCHELL, KAREN	MOELLERS, JOHN	MONGE, GABRIELA
MINIX, SHERI	MITCHELL, KELLY	MOESCHL, MJ	MONGER, BECKY
MINK, DANIEL	MITCHELL, LAURA	MOFFETT, ALLISON	MONGILLO, MICHAEL
MINK, KATIE	MITCHELL, LENISE	MOFFITT, ALICE	MONICO, NINOSKA
MINK, MARK	MITCHELL, LINDA	MOFFITT, ALICE	MONIE, PETER
MINNICK, MICHAEL	MITCHELL, MADISON	MOFFITT, JEFF	MONIE, SHERRY
MINOR, ANGELA	MITCHELL, MICHELE	MOGAB, ELISSA	MONK, ANGELA
MINOR, CARMEN	MITCHELL, MICHELLE	MOGENSEN, ALAN	MONKMAN, MARK
MINTO, OLOF	MITCHELL, MIKE	MOHNING, KATHLEEN	MONNET, MYRIAN
MINTON, JOANNE	MITCHELL, MINDY	MOHNING, KATHLEEN	MONNIER, KATHERINE

MONROE, C	MOOCK, ERIN	MOORE, MEGAN	MORAY-BRACH, DEBRA
MONROE, C	MOODY, CATHE	MOORE, NANCY	MOREAU, JOHN
MONROE, DANA	MOODY, CATHE	MOORE, PAUL	MOREBACK, LEEANN
MONROE, JAMES	MOODY, GINNIE	MOORE, RICHARD	MORECRAFT, CHARLES
RANDOLPH	MOODY, IAN AND	MOORE, ROBERT	MOREHOUSE, KARON
MONROE, JAMES	JANEANE	MOORE, SANDY	MOREL, CARLOS
RANDOLPH	MOODY, JAY	MOORE, SHARLEE	MOREL, WILL
MONROE, JAMES	MOODY, PEGGY	MOORE, SHERRIE	MORELAND, PATRICIA
RANDOLPH	MOON, DEBORA	MOORE, SUSAN	MORELL, PHYL
MONROE, KATRINA	MOON, DEBORA	MOORE, THOMAS	MORELL, RAYMOND
MONSUER, JOHN	MOON, LAURI	MOORE, THOMAS	MORELLI, LESLIE
MONTAGUE, DANA	MOON, MARTHA	MOORE, TROIS	MORELLI, LESLIE
MONTAGUE, PATRICIA	MOON, RICK	MOORE, VICKIE	MORENO, MAYELLY
MONTAGUE, PATRICIA	MOON, SUZANNE	MOORE, VICTORIA	MORETHSTORM, OSH
MONTAGUE, PATRICIA	MOON, SUZANNE	MOORE, VIRGIL	MOREY, ERIN
MONTAGUE, SUSAN	MOONEY, LINDA	MOORE, WALTER	MOREY, KAT
MONTAGUE, SUSAN	MOONEY, LINDA	MOORE, WILLIAM	MOREY, KIM
MONTALALOU,	MOONEY, M	MOOREFIELD, CAROL	MOREY, LORILIE
SUZANNE	MOONEY, MARIANNE	MOOSHIE, MARILYN	MOREY, SANDRA
MONTALTO, EMILIA	MOONEY, MARINA	MOOSHIE, MARILYN	MOREZ, JULIE
MONTALVO, MONICA	MOONEY, MARK	MOOT, KATHRYN	MORGAN, AMY
MONTANA, MARGARET	MOONEY, MARY	MOOT, KATHRYN	MORGAN, BILL
MONTANILE, EMILY	MOONEY, SANDRA	MORA, CARLINA	MORGAN, BILL
MONTANO, JUANITA	MOONEY, SANDRA	MORA, KATHLEEN	MORGAN, CHERYL
MONTANTE, JOYCE	MOORE JR, JOSEPH	MORA, SHARON	MORGAN, CHRISTINE
MONTAPERT, ANTHONY	MOORE, ALICE	MORA, SHARON	MORGAN, CRAIG
MONTAPERT, ANTHONY	MOORE, AMANDA	MORADO, OMAR	MORGAN, CRAIG
MONTAPERT, ANTHONY	MOORE, ANDREA	MORAES, ROBERTA	MORGAN, CRAIG
MONTE, BONNIE	MOORE, BJ	MORALES, ALEJANDRA	MORGAN, CRAIG
MONTE, BONNIE	MOORE, CAROL	MORALES, ANNE	MORGAN, CRAIG
MONTAGUE,	MOORE, CATHERINE	MORALES, CINDY	MORGAN, DAN
CHRISTINIA	MOORE, CHERIE	MORALES, DONALD	MORGAN, DAVID
MONTEIRO, KRISTEN	MOORE, CHRIS	MORALES, DONALD	MORGAN, DAWN
MONTEJO, JEFF	MOORE, DANIEL	MORALES, FLORENCIA	MORGAN, ELLEN
MONTALIONE, J	MOORE, DEBRA	MORALES, FLORENCIA	MORGAN, GIULIA
MONTALIONE, JULIA	MOORE, DESSALINE	MORALES, FLORENCIA	MORGAN, HILARY
MONTPELL, PAUL	MOORE, DONNA	MORALES, FLORENCIA	MORGAN, HILARY
MONTELLO, RAMONA	MOORE, EILENE	MORALES, JUAN	MORGAN, JANINE
MONTES DE OCA,	MOORE, ERIN	MORALES, KARLA	MORGAN, JEFF
CHRISTINA	MOORE, EVELYN	MORALES, KARYN	MORGAN, JOAN
MONTES, MIKE	MOORE, FRANCIS	MORALES, KARYN	MORGAN, JOY
MONTESI, LINDA	MOORE, HEIDI	MORALES, KARYN	MORGAN, JULIE
MONT-ETON, ELAINE	MOORE, JAN	MORALES, MARIO	MORGAN, KATHERINE
MONT-ETON, JEAN	MOORE, JENNA	MORALES, NATHANIEL	MORGAN, KATIE
MONT-ETON, MICHELE	MOORE, JOHN	MORALES, PAT	MORGAN, LINDA
MONTGOMERY, ALAN	MOORE, JULIE	MORALES, REBECCA	MORGAN, LINDA
MONTGOMERY,	MOORE, KAREN	MORALES, STEPHANIE	MORGAN, LINDA
CYNTHIA	MOORE, KARL	MORAN, CHRIS	MORGAN, LINDA
MONTGOMERY,	MOORE, KARYN	MORAN, CHRIS	MORGAN, MELISSA
ELIZABETH	MOORE, KATRINKA	MORAN, EILEEN	MORGAN, MEREDITH
MONTGOMERY, KAREN	MOORE, LAWRENCE	MORAN, JUDY	MORGAN, MICHELLE
MONTGOMERY,	MOORE, LEE	MORAN, KATHY	MORGAN, NANCY
MARGARET CRISP	MOORE, LEIGH	MORANDER, KELLYANN	MORGAN, NINA
MONTGOMERY,	MOORE, LINDA	MORANDO, DEENA	MORGAN, PAMELA
RICHARD	MOORE, LISA	MORARRE, PAMELA	MORGAN, PATRICIA
MONTILLI, FRANK	MOORE, LORRAINE	MORASKI, KATHLEEN	MORGAN, PAULA
MONTILLI, FRANK	MOORE, MALC	MORAVEK, MARTHA	MORGAN, PAULA
MONTONEN, JANE	MOORE, MARY M	MORAVEK, MARTHA	MORGAN, RICHARD

MORGAN, SAGE	MORRISON, BARB	MOSER, PAUL	MOYER, MARCY
MORGAN, STARLA	MORRISON, BARB	MOSER, RICH	MOYER, MINDY
MORGAN-HICKEY, DIANA	MORRISON, BARB	MOSHER, DAVID	MOYER, ROBERT
MORGEN, JOHN B	MORRISON, BARBARA	MOSHER, MOYA	MOYER, ROBERT
MORGENFRUH, RUDOLPH	MORRISON, BRUCE	MOSHER, REBECCA	MOYER, ROBERT
MORI, KEIKO	MORRISON, DEBORA	MOSKAL, LISA	MOYER, SUSAN
MORIMOTO, JOYCE	MORRISON, MARY	MOSKAL, LISA	MOYLAN, JULIE
MORIN, CARLA	MORRISON, MELISSA	MOSKAL, MARYANNA	MOYLE, FRANCES
MORIN, JULIE	MORRISON, MICHAEL	MOSKOWITZ, MIGNON	MOZAFARI, MEHDI G.
MORIN, TOOCHIS	MORRISON, NANCY	MOSLEY, JAMES	MOZAFARI, MEHDI G.
MORING, DENISE	MORRISON, TONYA	MOSLEY, MARILYN	MRKVICKA, EDWARD
MORITZ, ED	MORROW, ASHLEY	MOSLO, REBECCA	MTURBUSH, HEATHER
MORLEY, BILL	MORROW, MARYANNE	MOSPAN, WENDY	MUCCI, JOSEPH
MORLEY, DENNIS	MORROW, SYDNEY	MOSQUEDA, ANNA	MUCHOWSKI, MARY
MORLEY, DONNA	MORSE, CYNTHIA	MOSS, DAVID	MUCIDA, DANIEL
MORLEY, JULAINE	MORSE, DOUG	MOSS, ELIOT	MUCKEN, JOANNE
MORMAN, SUZETTE	MORSE, DOUGLAS	MOSS, JOHN	MUDD, CATHERINE
MORMANN, KELLY	MORSE, JANE	MOSS, MIA	MUDGER, MARCELLA
MORNEAU, DANIEL	MORSE, JANE	MOST, DOTTY	MUELLER, AMY
MORNEAU, DANIEL	MORSE, JEAN	MOST, DOTTY	MUELLER, BARBARA
MORNINGSTAR, LARRY	MORSE, MARIANA	MOSTEK, DAN	MUELLER, DAVI
MORNINGSTAR, SAMUEL	MORSE, MARIANA	MOSTEL, TOBIAS	MUELLER, DEANA
MORNINGSTAR, TARA	MORSE, MARY	MOSTOV, ELIZABETH	MUELLER, GRETCHEN
MORR, RACHEL	MORSE, SUSAN	MOSZYK, JOHN	MUELLER, JUDITH
MORRA, LYNN	MORSE, VERONA	MOTT, MACEY	MUELLER, REBECCA
MORRELL, DEBORAH	MORTADA, MOHSIN	MOTT, MARCIE	MUELLER, RUDOLPH
MORRELL, STEVEN	MORTELLITI, TONIA	MOTT, MARCIE	MUELLER, TARA
MORRILL, PEGGY	MORTENSEN, H AND G	MOTTA, DENISE	MUELLER, TERRY
MORRIS, AMANDA	MORTENSEN, HAROLD	MOTTA, MICHAEL	MUELLER-GREENE, CLAUDIA
MORRIS, CARLA	MORTENSEN, HAROLD AND GEORGI	MOTTL, DEBORAH	MUELLER-LAMORE, BRENDA
MORRIS, CATHERINE	MORTENSEN, SUSANNE	MOTTL, DEBORAH	MUENCH, JAYME
MORRIS, CHRYS	MORTENSEN, SUSANNE	MOTTL, DEBORAH	MUFALLI, SAM
MORRIS, JAMIE	MORTENSON, KATHLEEN	MOTTL, DEBORAH	MUFSON, SUSAN ALICE
MORRIS, JANE	MORTIMER, JOANNE	MOULD, JUDITH	MUFTI, SHAHEEN
MORRIS, JARED	MORTON, DEBORAH	MOULDS, MICHAEL	MUGELE, KATHLEEN
MORRIS, JONATHAN	MORTON, EBONY	MOULESONG, JON	MUGGLESTONE, TOM AND LINDSAY
MORRIS, KEITH	MORTON, FRANCYNE	MOULTON, DANIEL	MUGGLESTONE, TOM AND LINDSAY
MORRIS, KENNETH	MORTON, JANNA	MOULTON, DANIEL	MUGGLESTONE, TOM AND LINDSAY
MORRIS, KEVIN	MORTON, JEANNE	MOULTON, MACY	MUGRAUER, HEIDI
MORRIS, KEVIN	MORTON, JANNIE	MOUNTAIN, PAULINE	MUIHEAD, DARCY
MORRIS, MARTINA	MORTON, MICHELLE	MOUREAU, ANN	MUIR, DOT
MORRIS, MARY	MORTON, ROBERT	MOUREAU, ANN	MUIR, JAY
MORRIS, MICHELE	MORTON, ROBERT	MOUREAU, ANN	MUKAI, CHARLOTTE
MORRIS, PENNY	MORTON, ROBIN	MOUREAU, ANN	MULBRY, STERLING
MORRIS, ROBERT	MORY, STEPHANIE	MOURTADA, HUSSEIN	MULCAHY, OLGA
MORRIS, STEVEN	MORYS, TADEUSZ	MOUSSEAU, JANICE	MULCARE, JAMES
MORRIS, STEVEN	MOSBY, GEORGIA	MOUZOURAKIS, NICHOLAS	MULCARE, JAMES
MORRIS, STEVEN	MOSCATO, PAUL	MOWBRAY, DIANE	MULHALL, KATHI
MORRIS, SUSAN	MOSCATT, CARLENE	MOWER, AMY	MULHERIN, JEFFREY
MORRIS, T	MOSCATT, CARLENE	MOWERY, SHARON	MULLAN, CHRISTINA G
MORRIS, THERESA	MOSCATT, CARLENE	MOWLL-CLIFTON, HELENE	MULLANEY, LINDA
MORRIS, THERESA	MOSCHPOULOS, C.	MOWRER, CRAIG	MULLE, VIRGINIA
MORRIS, THERESA	MOSCHPOULOS, CHARITY	MOY, RUTH	MULLEN, CATHERINE
MORRIS, THERESA	MOSELEY, LYNN	MOYA, SOFÍA	
MORRIS, THERESA	MOSER, BETTINA	MOYER, BARB	
MORRISON, BARB	MOSER, DOLORES	MOYER, DEBRA	
	MOSER, JANET		

MULLEN, MATHEW	MURARO, DEB	MURPHY, LIZ	MURTHA, WILLIAM
MULLENS, MARTHA	MURASKI-STOTZ, MARY	MURPHY, LIZ	MUSCARELLA, PATRICIA
MULLER, GALE	MURAWSKI, SUSAN	MURPHY, LIZ	MUSCAT, LAURIE
MULLER, JANE	MURAWSKI, SUSAN	MURPHY, MARY ANNE	MUSCIO, ANDREA
MULLER, LINDA	MURCHISON, BRENDA	MURPHY, MARY LU	MUSELLA, SANDRA
MULLER, MARTHA	MURCHISON, MICHELLE	MURPHY, MELANIE	MUSGRAVE, LISA
MULLER, SHELDON	MURCHISON, VIRGINIA	MURPHY, MICHELLE	MUSGRAVE, LISA
MULLER, SUSAN	MURCIC, JANIS	MURPHY, OWEN	MUSICK, ASHLEY
MULLERA, MARSHA	MURDICK, JEAN	MURPHY, OWEN	MUSIL, ANNETTE
MULLETT, LAURIE	MURDOCK, CHRISTINE	MURPHY, SHALENE	MUSLEVE, BENITA
MULLETT, LAURIE	MURDOCK, IRENE	MURPHY, SHERI	MUSSINI, GIOVANNI
MULLIGAN, DEBORAH	MURDOCK, LAUREN	MURPHY, SHERYL	MUSTACA, RAQUEL
MULLINEAUX, DIXIE	MURER, JENNIFER	MURPHY, SHERYL	MUSTAR, JENNIFER
MULLINS, ALICE	MURER, JENNIFER	MURPHY, TIM	MUSZYNSKI, GLORIA
MULLINS, CHARLES	MURNANE, DONALD	MURPHY-PETTEE,	MUSZYNSKI, GLORIA
MULLINS, GLENN	MURPHEY, CAROLYN	COOKIE	MUTTER, MARIA
MULLINS, PAGE	MURPHEY, JAMES	MURPHY-PETTEE,	MVCROSKY, LINDA
MULLINS, PAMELA	MURPHEY, JAMES	COOKIE	MYATT, LINDA
MULLINS, S	MURPHEY, JAMES	MURRAY RN, PHIL	MYERLEY, SHERYL
MULLIS, RITA	MURPHY GONZALEZ,	MURRAY, ALAN	MYERLEY, SHERYL
MULRANE, LISA	CINDY	MURRAY, BARBARA	MYERS, ADELE
MULRANEY, JENNA	MURPHY, AMBER	MURRAY, BARBARA	MYERS, ANNIE
MULREY, NANCY	MURPHY, AMBER	MURRAY, BETH	MYERS, DAPHNE
MULROY, RHONDA	MURPHY, BETTY	MURRAY, CHRIS	MYERS, DONNA
MULVEY, CYNTHIA	MURPHY, BRIAN	MURRAY, CRISTY	MYERS, ERIC
MULVEY, DONNA	MURPHY, BRIGID	MURRAY, DARA	MYERS, HERB
MULVEY, GREG	MURPHY, BRIGID	MURRAY, DIANNE	MYERS, JEANETTE
MULVEY, TRISH	MURPHY, BRIGID	MURRAY, DOROTHY	MYERS, JEANETTE
MULVEY, TRISHA	MURPHY, CAROL	MURRAY, FLOR	MYERS, JO ANN
MULVIHILL-DECKER,	MURPHY, CAROL	MURRAY, JANET	MYERS, JOHN
MARY ANN	MURPHY, CAROL	MURRAY, JEAN	MYERS, KAREN
MUMAW, CHERYL	MURPHY, CAROLYN	MURRAY, JENNIFER	MYERS, KAREN
MUMAW, CLAYTON	MURPHY, CASSIE A.	MURRAY, JENNIFER	MYERS, KAREN
MUMLEY, ANITA	MURPHY, CINDY	MURRAY, JIM	MYERS, LINDA
MUMOLA, DIANNE	MURPHY, CYNTHIA	MURRAY, JOAN	MYERS, LISA
MUNDERBACK, LISA	MURPHY, CYNTHIA	MURRAY, JOHN	MYERS, MARY S
MUNDHENK, NORM	MURPHY, CYNTHIA	MURRAY, KATHLEEN	MYERS, MARY S
MUNDY, JAYE	MURPHY, CYNTHIA	MURRAY, KATHY	MYERS, NAN
MUNDY, KEN	MURPHY, CYNTHIA	MURRAY, KRISTEN	MYERS, NANCY
MUNGER, CHERYL	MURPHY, DACIA	MURRAY, LINDA	MYERS, NANCY
MUNIZ, MARIANA	MURPHY, DACIA	MURRAY, LINDA	MYERS, NANCY
MUNIZ, RAY	MURPHY, DAVID	MURRAY, MARGARET	MYERS, ROBERT
MUNLEY, DIANE	MURPHY, DEBORAH	MURRAY, MARILEE	MYERS, SANDIE
MUNN, JANIS	MURPHY, DEBRA	MURRAY, MARY ANN	MYERS, SANDIE
MUNN, JEN	MURPHY, EDWARD	MURRAY, PRISCILLA	MYERS, SANDIE
MUNOZ III, ANDY	MURPHY, FAY	MURRAY, REGINA	MYERS, SANDIE
MUNOZ, GUADALUPE	MURPHY, FRANK	MURRAY, SUSAN	MYERS, SUSAN
MUNOZ, JULIE	MURPHY, GARRETT	MURRAY, SUSANNE	MYERS, TAYLOR
MUNOZ, TERESA	MURPHY, JACQUIE	MURRAY, TOM	MYERS-CHAMBERLIN,
MUNOZ, TERRIE	MURPHY, JAMES	MURRAY, TOM	LIZ
MUNROE, M	MURPHY, JANELLE	MURRAY, VERONA	MYLIUS, JERRY
MUNSHOWER, SUSAN	MURPHY, JANINE	MURRELL, ALICE	MYLIUS, JERRY
MUNSON, DOUGLAS	MURPHY, JEANNINE	MURROW, STACEY	MYLIUS, JERRY
MUNZ, CARROLL	MURPHY, JIM	MURROW, STACEY	MYLOTT, SHARON
MURAKAMI, MAKI	MURPHY, JOHN	MURTAGH, JOAN	MYISING-GUBALA, MARY
MURAKAMI, MAKI	MURPHY, JULIE	MURTAUGH, DON	N, DIPALI
MURAMATSU, AMY T	MURPHY, KIM	MURTHA, JACQUELINE	N, G
MURARO, DEB	MURPHY, L	MURTHA, JACQUELINE	N, G

N, J	NAJIMI, MJ	NASH, ROB	NEERING, LEONARD
N, KYLE	NAJIMI, MJ	NASH, SHARON	NEERING, LEONARD
N, KYLE	NAJIMI, MJ	NASON, KIRK	NEFF, ADRIENNE
N, M	NAKAKIHARA, KAREN	NASREDDIN-LONGO, ETAN	NEFF, DEE
N, MARY	NAKAMURA, JANICE	NASTA, STEVEN	NEFF, GRACE
N, MARY	NALL, KATHLEEN	NASTA, STEVEN	NEFF, GRACE
N, MARY	NAM, KRISTIN	NATH, UTKARSH	NEFF, GRACE
N, RENEE	NAM, KRISTIN	NATH, UTKARSH	NEFF, LOIS
N, RENEE	NAM, S.	NATH, UTKARSH	NEFF, TRACEY
N, RENEE	NAM, S.	NATHAN, LESLIE	NEFKENS, MOLLY
N., ELISABETH	NAM, S.	NATHAN, LISA	NEGRETE, JACQUELINE
N., ELISABETH	NAM, S.	NATHAN, LISA	NEGRON, VIONNETTE
NAAR, ANN	NAM, S.	NATHAN, SAMANTHA	NEHMER, LUCIANA
NABER, NEIL	NAMAY, ROSE	NATHANSON, BETH	NEIDELL, MERLE
NABITY, LISA	NAMI, LISA	NATHANSON, JOAN	NEIDELL, MERLE
NACHAZEL-RUCK, JANE	NANCARROW, JUDITH	NATIONS, CHRYSTLE	NEIGH, MELISSA
NACKLEY, ANITA	NANCE, STEPHAN	NATKINS, JUDITH	NEILL, TERRI
NACLERIO, LORRAINE	NANDAGIRI, COURTNEY	NATROP, JOANN	NEILL, TONI
NADEAU, ANNETTE	NANDKISHORELAL, JUSTINE	NATTRASS, SUZANNE	NEILL, VANESSA
NADEAU, CHRISTINE	NAPHEN, MICHELE	NAUMANN, DEBBIE	NEIN, JEFFREY
NADEAU, DANIELLE	NAPLES, MICHELE	NAUMANN, MARY	NEISH, ALISON
NADEAU, DANIELLE	NAPLES, JEAN	NAUMOVITZ, DEBRA	NEISH, ALISON
NADEAU, DANIELLE	NAPLES, JEAN	NAUMOVITZ, DEBRA	NEITENBACH, MARK
NADEAU, DANIELLE	NAPOLEON, ALEXANDRA	NAVALINE, HELEN	NEITZEL, JILL
NADEAU, J	NAPOLEON, LAURA	NAVAN, GLORIA	NEJEDLIK, MARIAN
NADEL, PHIL	NAPOLI, KERRI	NAVAN, GLORIA	NEJSUM, CARINA
NADER, JULIANNA	NAPOLITANO, FRANCESCA	NAVARRETE, PATTY	NELLIGAN-MCGARRY, NANCY
NADLE, JONATHAN	NAPPA, VINCENT	NAVARRO, ELEANOR	NELSON, AL
NADLER, JEFF	NAPPS, SHIRLEY	NAVARRO, ELEANOR	NELSON, AL
NADOLSKI, JOHN	NARANG, PREM	NAVIDAD, SUSAN	NELSON, AL
NADONZA, VIRGILIO	NARANJO, ELENA	NAVYFY, DESIREE	NELSON, AL
NAFTZINGER, TANA	NARANJO, ELENA	NAY, JY	NELSON, AMY
NAFZIGER, NIKKI	NARCIS, MARIA	NAYERI, KAMRAN	NELSON, BRAD
NAFZIGER, NIKKI	NARCISSE, APRIL	NAYLOR, ADRIENNE	NELSON, BRITTANY
NAFZIGER, NIKKI	NARCISSE, APRIL	NAYLOR, BRENT	NELSON, CATHERINE
NAGASAKA, MAYA	NARDELLA, NANCY	NAYLOR, VIRGINIA	NELSON, CECELIA
NAGE, WILLIAM	NARDELLA, NANCY	NAYMICK, DEB	NELSON, CONNIE
NAGEL, LORI	NARKOFF, CYNTHIA	NAZ, GIO	NELSON, DAVID
NAGEL, PAT	NARTKER, BRIAN	NAZARIO, ALEXIS	NELSON, DEBBIE
NAGEL, STEPHANIE	NARTKER, BRIAN	NAZWORTH, JOLEE	NELSON, DIANE
NAGENGAST, JAMES	NARTKER, BRIAN	NCDONOUGH, JOSEPH	NELSON, JAN
NAGVEKAR, ANKITA	NARTKER, KAROLYN	NEAL, CAROL	NELSON, JANNA
NAGY, MARILEE	NARUNSKY, MORRIS	NEAL, CARTER	NELSON, JEFFREY
NAGY, MARY JO	NARVIOS, RAQUEL	NEAL, DIANNE	NELSON, JENNIFER
NAGY, MARY JO	NARVIOS, RAQUEL	NEAL, JENETTA	NELSON, JOHN
NAGYFY, DESIREE	NARVIOS, RAQUEL	NEAL, MARGARET	NELSON, JOHN
NAIDICH, SANDRA	NARVIOS, RAQUEL	NEALE, JOANNE	NELSON, JOYCE
NAIFEH, KAREN	NARVIOS, RAQUEL	NEALY, CAROL	NELSON, JULIA
NAIFEH, SAM	NARVIOS, RAQUEL	NEARHOOD, KATHERINE	NELSON, JULIA
NAIK, KALYANI	NARVIOS, TEM	NEAVES, JO ANNE	NELSON, JULIA
NAILOR, MARJORIE	NARVIOS, TEM	NEAVES, JO ANNE	NELSON, JULIE
NAIMAN, KAREN	NARVIOS, TEM	NEDEFF, ELIZABETH	NELSON, KAREN
NAIMARK, HELEN	NARVIOS, TEM	NEDER, ANDREW	NELSON, KATHERINE
NAJERA, ANA	NASER, GIDA	NEEL, ANNE	NELSON, L
NAJERA, VERONICA	NASH, EDITH	NEEL, ANNE	NELSON, LEISSA
NAJI, ERIC	NASH, MICHAEL	NEEL, E ANN	NELSON, LISA
NAJI, ERIC	NASH, OLIVER	NEELY, DREW	NELSON, MICHAEL
NAJI, ERIC	NASH, ROB	NEEMAN, CAT	NELSON, MICHAEL

NELSON, MONA	NEUBERG, PAMELA	NEWTON, SHARRON	NIELAND, THOMAS
NELSON, NANCY	NEUBRAND, ELIZABETH	NG, MARY	NIELAND, THOMAS
NELSON, PAIGE	NEUENBURG, MELODY	NGLEE, ALLIE	NIELSEN, COLLEEN
NELSON, PAM	NEUFELD, JANE	NGO, THINH	NIELSEN, DEANNA
NELSON, PAMELA	NEUHAUS, SCOTT	NGO, THINH	NIELSEN, PAUL
NELSON, PATRICIA	NEUHAUSER, ALICE	NGUYEN, ANDREW	NIELSENH, COLLEEN
NELSON, PATRICIA	NEUHAUSER, ALICE	NGUYEN, BINH	NIELSENH, COLLEEN
NELSON, PAUL	NEUMAN, JACKIE	NGUYEN, PHUNG	NIEMAN, CATHY
NELSON, PAUL	NEUMAN, LORETTA	NICAS, JANET	NIEMAN, KIMBERLY
NELSON, PAUL	NEUMANN, CATHERINE	NICAS, JANET	NIEMANN, JUDITH
NELSON, PAUL	NEUMANN, COLLEEN	NICCOLINI, DIANORA	NIEMEIR, NANCY
NELSON, PENNY	NEUMANN, NANCY	NICCOLLS, DJ	NIEMEYER, STACY
NELSON, RICHARD	NEUMANN, NANCY	NICHOL, HEATHER	NIERENBERG, SUSAN
NELSON, SALLY	NEUNER, KEITH	NICHOLAS, ANN	NIETO, Y. ARMANDO
NELSON, SARA	NEUS, MARLEEN	NICHOLAS, JILL	NIEVES, NELL
NELSON, SHERRY	NEUS, MARLEEN	NICHOLAS, KATHLEEN	NIEVES, STEPHANIE
NELSON, STEVEN	NEUZIL, ROBERT	NICHOLAS, LESLEE	NIGAM, OSCAR
NELSON, STEVEN	NEVEL, CECILIA	NICHOLLS, ALISON	NIGH, CLIFFORD
NELSON, THOMAS	NEVILLE, MARIE	NICHOLLS, NANCE	NIGHTENGALE,
NELSON-ROGERS, KARIN	NEVILLE, MARIE	NICHOLS, BEVERLY	DOUGLAS
NEMERY, JOSHUA	NEWBOLD, DEE ANN	NICHOLS, CHARLES	NIGHTENGALE,
NENNINGER, JAY	NEWBOLD, DEE ANN	NICHOLS, CHERYL	DOUGLAS
NEPF, RUTHE	NEWBURY, NANCY	NICHOLS, DAVID	NIGHTINGALE, TERRY
NERGER, ROBERT	NEWBY, MINDY	NICHOLS, DELILAH	NIHIPALI, MICHELE
NERHUS, BRENNAN	NEWCMBE, CONNE	NICHOLS, GLORIA	NIHSEN, DIXIE
NERHUS, BRENNAN	NEWCOMB, ALISON	NICHOLS, JASON	NIJSSEN, LAURA
NERI, ROSANNE	NEWCOMB, ALISON	NICHOLS, JASON	NIKIDES, JOANNE
NERNEY, LAWRENCE	NEWCOMER, CRYSTAL	NICHOLS, JOE	NIKNAM, AMIR
NERO, KIM	NEWCOMER, CRYSTAL	NICHOLS, JOE	NIKSIC, JOYCE
NERO, KIM	NEWELL, LEANNE	NICHOLS, K	NIKSIC, JOYCE
NERO, KIM	NEWHART, MARGARET	NICHOLS, MICHAEL	NIKSIC, JOYCE
NERWICK, RANDALL	NEWHOUSER, NINA	NICHOLS, NORA	NILASENA, NANCY
NESBIT, CAROL	NEWICK, CYNDEE	NICHOLS, ROBERT	NILLO, CHRISINA
NESBITT, LYNDA	NEWKIRK, ROBYN	NICHOLS, SUSANITA	NILLO, CHRISINA
NESHAM, MARY ELLEN	NEWKIRK, ROBYN	NICHOLSON, BARBARA	NILLO, CHRISTINA
NESHEIM, MARIA	NEWLAND, MARIE	NICHOLSON, BETHANNE	NILLO, CHRISTINA
NESHER, CHAVA	NEWLIN, DAWN	NICHOLSON, JACK A	NILLO, CHRISTINA
NESPOLI, JOHN	NEWMAN, DONNA	NICHOLSON, JACK A	NILSEN, K.
NESS, ANNEE	NEWMAN, ERIC	NICHOLSON, RUTH	NILSSEN, MARK
NESS, GINA	NEWMAN, HUDELLE	NICK, TERESA	NILSSEN, NANCY
NESS, GINA	NEWMAN, JODY	NICODEMUS, SHARON	NILSSON, DERINDA
NESS, SONIA	NEWMAN, KATHY	NICOL, MARILYN	NILSSON, DERINDA
NESSAN, CURTIS	NEWMAN, LINDA	NICOLA, HELENE	NILSSON, DERINDA
NESSAN, CURTIS	NEWMAN, RHIANNON	NICOLAI, NICOLA	NILSSON, LENA
NESTE, GEORGE	NEWMAN, ROBERTA E.	NICOLAI, NICOLA	NIMLOS, CAROLE
NESTE, LISA	NEWMAN, ROBYN	NICOLAU, ANTHONY	NIMMO, JOHN
NESTO, CAROLYN	NEWMAN, SAMUEL	NICOLE, ALEXANDRA	NIMMONS, REBECCA
NESSYTO-FRESKE, NANCY	NEWMARK, RICHARD	NICOLETTO, LINDA	NIMS, ALFRED
NETTESHEIM,	NEWSOM, MIKE	NICOLSON, BARBARA	NIMS, CARA
CATHERINE	NEWSOME, LOUIS	NICON, VONDA	NINER, KAYLA
NETTLES, CLAIRE	NEWSTADT, INGRID	NICPONSKI, DAWN	NIPPERT, RODNEY
NETZEL, FORREST	NEWSUM, GINA	NICPONSKI, RAMONA	NIQUETTE, LESLIE
NEUBAUER, MATT	NEWTON, CARYL	NICPONSKI, RAMONA	NISHMAN, ALAN J
NEUBAUER, VICTORIA	NEWTON, DAVID	NICULA, KATHLEEN	NISITA, LAURA
NEUBECK, LINDSAY	NEWTON, DAVID	NIENBERG, LINDA	NISSAN, DIANE
NEUBER, CHRISTA	NEWTON, DAVID	NIELAND, BRENDA	NITSCHKE, JONATHAN
NEUBER, CHRISTA	NEWTON, KASSANDRA	NIELAND, BRENDA	NITSOS, PAMELA
NEUBER, CHRISTA	NEWTON, SHANNON	NIELAND, BRENDA	NITZBERG, BERNA

NIVEN, STUART	NORDSTROM,	NOWAK, LOIS	O NEILL, CARA
NIX, CAROL	MARGARET	NOWAK, ROBERT	O, D
NIX, KATHY	NORDVIK, CLAIRE	NOWICKI, JOHN	O, NANCY
NIXON, KAREN	NOREN, ELIZABETH	NOWICKI, KATHLEEN	O, NANCY
NIXON, LESLIE	NORMAN, CHRISTINE	NOWICKI, KATHLEEN	O, NANCY
NIXON, LINDA	NORMAN, GINA	NOWICKI, KATHLEEN	O, NANCY
NIXON, PAMELA	NORMAN, JENNIFER	NOWICKI, RENAE	O, NANCY
NOA, RACHAEL	NORMAN, MELINDA	NOWICKI, SUSAN	O, NANCY
NOA, RACHAEL	NORMAN, MELINDA	NOWLAND, ANNE	O, NANCY
NOACK, MICHAEL	NORMAN, MELISSA	NOWLAND, ANNE	O., KIM
NOACK, MICHAEL	NORMAN, MELISSA	NOWLIN, JOHN	O., SABRINA
NOACK, MICHAEL	NORMAN, MELISSA	NOWLING, BEVERLY	O., SABRINA
NOBLE, BARBARA	NORMINGTON, JOAN	NOYES, ADRIENNE	OAKDEN, DEBRA
NOBLE, MARION JOETTE	NOROYAN, ANNABELL	NOYES, DONNA	OAKDEN, DEBRA
NOBLETT, DIANNE	NORRIS, ANN	NOYES, JOANNA	OAKLEY, SUSAN
NOBLEY, JENNIFER	NORRIS, BRENDA	NUCCIO, SUE	OAKS, BARRY
NOBREGA, ROBERT	NORRIS, CORY	NUESSELE, CHARLOTTE	OATMAN, DAVID
NOBREGA, ROBERT	NORRIS, CORY	NUETZMANN, GARY	OBARA, CARINA
NOBRIGA, STAR	NORRIS, FARYL	NUGENT, CAROL	OBELCZ, MARA
NOE, JERRY	NORRIS, RACHEL	NUGENT, DRBRA	OBENCHAIN, HELEN
NOEL, GREG	NORRIS, S	NUGENT, NANCI	OBENREDER, LORENE
NOEL, LETITIA	NORRIS, SCOTT	NULL, CIRY	OBERDORF, ROBERT
NOEL, LYNN	NORRIS, THERESA	NULTY, TOM	OBERLIN, REBECCA
NOEL, VICTORIA	NORTH, DIANA	NUNEMAKER, CONNIE	OBEROI, ARCHNA
NOETH, SHEREE	NORTH, ERIC	NUNEZ, ADRIANA	OBERRY JR, DANIEL
NOETH, SHEREE	NORTH, JENNY	NUNEZ, ADRIANA	O'BERRY, DONNA
NOETH, SHEREE	NORTH, PATSY	NUNEZ, CARLOS	OBERT, MARGARET
NOGGLE, JUDITH	NORTHAM, CLAUDIA	NUNEZ, P	OBERTI, AUGUST
NOGGLE, JUDITH	NORTHUP, WILLIAM	NUNEZ, P	OBOYLE, MARIANNE
NOGLES, TAMMY	NORTON, GINA	NUNEZ, PAT	OBR, BROOKS
NOGLES, TAMMY	NORTON, JILL	NUNEZ, STEPHANIE	OBR, BROOKS
NOHR, KATHERINE	NORTON, JUDITH	NUNEZ, STEPHANIE	OBR, BROOKS
NOLAN, KATHERINE	NORTON, KATHEY	NUNEZ, STEPHANIE	OBR, BROOKS
NOLAN, MISTY	NOSNIK, DIANE	NUNEZ, STEPHANIE	OBRADOVICH, SHERRIE
NOLAN, NANCY	NOSSER, LINDA	NUNGESSER, LISA	OBRAL, SUSAN
NOLAN, PAM	NOTHELPER, SPRING	NUNLIST, KATHY	OBRE, KATHLEEN
NOLAN, PETER	NOTHELPER, SPRING	NUNN, COLLEEN A	OBRE, KATHLEEN
NOLFI, LAUREN	NOTHELPER, SPRING	NUNN, LEANN	OBREGON, ENEDELIA
NOLL, BRUCE	NOTHHELFER, NICK	NUNO, MARTHA	OBRIEN, BETH
NOLL, BRUCE	NOTSCH, LISA	NUNO, MARTHA	OBRIEN, BRUCE
NOLL, MICHAEL	NOTTE, NICK	NUSSBAUM, NANCY	OBRIEN, C
NOLTA, LOUISE	NOTTINGHAM, HOLLY	NUTINI, MICHAEL	OBRIEN, CJ
NOLTE, GWENDOLYN C	NOUMAIR, EDWARD	NUTT, JAMIE	OBRIEN, DANIEL
NOMM, NICK	NOUMAIR, EDWARD	NUTT, JAYRILL	OBRIEN, DANIEL
NOMMENSEN, MARY	NOVAK, GLENN	NUTTER, SUSAN	OBRIEN, DIANE
NOONAN, ROBERT	NOVAK, JOHN	NUTTER, SUSAN	OBRIEN, JOYCE
NOORDYK, JAMES	NOVAK, KEIR	NUZZO, JANN	OBRIEN, JOYCE
NOORDYK, JAMES	NOVAK, MELISSA	NYE, CRYSTAL	OBRIEN, VICTORIA
NORCROSS, MARIE	NOVAK, MELISSA	NYE, DAWN	O'BRIEN, DANIEL
NORD, RANDALL	NOVAK, PATRICIA	NYFORS, ALEXANDRA	O'BRIEN, DENNIS
NORDBY, RICK	NOVAK, SHARRAN AND	NYLEN, ERIC	O'BRIEN, DENNIS
NORDEMAN, VALERIE	GARY	NYNE, KATE	O'BRIEN, GINA
NORDMANN, RICHARD	NOVARRO, LISA	NYNE, KATE	O'BRIEN, JOANNE
NORDQUIST, JANINE	NOVKOV, RUSSELL	NYNE, KATE	O'BRIEN, SHEILA
NORDQUIST, JANINE	NOWAK, DIANE	NYRE, DOMINIQUE	OBROPTA, CODY
NORDQUIST, TERESA	NOWAK, DIANE	NYSTEL, JANE	OBRYAN, DAVID
NORDQUIST, TERESA	NOWAK, JOHN	NYTKO, JEFFREY	OCA, RAUL
	NOWAK, JOSEPH	O CONNOR, CHRISTINE	O'CALLAGHAN, SALLY S

OCASIO, ALFREDO	ODONNELL, ROBIN	OKUN, JOAN	OLSEN, LORETTA
OCH, EVELYN	O'DONNELL, DEANNE	OKUN, JOAN	OLSGARD, CHRISTINE
OCH, EVELYN	OELKERS, YVONNE	OKUN, LEWIS	OLSON SCHMIDT, DIANE
OCHOA, CHEMEN	OFER, CYNTHIA	OKUN, VAL	OLSON, BARBARA
OCHS, SUE	OFFERMAN, MARK	OLAFSDOTTIR, RUTH	OLSON, DAVID
OCONELL, B	OFFERMAN, MARK	OLAGUEZ, SHERRI	OLSON, GLENN
OCONELL, CHRIS	OFFINEER, LINDA	OLAVARRIETA, MARTHA	OLSON, ISABELLE
OCONELL, JOAN	OFLAHERTY, JAMES	OLDEN, KAREN	OLSON, JANE
CAROL	OFLAHERTY, JAMES	OLDHAM, DORIS	OLSON, JEFFERY
OCONELL, MARCK	O'FLAHERTY, RÓISÍN	OLDHAM, DORIS	OLSON, JENNIFER
OCONELL, MARCK	OGAS, DANIEL	OLDHAM, DORIS	OLSON, KAREN
O'CONNELL, CHRIS	OGAWA, SUSAN	OLDHAM, MAUREEN	OLSON, LARRY
O'CONNELL, KATHLEEN	OGBORN, KEVIN	O'LEARY CAREY, CATHY	OLSON, LEAH
O'CONNELL, KATHLEEN	OGDEN, CHAD	O'LEARY CAREY, CATHY	OLSON, LINDA
O'CONNELL, KATHLEEN	OGDEN, NANCY	O'LEARY, CHRIS	OLSON, LINDA
O'CONNELL, MAUREEN	OGDEN, SARA	O'LEARY, RICHARD	OLSON, MARILYN
O'CONNELL, NANCY	OGDEN, THERESE	OLENJACK, MICHAEL	OLSON, PAUL
OCONNOR, EVE	OGDEN-HOWE,	OLESON, DIANE	OLSON, PETER
OCONNOR, EVE	MARGARET	OLESON, TAMI	OLSON, ROBERTA
OCONNOR, JANET	OGEA, LAURA	OLESON, TAMI	OLSON, VICTORIA
OCONNOR, JANET	OGLE, BRAD	OLESZCZUK, HEIDI	OLSON, VICTORIA
OCONNOR, JEN	OGLE, KAREN	OLEYER, GEORGE	OLSON-LEE, JAMES
OCONNOR, KRISTIN	OGLE, KAREN	OLHEISER, MARY	OLSSON, ELISABETH
OCONNOR, KRISTIN	OGLESBY, JACQUELINE	OLIENECHAK, VIRGINIA	OLSSON, ELISABETH
OCONNOR, MYRENE	M.	OLIN, RUTH	OLSSON, ELISABETH
OCONNOR, SHARI	OGLESBY, JACQUELINE	OLIS, BRITTANY	OLSZEWSKI, RONALD
OCONNOR, SHARI	M.	OLIVARES, YVONNE	OLSZEWSKI, RONALD
OCONNOR, SHARI	OGLIA, MARY ANN	OLIVAS, ALYSSA	OLSZEWSKI, SHIRLEY
OCONNOR, SHARI	OGRADY, SIOBHAN	OLIVE, DAYANA	OLSZEWSKI, TOM
OCONNOR, SHARI	OGRADY, SIOBHAN	OLIVEIRA, O C	OLTMAN, MEAGAN
OCONNOR, SIOCHAI	OGREN, LORRIE	OLIVER BORQUEZ,	OLYMPIA, VIOLETTE
O'CONNOR, CHERIE	OGREN, LORRIE	MAUREEN	O'MALLEY, KATHLEEN
O'CONNOR, JOHN	OGREN, LORRIE	OLIVER, AMIE	O'MALLEY, POLLY
O'CONNOR, JOHN	OGUNI, JUSTIN	OLIVER, ANN	O'MALLEY, POLLY
O'CONNOR, MICHELLE	OH, HYUNJUNG	OLIVER, ANNE	OMAN JEGIER, SALLY
O'CONNOR, ROY	O'HALLORAN, KEVIN	OLIVER, BONNIE	OMAN JEGIER, SALLY
O'CONNOR, TERESA	OHARA, DEBORAH	OLIVER, BONNIE	OMAN, ROBERT L
ODDO, LORRI	OHARA, WILLIAM	OLIVER, CYNTHIA	OMAR, JANNA
ODDO, MICHELE	O'HARA, JANE	OLIVER, DELLA	OMAR, NASRIN
ODELL, ANGELA	O'HARA, KAREN	OLIVER, JERRY	O'MARA, ELIZABETH
ODELL, GLENDA	O'HARE, WILLIAM	OLIVER, KAMECCA	OMEARA, COLLEEN JOE
ODELL, JANET	OHLENDORF, CAROL	OLIVER, VIRGINIA	AUDO
O'DELL, REBECCA	OHLENDORF, RICHARD	OLIVERI, SHERRY	O'MEARA, COLLEEN JOE
O'DELL, RHONDA	OHLINGER, MERLE	OLLAR, RICHARD	- UCS
O'DELL, SEAN	OHLSSON, DAWN	OLM, RICHARD	O'MEARA, COLLEEN JOE
O'DELL, SEAN	OHME, ANN	OLMSTEAD, LESLIE	- AWL
O'DELL, SEAN	OHMSTEDE, KRISTIN	OLMSTEAD, LINDA	O'MEARA, COLLEEN JOE
ODENBERG, ROBERT	OHOLOROGG, DANA	OLMSTED, JENNIFER	- CFBD
ODOARDI, CHERYL	OHOLOROGG, DANA	OLOUGHLIN, LESLIE	O'MEARA, PATRICK
ODOARDI, CHERYL	OKE, JANEY	OLSAK-GLASS, JUDITH	OMERBERG, MELISSA
ODOM, JOSEPH	OKEEFE, MARY LOUISE	OLSEN, BARRIE	OMESCU, DANIEL
ODOM, R	O'KELLEY, CELIA	OLSEN, BARRIE	ONASCH, OTTO
ODOM, R	OKOLOWICZ, SOFIA	OLSEN, DENNIS	ONEAL, ASHLEE
ODONNELL, J	OKONE, BRANDON	OLSEN, EARL	O'NEAL, FRANCES
ODONNELL, KAREN	OKONE, BRANDON	OLSEN, JAMI	O'NEAL, MAUREEN
ODONNELL, KAREN	OKUBO, AUDREY	OLSEN, JAMI	ONEALL, PATRICIA
ODONNELL, MARY	OKULEWICZ, KATHY	OLSEN, KATHY	ONEIL, TIMOTHY
ODONNELL, MARY	OKULEWICZ, KATHY	OLSEN, LISA	O'NEIL, BOB

ONEILL, ABIGAIL	ORR, JUDITH	OSMUN, MARTHA	OTTOSEN, CHRIS
ONEILL, JEN	ORR, KATIE	OSMUNDSON,	OUELLETTE, MAUREEN
ONEILL, MARITA	ORR, LOU	BARBARA	OUELLETTE, TRACY
ONEILL, PATRICIA	ORR, LOU	OSMUNDSON, KAREN	OUELLETTE, TRACY
ONEILL, PAULAJEAN	ORR, MARY	OSNES, LIBBY	OUNSWORTH,
ONEILL, SHARON	ORSER, SHARON	OSNES, LIBBY	CHARLEEN
ONEILL, SUSAN	ORSIE-COOMER,	OSORES, DANIEL	OUT, SHEILA
O'NEILL, ELLEN	RACHEL	OSOSKI, JILL	OUTON, GLENN
O'NEILL, MARY	ORSILLO, ANN	OSSENBECK, CLAIRE	OVERBECK, HEIDI
O'NEILL, MAUREEN	ORSZULAK, SAMANTHA	OSSO, ELISA	OVERBY, GARY
ONESSIMO, DEAN	ORSZULAK, SAMANTHA	OSTASZEWSKI, JOHN	OVERBY, NOWELL
ONION, GSIL	ORTEGA, MIGDALIA	OSTEN, IRENE	OVERHOLTZ, NANCY
ONKEN, BRIANNA	ORTEGA, VICTOR	OSTERBERG, MARTHA	AND RON
ONO, LORY	ORTEGO, SYBIL	OSTERBERG, NILS	OVERLY, KATHY
OOMERJEE, GULSHAN	ORTHNER, AILEEN M	OSTERHOUDT, DAVID	OVERMANN, LAURA
OOSTERMAN, WILL	ORTICERIO, ANNE	OSTERHOUDT, DAVID	OVERPECK-
OOSTING, GAYLE	ORTIZ, DAVID	OSTLER, JONI	MCCRACKEN, MARTA
OPAZO, ELIZABETH	ORTIZ, DAVID	OSTLER, THEO	OVERPECK-
OPDERBECK, CYNTHIA	ORTIZ, FRANK	OSTLINGER, FRANK	MCCRACKEN, MARTA
OPPENHEIMER, HUNTER	ORTIZ, JEANETTE	OSTLINGER, FRANK	OVERSTREET, ROMY
OPRINOVICH, CELIA	ORTIZ, KEREN	OSTOICH, JULIE	OVERTON, BARBARA
OPRINOVICH, CELIA	ORTIZ, KEREN	OSTRANDER BIGGS,	OVERTON, BARBARA
OQUENDO, CHARLENE	ORTIZ, ROBERT	CATHY	OVERTON, SANDRA
OQUINN, AGLAIA	ORTIZ, ROBERT	OSTRER, ALLISON	OVINO, LANORA AND
O'QUINN, BLAKE	ORTIZ, ROCIÓ	OSTROW, DIANNE	DAMON
ORAHOOD, DAWN	ORY, RACHEL	OSTROW, LAUREL	OWEN, CHERYL
ORAMA, BRIAN	ORZECZOWSKI, KRISTA	OSTROWSKI, BARBARA	OWEN, CYNTHIA
ORANTES, DESTINY	OSBORN, CAROLE	OSTRUNIC, CYNTHIA	OWEN, DEBRA
ORBE, ELIAS	OSBORN, ELINOR	OSULLIVAN, SHARON	OWEN, DOUGLASS
ORBE, ELIAS	OSBORN, JEAN	OSULLIVAN, SHARON	OWEN, FRANCES
ORBE, ELIAS	OSBORN, JEAN	O'SULLIVAN, BRETT	OWEN, JOEL
ORCHOLSKI, GERALD	OSBORN, JEAN	O'SULLIVAN, BRETT	OWEN, KARYON
ORCHOLSKI, GERALD	OSBORN, JERROLD	O'SULLIVAN, BRETT	OWEN, RUTH
ORCHOLSKI, GERALD	OSBORN, JULIE	O'SULLIVAN, JOSEPH	OWEN, SUE
ORDAZ, SARAH	OSBORN, JULIE	O'SULLIVAN, KATHLEEN	OWENS, BARBARA
ORE, ROBIN	OSBORN, JULIE	O'SULLIVAN, KATHLEEN	OWENS, CHRISTINA
O'REAR, DEBORAH	OSBORN, JULIE	OSUSKY, MARY	OWENS, DIANA
ORENGO-MCFARLANE,	OSBORNE, DYAN	OSWALD, JUDI	OWENS, DIANA
MICHELLE	OSBORNE, ELIZABETH	OSWALD, LAUREL	OWENS, IRIS
ORENSTEIN, JOYCE	OSBORNE, ELLEN	OSWALD, RO	OWENS, KERRY
ORGETAS, ANASTASIA	OSBORNE, HANNAH	OSWALD, TIM	OWENS, KERRY
ORICK, JANET	OSBORNE, JERRY	OSWALD, TIM	OWENS, MARYANNE
ORIORDEN, LAURA	OSBORNE, MARTIN	OSWALD, TIM	OWENS, PAJE
ORKILD-LARSON, MOLLY	OSBURN, ILA	OTA, JOHN	OWENS, PAJE
ORLICH, SAM	OSENBERG, JANE	OTERO, VIVIAN	OWENS, RAY
ORLIK, DAVID	OSER, JANET	OTHROW, MARGE	OWENS, THERESA
ORMAN, ELIZABETH	OSEROFF, PATRICIA	OTOOLE, JUDITH	OWYANG, SHERYL
ORME, KATHLEEN	OSHAUGHNESSY,	OTOOLE, JUDITH	OXMAN, SHAREN
ORNER, KAREN	SHANNON	OTOOLE, SHEALYNN	OYER, LOIS
OROURKE, K	O'SHEA, CAROLYN	OTT, CARLA	OZBURN, NANCY
OROURKE, KAREN	O'SHEA, GABRIELLE	OTT, ERIC	OZEL, JOHN
OROURKE, MARGARET	O'SHEA, KATIE	OTT, GERI	OZEL, JOHN
O'ROURKE, DAWN	O'SHEA, MAUREEN	OTT, GERI	OZEROFF, ELAINA
O'ROURKE, MELISSA	O'SHIELDS, MIRANDA	OTTEN, CONSTANCE	OZIAS, JULIE
O'ROURKE, MELISSA	O'SHIELDS, MIRANDA	OTTO, LAUREEN	OZIAS, JULIE
O'ROURKE, MELISSA	O'SHIELDS, MIRANDA	OTTO, TYLER	OZKAN, DOGAN
O'ROURKE, SUSAN	OSLAND, MICHELE	OTTOSEN, BOB	OZKAN, DOGAN
O'ROURKE, SUSAN	OSLE, ZILMA ADRIANA	OTTOSEN, CHRIS	OZKOK, GUMUS

OZMENT, KENNETH	PAGE-MELTZER, ERNA	PALUMBO TIRELLA, SYLVIA	PARHAM, MELISSA
OZMENT, KENNETH	PAGENKOPF, KRIS	PALUMBO, JACQUELINE	PARIS, KRISTINA
P, CECE	PAGUYO, LARRILYNN	PALUMBO, JULIEANN	PARIS, KRISTINA
P, J	PAINTER, BETH	PAMPLIN, KEITH	PARISH, NANCY
P, LUISA	PAIS, PAULA	PAN, DAWSON	PARISI, JENNIFER
P, M	PAISE, LAURA	PAN, MICHAEL	PARK, ANTHONY
P, P	PAISLEY-BRUNSKILL, NAN	PAN, PINKYJAIN	PARK, DONALD
P, P	PALACIO, ESTEFANIA	PAN, PINKYJAIN	PARK, KATHY
P, SUSANNE	PALACKY, TAMI	PAN, PINKYJAIN	PARK, NOEL
P, SUSANNE	PALACKY, TAMI	PANARISI, KATHLEEN	PARK, REBECCA
P, SUSANNE	PALACKY, TAMI	PANDEY, MEDHA	PARK, RYAN
P., BOB AND CAROLYN	PALADIN, JOHN	PANG, NAOMI	PARK, SALLIE
P., BOB AND CAROLYN	PALAFOUTAS, JOHN	PANIAGUA, ROSIRIS	PARKE, JULIA
P., BOB AND CAROLYN	PALANCA, TERILYN	PANIAGUA, ROSIRIS	PARKE, MARY M
PABST, VIRGINIA	PALAU, FLEUR	PANICO, NICHOLE	PARKER III, GORDON
PABST, VIRGINIA	PALEIAS, LINDA	PANICUCCI, DENNIS	PARKER III, GORDON
PACCIONE, VIRGINIA	PALENIK, JOHN	PANICUCCI, KAY	PARKER SAVAGE, ANGELIA
PACE, SCOTT	PALIMERI, KATHLEEN	PANIKAR, SURESH	PARKER, ALICE
PACE-CANDELARIA, ELLEN	PALL, LAVINIA	PANIKAR, SURESH	PARKER, DAN
PACELLI, ERIC	PALLA, PAUL	PANITZ, PATRICIA	PARKER, DANIEL
PACHECO, JEANNE	PALLADINO, RENEE	PANKANIN, JIM	PARKER, DEB
PACHECO, MICHELE	PALLANES, BEATRIZ	PANKEWICZ, LINDA	PARKER, DEBORAH
PACHECO, ROSEANNE	PALLEN, JOSEPH	PANKOWSKI, MARK	PARKER, DIAN
PACIFICO, ANTONIO	PALLER, LOU	PANNELL, BONNIE	PARKER, DIAN
PACIFICO, LYNN	PALLER, LUDWIG	PANTELIS, VERONICA	PARKER, DIXIE
PACK, BARBARA	PALM LARSON, SALLY	PANTHEA, MARIA	PARKER, ELAINE
PACKARD, RALPH AND KAY	PALM, LOWELL	PAPA, GAIL	PARKER, EVELYN
PACKARD, ROGER	PALMER, ALEX	PAPANDREA, JOHN	PARKER, FAITH
PACKER, PATRICIA	PALMER, ANN	PAPAZOGLU, BARBARA	PARKER, JAMES
PACLAWSKYJ, DOSIA	PALMER, CHERYL	PAPE, ANA	PARKER, JANICE
PACOT, KARIN	PALMER, CYNTHIA	PAPE, KATY	PARKER, JANICE
PADDOCK, ESTELLE	PALMER, DAVE	PAPIA, CYNTHIA	PARKER, JOYCE
PADEFORD, GRACE	PALMER, HELEN	PAPILLON, ALFRED	PARKER, JUDITH
PADEN, DONALD	PALMER, JANE	PAPP, ANNI	PARKER, JUDY B
PADGETT, ANTHONY	PALMER, JANET	PAPP, ANNI	PARKER
PADGETT, CLARY	PALMER, JANET	PAPPADUCAS, MICHELLE	PARKER, KARYN
PADGETT, JIMMY	PALMER, JOHN	PAPPALARDO, SUSAN	PARKER, KATHLEEN
PADGETT, LAUREL	PALMER, JUDY	PAPPANO, ALEXANDRA D.	PARKER, KATIE
PADGETT, LAURETTA	PALMER, KATHERINE	PAPPANO, ALEXANDRA D.	PARKER, KENDRA
PADGETT, LAURETTA	PALMER, LESLEY	PAPPANO, ALLIE	PARKER, ROBERT
PADGETT, LAURETTA	PALMER, NOLA	PAPPANO, RACHAEL	PARKER, SHARON
PADGETT, LINDA	PALMER, PAMELA	PAPPANO, RACHAEL	PARKER, TERRY
PADGETT, LORINDA	PALMER, PATRICE	PAPPAS, BETTY	PARKIN, JASON
PADILLA, ANITA	PALMER, RALPH	PAPPAS, CAROLE	PARKIN, PAULINE
PADILLA, ROSA	PALMER, RALPH	PAQUETTE, CLAIRE	PARKINS, JANET
PADMANABHAN, URMILA	PALMER, REBECCA	PAQUETTE, ELIZABETH	PARKINSON, JOHN
PADULA, KATHY	PALMER, REBECCA	PARADISO, NANCY	PARKS, ASHLEY
PAGANO, MARIA	PALMER, ROBERT	PARADY, KATHERINE	PARKS, BONNIE
PAGANUZZI, CINZIA	PALMER, SUSAN	PARAGIOS, CHARLENE	PARLATO, TINA
PAGE, ALICIA	PALMER, SUSAN	PARCELL, RUTH	PARMIGIANI, DIANE C
PAGE, CHERYL	PALMER, TAMARA	PARDEW, ISABELLE	PARNALL, JOANNE
PAGE, MATTHEW	PALMER, TAMARA	PARDI, MARCO	PARNALL, JOANNE
PAGE, MICHELE	PALMER, WILLIAM	PARDY, LINDA	PARNALL, JOANNE
PAGE, TERESA	PALMERIN, MARIO	PAREKH, JAI	PARNELL, CYNTHIA
PAGEL-HOGAN, ELIZABETH	PALMQUIST, ELAINE	PARHAM, MARY	
	PALMQUIST, WENDY		
	PALMQUIST, WENDY		
	PALOSKEY, TINA		
	PALTIN, SHARON		

PARNELL, FRANCIS	PASSARELLI, JONI	PATTERSON, HAYLEY	PAWLUKIEWICZ, AMY
PARNELL, RACHEL	PASSOA, VALERIE	PATTERSON, HAYLEY	PAXSON, ELIZABETH
PARO, GAYLE	PASSTY, J. N.	PATTERSON, HAYLEY	PAXTON, G.
PARO, GAYLE	PASSTY, J. N.	PATTERSON, KATHERINE	PAYDEN-TRAVERS,
PARO, GAYLE	PASTOR, DENIS	PATTERSON, LORRAINE	CHRISTINE
PARO, GAYLE	PASTOR, LORI	PATTERSON, PAM	PAYNE, BERNADETTE
PARO, GAYLE	PASTORINO, GINO	PATTERSON, PAM	PAYNE, BRITTANY
PARR, D. DENISE	PASTORINO, GINO	PATTERSON, RHONDA	PAYNE, BRITTANY
PARR, JAMES	PASTORINO, GINO	PATTESON, PATRICIA	PAYNE, DR ANNA
PARR, MICHELLE	PASTULA, ADAM	PATTIE, ANDREW	PAYNE, GENEINE
PARR, SARAH	PASTUSZAK, PATRICIA	PATTIST, KAREN	PAYNE, L E
PARR, STACY	PATAKI, SUANNE	PATTON, . THERESE	PAYNE, REX
PARR, WILLIAM	PATAKI, SUANNE	PATTON, CAROL	PAYNE, RICHARD
PARRA, BRENDA	PATAKI, SUANNE	PATTON, CATHY	PAYNEMILLER, LISA
PARRA, KAREN	PATE, JESSICA	PATTON, CATHY	PAZ Y MINO, JULIO
PARRA, MAURICIO	PATE, JESSICA	PATTON, JIM AND	PE, EL
PARRINI, RALPH	PATE, NATHAN	TAMMY	PE, EL
PARRIS, BRANDY	PATEL, SAGAR	PATTON, JIM AND	PE, EL
PARRIS, JOCELYN	PATEL, SAGAR	TAMMY	PE, EL
PARRISH, GEORGE J	PATEL, SAGAR	PATTON, LISA	PEACE, TOM
PARRY, CHRISTINA	PATEL, SAGAR	PATTY, SHANNON	PEACOCK, NANCY
PARRY, JAIMEE	PATEL, SAROSH	PATTYN, MARY BETH	PEACOCK, SHARON
PARRY, SANDRA	PATEL, SAROSH	PATZER, SUZANNE	PEAIRS, CLYDELL
PARSELL, SUE	PATEL, SAROSH	PAUL, ADRIAN	PEAIRS, FAYE
PARSHALL, SHARON	PATENAUDE, RICHARD	PAUL, ADRIAN	PEALE, MIKE
PARSHALL, SHARON	PATERN, RHONDA	PAUL, ADRIAN	PEALER, RENATE
PARSONS, DON	PATERNO, JOSHUA	PAUL, ADRIAN	PEARCE, BONNIE
PARSONS, GENE	PATERNO, JOSHUA	PAUL, BRANDON	PEARDOT, WENDY
PARSONS, MICHAEL	PATERNO, JOSHUA	PAUL, LAVONNE	PEARDOT, WENDY
PARSONS, MICHAEL	PATERNO, JOSHUA	PAUL, LESTER	PEARDOT, WENDY
PARSONS, NANCY	PATERNO, ROBERT	PAUL, MICHELE	PEARSON, BRANDY
PARSONS, RON	PATERNOSTER, FRANCIS	PAUL, RICHARD	PEARSON, DONNA
PARSONS, SUSAN	PATERSON, ALANNA	PAUL, RICHARD	PEARSON, JULIET
PARTIDA, GRACIE	PATERSON, JOYCE	PAUL, TAMARA	PEARSON, JULIET
PARTINGTON,	PATET, ALIX	PAULEY, THOMAS	PEARSON, KATHERINE
RAYMOND	PATINO, LARRY	PAULI, DAVID AND	PEARSON, LAURIE
PARTRIDGE, ASHLEY	PATMORE, LYNN	DIANE	PEARSON, LYNN
PARTRIDGE, RICHARD	PATNODE, DIANE	PAULLI, JILL	PEARSON, MELISSA
PARZICK, ANNE	PATRA, LYNN	PAULSON, BRENDA	PEARSON, MELISSA
PASANEN, MARY	PATRICCO, ANTHONY	PAULSON, RANDY	PEARSON, TIA
PASCHEL, RICHARD A	PATRICK, D. KAYE	PAULSON, RICK	PEARSON, TIA
PASCHKE, LUCY	PATRICK, JIM AND LYNN	PAULSON, WENDY	PEARSON, VALERIE
PASCHKE, THOMAS	PATRICK, JIM AND LYNN	PAULUS, JILL	PEARTHREE, PIPPA
PASCOUAU, RENEE	PATRICK, LESLIE	PAVCOVICH, MICHELLE	PEASE, DIANE
PASH, ERIC	PATRICK, THOMAS	PAVELICK, ELIZABETH	PEASE, DIANE
PASH, ERIC	PATRIZZI, LEE	PAVELICK, ELIZABETH	PEASE, JILL M
PASH, ERIC	PATRONELLA, MELISSA	PAVLAK, PATRICK	PEASE, LYDIA PEASE
PASKEL, SHELLA	PATRONELLA, MELISSA	PAVLINAC, SHERYL	PEASE, MUTSUKO
PASKIET, CLARE	PATTERSON, ALAN	PAVLOCK, LAWRENCE	PEASE, SPENCER
PASKOWITZ, NANCY	PATTERSON, CHARLES	PAVLOVA, MAIA	PEASLEE, JOAN
PASKOWITZ, NANCY	PATTERSON, EDITH	PAVONE, TERRENCE	PECCI, JANET
PASLEY, DEANN	PATTERSON, HAYLEY	PAVONE, TERRY	PECENY, CATHY
PASQUA, JOHN	PATTERSON, HAYLEY	PAWLAK, JANET	PECK, CARRIE
PASQUALI, LEE	PATTERSON, HAYLEY	PAWLOSKI, LINDA	PECK, DORI
PASQUALINI, JUDE	PATTERSON, HAYLEY	PAWLOSKI, LINDA	PECK, DORI
PASQUALINI, JUDE	PATTERSON, HAYLEY	PAWLOSKI, ROBERT	PECK, GEORGANN
PASQUALINI, LUCIA	PATTERSON, HAYLEY	PAWLOWSKA,	PECK, MARIA
PASSARELLI, JENN	PATTERSON, HAYLEY	WIOLETTA	PECK, PAMELA

PECK, PATRICIA	PENGILLEY, DONALD	PERKINS, GEOFF	PESKO, PAT
PECK, SUSANNE	PENICHE, LORI	PERKINS, GUY	PETER, JOAN
PECKHAM, THERESA	PENLAND, MEGAN	PERKINS, LELA	PETER, JOAN
PECSOK, KAREN	PENN, JANE	PERKINS, MEREDITH	PETER, JUDITH
PECSOK, KAREN	PENN, JANIE	PERKINS, SCOTT	PETERKIN, JOHN
PECSOK, KAREN	PENNA, CATHERINE	PERKINS, VAL	PETERMAN, MICHAEL
PEDEN, DAWN	PENNE, AL	PERKOWSKI, RICHARD	PETERMANN, HANS
PEDEN, LUCY	PENNELL, SHERRY	PERKS JR, WENDELL F	PETERS, BARBARA
PEDERSEN, ANNETTE	PENNINGTON, CAROL	PERLA, ASHER	PETERS, BRITTANY
PEDERSEN, JOANN	PENNINGTON, CAROL	PERLA, ASHER	PETERS, BRITTANY
PEDERSEN, KAREN	PENNINGTON, FRANCIS	PERLAZA, NANCY	PETERS, DAVID
PEDERSEN, LORIDEAN	PENNINGTON, GREG	PERLMAN, JANET	PETERS, ELLEN
PEDERSEN-HYLKA,	PENNINGTON, SHARYN	PERLMAN, PATRICIA	PETERS, EMILEE
LINDA	PENNINGTON, SHERRY	PERLMUTTER, MARTHA	PETERS, EMILY
PEDLER, STEPHANIE	PENNY, DIANA	D.	PETERS, EMILY
PEDLEY, JULIE	PENROD, TERRI	PERMUT, SUSAN	PETERS, JANET
PEDLEY, JULIE	PENROSE, LINDA	PERNA, JOELLE	PETERS, JOHN
PEDLEY, JULIE	PENTTILA, BRITA	PERNOT, SUSAN	PETERS, KATHLEEN
PEDRIANI, RACHEL	PEPIN, DAN	PERON, STEPHANIE	PETERS, LISA
PEDROZA, DONNA	PEPIN, DAN	PERRAULT, CAROL	PETERS, LYNN
PEEBLES, HELEN	PEPKOWSKI, NONA	PERRETT, ALLISON	PETERS, NANCY
PEELER, KAITLYN	PEPLINSKI, MARY	PERRETTA, FRANK	PETERS, ROBERT
PEELER, KAITLYN	PEPLINSKI, MARY	PERRI, MARIANNE	PETERS, SABINE
PEELER, ROBIN	PEPLINSKI, MARY	PERRICELLI, CLAIRE	PETERS, SARAH
PEHKOFF, JACQUELINE	PEPPE, CYNTHIA	PERRIGOUÉ, LINDA	PETERS, SARAH
PEIFFER, ANNE	PEPPE, RJ	PERRIN, MIMI	PETERS, SHERYL
PEINE, DEBBY	PEPPE, TIM	PERRIN, TAMARA	PETERS, SUSAN
PEIRCE, SUSAN	PEPPER, CATHERINE	PERRON, JAMIE	PETERS, SUSAN
PEKIN, EVELIN	PEPPER, ZEMP	PERRON, JULIET	PETERS, THOM
PELCH, ROSALIE	PERANI-WELSH, CARRI	PERRON, PATRICIA	PETERS, TINA
PELKA, URSULA	PERCOPO, DOMINIC	PERRON, PATRICIA	PETERS, VICKI
PELKA, URSULA	PERCY, KATIE	PERRY, ALEYDA	PETERSEN, ALICE
PELL, KEVIN	PERDUE, JOAN	PERRY, BRENDA	PETERSEN, ALICE
PELLEGRIN, PATTI	PEREIRA, ANITA	PERRY, BROOKE	PETERSEN, EARLINE
PELLEGRIN, PATTI	PEREIRA, DAN	PERRY, CHRISTINE	PETERSEN, ELIZABETH
PELLEGRIN, TERRY	PEREIRA, DONA	PERRY, ED	PETERSEN, ELSA
PELLEGRIN, TERRY	PEREIRA, PAULA	PERRY, HEIDI	PETERSEN, JENNIFER
PELLEGRINO, MADDOX	PEREIRA, SHEILA	PERRY, HELEN	PETERSEN, JOHN
PELLERIN, DAWN	PEREIRA, SHEILA	PERRY, JEANNIE	PETERSEN, NANCY
PELLERIN, TYRA	PERELMAN, CRISTINA	PERRY, JENNIFER	PETERSEN, NANCY
PELLETIER, KENNETH R	PEREYRA, CAROLYN	PERRY, JENNIFER	PETERSEN, NEENA
PELLETIER, VALERIE	PEREZ MORENO,	PERRY, LEE	PETERSON, ALLAN
PELLICANI, ANDREA	CONNIE	PERRY, LISA	PETERSON, BARBARA
PELLIZZARI, FLAVIA	PEREZ, ABIGAIL	PERRY, MARIE	PETERSON, BRENDA
PELLMAN, JULIE	PEREZ, ERIN	PERRY, MARIE	PETERSON, CHARLES
PELSMA, AKKIE	PEREZ, HOLLY	PERRY, NANCY	PETERSON, DANDY
PELTO, LORI	PEREZ, KATHY	PERRY, PAT	PETERSON, DAVID
PELTON, DREW	PEREZ, LAURALEE	PERRY, PAT	PETERSON, DAVID
PELZER, ANN	PEREZ, MARGARITA	PERRY, SHAREN	PETERSON, DAWN
PELZER, ANN	PEREZ, MILAGROS	PERRY, SUE	PETERSON, DEBORAH
PELZER, ANN	PEREZ, PATRICIA	PERRY, VIVIAN	PETERSON, EDIE
PEMBERTON, LINDA	PEREZ, SARA	PERRY, WILL	PETERSON, ELIZABETH
PEMRICK, ELLEN	PEREZ, SELENE	PERSAUD, OHARA	PETERSON, ERIK
PENASS, MARTIN	PEREZ, WINNIE	PERSONS, KATE	PETERSON, ERIK
PENCE, DEBRA	PERFREMENT, EILEEN	PERUCKI, KERRI	PETERSON, GAYLE
PENCKE, BIRGIT	PERINCHIEF, JANA	PESICKA, DAWN	PETERSON, GEORGIE
PENDER, JACQUELINE	PERINO, J. P.	PESINI, RITA	PETERSON, GEORGIE
PENDLEBURY, JACOB	PERINO, NINA	PESKIN, LAURA J.	PETERSON, JANET

PETERSON, JENNIFER	PETTIGREW, DONNA	PHILLIPS, CAROL	PICARD, DOLORES
PETERSON, JOHN	PETTIGROW, ROXANNE	PHILLIPS, CURTIS	PICARD, JOHN
PETERSON, JOHN	PETTINGER, JANA	PHILLIPS, DIANE	PICARD, NATHALIE
PETERSON, JULIE	PETTINGER, JANA	PHILLIPS, DONNA	PICCHETTI, GLORIA
PETERSON, KAREN	PETTIT, CAROL	PHILLIPS, DONNA	PICCININO, LJ
PETERSON, KAREN	PETTIT, JANE	PHILLIPS, DOUGLAS	PICCIONE, MARYANN
PETERSON, KAREN	PETTIT, KIMBERLY	PHILLIPS, ELIZA	PICCIRILLO, MAUREEN
PETERSON, KIM	PETTRY, NADENE	PHILLIPS, GEORGE	PICCO, TRISHA
PETERSON, KYLE	PETTWAY, BEVERLY	PHILLIPS, GEORGE	PICCOLO, ERIC
PETERSON, LAURA	PETTY, GINA	PHILLIPS, GEORGE	PICCOLO, JEFF
PETERSON, LAURENCE	PETTY, KAREN	PHILLIPS, HENRY	PICHARDO, WINIFRED
PETERSON, MA	PETTY, KATHLEEN	PHILLIPS, JACK	PICHER, H G
PETERSON, MA	PETTY, KEVIN	PHILLIPS, JANICE	PICHOTINO, NANCY
PETERSON, MARGARET	PETTY, SHARON	PHILLIPS, JANICE	PICHOTINO, NANCY
PETERSON, MATTHEW	PEVETO, LINDA	PHILLIPS, JOHN	PICHOTINO, NANCY
PETERSON, NANCY	PEVOTO, MARY	PHILLIPS, JOHN	PICINSKA,
PETERSON, NANCY	PEW, DON	PHILLIPS, JOHN	MALGORZATA
PETERSON, NANCY	PEYSER, CAROLE	PHILLIPS, JOHN	PICKENPAUGH, GARY
PETERSON, NANCY	PFAEFFLE, CHARLES	PHILLIPS, KAREN	PICKENS, WILLIAM
PETERSON, NIKKI	PFEFFER, DOROTHY	PHILLIPS, KAREN	PICKENS, WILLIAM
PETERSON, RICHARD	PFEIFER, NEZKA	PHILLIPS, KAREN	PICKER, HARVEY
PETERSON, RICHARD	PFEIL, ELIZABETH	PHILLIPS, KIMBERLY	PICKER, SETH
PETERSON, RICHARD	PFISTER, JAMIE	PHILLIPS, KIMBERLY	PICKERING, PATRICIA
PETERSON, ROBIN	PFISTER, JOSEPH	PHILLIPS, KIMBERLY	PICKERING, STEVEN
PETERSON, STANLEY	PFISTER, JOSEPH	PHILLIPS, LAURA	PICKFORD, PATRICK
PETERSON, TAJ	PFITZNER, JAMES	PHILLIPS, LESLIE	PICKLES, PENNY
PETERSON, TRACEY	PFITZNER	PHILLIPS, LESLIE	PICOT, J.B.
PETERSON, TRACEY	PFLUG, VALERIE	PHILLIPS, MARGARET	PICOT, J.B.
PETERSON, VICTORIA	PFLUGH, MELISSA	PHILLIPS, MARVIS J.	PICOT, J.B.
PETERSSEN, ANDREA	PFOST, FRANK	PHILLIPS, MAURA	PIDAL, RAQUEL
PETERSSEN, ANDREA	PHAM, MYLIEN	PHILLIPS, MOIRA	PIECUCH, CLARA
PETIPAS, JULIA	PHAM, MYLIEN	PHILLIPS, MONA	PIEKARSKI, CHRISTINE
PETITPAS, BETHANIE	PHAN, TAMMY	PHILLIPS, NICHOLAS	PIELENZ, CHRISTINE
PETTITI, PRISCILLA	PHELAN, CONNIE	PHILLIPS, PAMELA	PIERCE, BETTY
PETKOVA, IVA	PHELAN, LINDA	PHILLIPS, PATRICIA	PIERCE, BRIAN
PETLACK, HOWARD	PHELAN, LINDA	PHILLIPS, PAUL	PIERCE, CAROL
PETRAK, THANICE	PHELAN, WILLIAM	PHILLIPS, PAUL	PIERCE, HALLE L
PETRAK, THANICE	PHELAN, WILLIAM	PHILLIPS, PAUL	PIERCE, LORA
PETRASY, MARIE	PHELAN, WILLIAM	PHILLIPS, PAULA	PIERCE, P
PETRELLA, SUSAN L	PHELPS, JANICE	PHILLIPS, RUSSELL	PIERCE, P
PETRE-MILLER, DANA	PHELPS, KIM	PHILLIPS, RYAN	PIERCE, PEGGY
PETREY, KATHERINE	PHELPS, KIM	PHILLIPS, RYAN	PIERCE, RICHARD
PETRI, NANCY	PHELPS, LESLIE	PHILLIPS, SUSAN	PIERCE, ROSE
PETRICK, CANDY	PHENIX, ANJA	PHILLIPS, VALERIE	PIERCE, SHAWN
PETRIDES, OLIVIA	PHIBBONS, LAURIE	PHILLIPS, VALERIE	PIERCE, STEPHANIE
PETRILLO, DIANE-	PHIL MCPHERSON,	PHILLIPS, VALERIE	PIERCE, STEPHANIE
MICHELE	CINDY PARDEE	PHILLIPS-CALAPAI, JEAN	PIERCE, STEPHANIE
PETRILLO, DIANE-	PHIL MCPHERSON,	PHILLIS, SUSIE	PIERCE, STEPHANIE
MICHELE	CINDY PARDEE	PHILPOTT, MELISSA	PIERCE, TANYA
PETRO, PATRICIA	PHILIP, CECIL	PHIPPS, JAMES	PIERCEY, LIZ
PETROKUBI, ANNE	PHILIP, CECIL	PHIPPS, JERRY	PIERCEY, LIZ
PETRONE, CHERYL	PHILIPS, PATRISA	PHIPPS, NANCY	PIERCEY, LIZ
PETRONE, CHERYL	PHILLEO, DAVID	PHIPPS, NANCY	PIERRE, BERNICE
PETRONIK, ANNA	PHILLIPS, ANITA	PHOENIX, ANGELA	PIERRI, FRANK
PETRONIK, ANNA	PHILLIPS, ANN	PHOENIX, CHRIS	PIERRI, FRANK
PETRUCCELLI, PAUL	PHILLIPS, BARBARA	PHOENIX, CHRIS	PIERRI, JUDITH
PETRUZZI, MARYKE	PHILLIPS, BEVERLY	PHOENIX, JUDITH	PIERRO-GREENE, KIM
PETSCH, TIMOTHY	PHILLIPS, BRIANNE	PIANALTO, FREDERICK	PIERSIALLA, LEONARD

PIERSON, CAROLYN CLARK	PINTO, SABINA PINTO, SABINA	PLASKET, WHITNEY PLASKON, CAREN	POHLE, LINDA POINSETT, ANGELA
PIERSON, CATHERINE	PIONTKOWSKI, BRAD	PLASKY, PAULA	POINTS, SHAWNA
PIERSON, DANA	PIOTROWSKI, JASON	PLATT, MARILYN	POIRIER, MAGDA
PIERSON, JULIE	PIPER, GLORIA	PLATT, PENNY	POIRIER, YVONNE
PIERSON, JULIE	PIPER, JANET	PLATT, ZACH	POISL, DONNA
PIERSON, NEILIA	PIPER, JONATHAN	PLATTER-RIEGER, MARY F	POISL, DONNA
PIERUCKI, JENNY	PIPER, RUSSELL W	PLAUGHER, VICTORIA	POKELA, TIM
PIETKIEWICZ, VERONIKA	PIPKIN, MARY	PLAUTZ, ANDREA	POKLEMB, JANE
PIETRAPIANA, CRISTIAN	PIRAINO, HEIDI	PLAUTZ, DEBRA	POKLEMB, JANE
PIETROWSKI-CIULLO, EVELYN	PIRAINO, JANET	PLAVCAN, MICHAEL	POKORNY, TAMMIE
PIETRZYK, EDWARD	PIRAZZI, TINA	PLAYER, SANDRA	POLAND, BARBARA
PIETRZYK, EDWARD	PIRE, PAT	PLAYER, SANDRA	POLAND, DIANNE
PIETRZYK, EDWARD	PIRKLE, THERESA	PLAZA, CARMEN	POLAYES, JOANNE
PIETRZYK, EDWARD	PIROTTE, DANIELLE	PLEAK, SUSAN	POLCZYNSKI, ERIC
PIFFERO, BARBARA	PIRRONE, MARTHA	PLINER, ELLIOT	POLENBERG, AMY
PIGFORD, TERRI	PIRRONE, MARTHA	PLISHKA, DEBRA	POLESKY, ALICE
PIGFORD, TERRI	PIRTLE-CONNELLY, NANCY	PLISHKA, DEBRA	POLI, MARYLOUISE
PIKE, EVETTE	PISANI, CLAUDIA	PLISKIN, JACK	POLICH, BARBARA
PIKE, LAURA	PISANO SIMONE, LOUISE	PLISKIN, LUCY	POLITE, DON
PIKER, T	PISANO SIMONE, LOUISE	PLOCHOCKI, MARIA	POLITO, NANCY
PIKER, TANYA	PISANO SIMONE, LOUISE	PLOSKI, WILLIAM	POLITTE, MARGARITA
PILCHER, TONYA	PISANO SIMONE, LOUISE	PLOTKIN, RABBI ADELE	POLITZER, ANDREW
PILEWSKI, JAMES	PISANO SIMONE, LOUISE	PLOTKIN, RABBI ADELE	POLITZER, SIMON
PILGER, CARRIE	PISANO, LISS	PLOTNIK, JEFFREY	POLITZER, ZINNIA
PILGRAM, MARYANNE	PISETSKY, ROY	PLOURDE, CAROLE	POLIVANOV, LEXY
PILHOLSKI, FRANK	PISONI, CHARLOTTE	PLOVNICK, ISAIAH	POLK, LYNNE
PILKINGTON, KATHY	PISTANA, DENISE	PLUCINSKI, WANDA	POLK, MICHAEL
PILTZ, KATHY	PISTNER, DAVID	PLUMB, SONJA	POLK, NORA
PIMENTEL, KAREN	PISTOLESI, LINDA	PLUMMER, KATALIN	POLK, NORA
PINAL, RACHEL	PITAGNA, LAURA	PLUMMER, LINDA	POLK, SANDRA
PINA-PEREZ, EVELIO	PITAGNA, LAURA	PLUNKETT, VIRGINIA	POLL, CAROL
PINC, J MICHAEL	PITAGNA, LAURA	PLUSKA, JACKIE	POLLACK, ALAN
PINCHIN, GLENYS	PITNER, EMILY	PLUSKAT, SUZANNE	POLLACK, ANITA
PINCHOT, DOLORES	PITSKER, POLLY D	PLYMAN, CATHY	POLLAK, JEANNIE
PINCKARD, CORY	PITT, JON	POCKELL, NORMAN	POLLAK, JEANNIE
PINE, JOSLYN	PITT, JON	PODLESAK, PATRICIA	POLLET, TRISTIN
PINEDA, ANNALEE	PITT, JON	POE, ANN	POLLET, TRISTIN
PINEDA, ANNALEE	PITTELLI, MICHAEL	POE, JAMES	POLLEY, ELIZABETH
PINEDA, FAYE	PITTELLI, MICHAEL	POEHLER, GAIUS	POLLEY, ELIZABETH
PINEDA, JACKIE	PITTENDRIGH, ADELE	POEHLMANN,	POLLEY, ELIZABETH
PINETTE, ALLISON	PITTMAN, CASEY	PENELOPE	POLLEY, ELIZABETH
PINILLA, LESLIE	PITTMAN, CASEY	POELMA, CHRIS	POLLEY, ERIN
PINKERTON, ANNE	PIVONKA, LORI	POESSEL, SHARON	POLLINZI, REBECCA
PINKERTON, JOE	PIZARRO, JUDY	POETTLER, SISSY	POLLOCK, DIANA
PINKHASOV, ELIZABETH	PIZZIO, GEORGE	POFFENBERGER, JOHN	POLLY, JOHN
PINNT, JEANNINE	PIZZO, BRYNA	POGEL, G	POLO, SHARON
PINO, DOLORES	PIZZO, JOHANNA	POGEL, G	POLONKA, JACK
PINSON, LUAN	PIZZO, JOHANNA	POGEL, GLORIA	POLOUS, JEAN
PINSON, LUAN	PIZZO, RENE	POGEL, GLORIA	POLSON, DONNA
PINTAGRO, THOMAS	PIZZUTO, VANESSA	POGEL, GLORIA	POMIES, JACKIE
PINTER, JONATHON	PLAGMANN, JAMES	POGEL, GLORIA	POMIES, JACKIE
PINTO, ANNA	PLAISANCE, YVETTE	POGEL, GLORIA	POMPA, JOHNNY
PINTO, ERICA	PLAKTINA, ANNA	POGGI, PIETRO G.	POMPER, ELIZABETH
PINTO, ERICA	PLANK, JULIANE	POGUE, WILLIAM	POMPER, NAOMI
PINTO, JULIANN	PLANTZ, PAULETTE	POGUE, WILLIAM	POMPER, SID
PINTO, SABINA		POGUE, WILLIAM	PONCE, GAYELYN

PONCHOT, SUSAN	PORTER, ELIZABETH	POUNDS, JIM	PREFONTAINE, EILEEN
PONCHOT, SUSAN	PORTER, JOELLE	POWELL, CINDY	PREFONTAINE, JOAN
POND, CHRISTOPHER	PORTER, JOELLE	POWELL, CONNIE	PREISINGER,
POND, CHRISTOPHER	PORTER, JUDITH	POWELL, CONNIE	CLAUDETTE
PONDER, ANGELA	PORTER, MARA	POWELL, CONNIE	PREISINGER,
PONESSA, RAMONA	PORTER, MARK	POWELL, DALE	CLAUDETTE
PONGALLO, DAN	PORTER, MARY	POWELL, GAIL	PRELLWITZ, CARL
PONK, ITALIA	PORTER, MORGAN	POWELL, JESSIE	PRELLWITZ, JOHN
PONS, CANDIDA	PORTER, NM	POWELL, JULIE	PREMOCK, MARK
PONS, KERRIE	PORTER, SHARYN	POWELL, KATHLEEN	PRENDIVILLE, JERAMI
PONSFORD, SHARON	PORTER, SHERRY	POWELL, KATHLEEN	PRENDIVILLE, JERAMI
PONTERIO, LINDA	PORTER, SUSAN	POWELL, KATHLEEN	PRENDKI, WILLIAM
PONTIOUS, ELAINE	PORTER, SUSAN	POWELL, KATHLEEN	PRESLEY, MARY LOU
PONZIO, RENEE	PORTER, TIM	POWELL, KATHLYN	PRESSER, SANDRA
POOL, ROBERT	PORTER, TIM	POWELL, NERYS	PRESSIMONE, MELISSA
POOLE, DIANE	PORTER, TIM	POWELL, NINA	PRESSIMONE, MELISSA
POOLE, LEIA	PORTER, TIM	POWELL, REBECCA	PRESSIMONE, MELISSA
POOLE, NATALIE	PORTER, TIM	POWELL, ROSS	PRESSIMONE, MELISSA
POOLE, PATRICIA	PORTER, ZACH	POWELL, SABRINA	PRESTI-STRINGFELLOW,
POOLE, SUSY	PORTER-DESTEFANO,	POWELL, STEPHEN	KEATON
POOLER, CAROLE	KATHLEEN	POWELL, STEPHEN	PRESTI-STRINGFELLOW,
POOLEY, CHARLIE	PORTER-DESTEFANO,	POWELL, THOMAS K	KEATON
POOLEY, LYNN	KATHLEEN	POWELL-SCHAGER,	PRESTON, BARBARA
POOR, LORRAINE	PORTIS, PRISCILLA	BARBARA	PRESTON, LUCY
POORE, DOUGLAS	PORTS, MARK AND LOIS	POWER, JEAN	PRESTON, LUCY
POP, MARIA	POSCH, ROBERT	POWER, LAUREL	PRESTON, RICHARD
POPA, LARISSA	POSCHARSCKY, DEBRA	POWERS, ELENA	PRETTYMAN, GAYLE
POPE, DONNA	POSNER, ANN	POWERS, JOHN	PREUSS, GINNIE
POPE, JACKIE	POSNER, REBECCA	POWERS, KATHRYN	PREVOST, VIRGINIA
POPE, JOHN	POSNICK, PAULA	POWERS, KAY	PREXL, ESTHER
POPE, SUSAN	POST, HEATH	POWERS, MARLENE	PREXL, ESTHER
POPESON, SPENSER	POST, HEATH	POWERS, SCHERRY	PREXL, ESTHER
POPKO, JANE	POST, JAMES	POWERS, SUSAN	PRICE, ALLEN
POPOLIZIO, CARLO	POST, PETER	POWERS, SUSAN	PRICE, CHERYL
POPP, BYRON	POST, SUZANNE	POWLEY, CAROL	PRICE, DEBBIE
POPP, CHRIS	POST, TIMOTHY	PRADO, BONNIE	PRICE, HARRY
POPP, HARVEY	POSTEL, ELIZABETH	PRADO, RONALD	PRICE, JAY
POPPA, RICHARD	POSTEL, RUS	PRAG, MARGARET	PRICE, JOHN
POPPE, DOROTHY	POSTORINO, JEANNETTE	PRAMHAS, ADELHEID	PRICE, JUDY
POPPLTON, REBECCA	POTERE, L	PRANDI, LINDA	PRICE, LILIANA
PORADA, LIDIA	POTREPKA, KATHLEEN	PRASAD, KAMAL	PRICE, LILIANA
PORCELLI, MAUREEN	POTTER, BARBARA	PRAT, NANCY	PRICE, LINDA
PORCELLI, MAUREEN	POTTER, BETTY	PRATHER, WENDY	PRICE, MARA
PORCELLI, MAUREEN	POTTER, ELIZABETH	PRATT, BILL	PRICE, MARA
PORCELLO, JAMES	POTTER, NOLA	PRATT, CAROL	PRICE, MARA
PORCHER, JANEENE	POTTERAT, SUSAN	PRATT, DEBBI	PRICE, MARA
PORCINO, NANCY	POTTS, GARRY	PRATT, DEBRA	PRICE, MARTHA
PORITZKY, ROBIN	POTTS, JANIS	PRATT, JOY	PRICE, MARTHA
PORRECA, AUDREY	POTTS, RANDALL	PRATT, THERESA	PRICE, MARTHA
PORRECA, DANIELLE	POTTS, WILLIE	PRATT, THERESA	PRICE, MARTHA
PORTALA, BETHANNE	POTVIN, JON	PRATT, WENDY	PRICE, MARY
PORTER MD, JON	POU, TESSA	PRAUS, DIANA	PRICE, NOAH
PORTER, BARBARA	POUGH, CAROL	PREAU, MAUREEN	PRICE, RHENDA
PORTER, BETSEY	POULOS, MICHAEL	PREBLE-NIEMI, ORALIA	PRICE, THOMAS
PORTER, BRIAN	POULSEN, BARBARA	PREDDY, CLAUDIA	PRICE, WINIFRED
PORTER, CHARLENE	POULSEN, BARBARA	PREDMORE, GAYNELLE	PRICE, DENYCE
PORTER, CINDY	POULSON, MARV	PREFONTAINE, EILEEN	PRICHARD, PHILLIP
PORTER, CYNTHIA	POUND, MSGT MICHAEL	PREFONTAINE, EILEEN	PRICKETT, ELINOR

PRIDE, CHLOE	PROVOST, CLIFFORD	PUGH, JOEY	QUAINTANCE, HOWARD
PRIDGEN, JILL	PROVOST, LIN	PUGH, LINDSAY	QUAINTANCE, HOWARD
PRIEHS, TIMOTHY	PROVOST, RUTH	PUGH, SHARON	QUALLS, BOBBI
PRIEM, LOU	PROWSE, JAE	PUGLIA, MARY	QUALLS, BOBBI
PRIER, DEBORAH	PRR, GREG	PUIG, BRIANDA	QUALLS, BOBBI
PRIEST, MITZI	PRUDDEN, BETH	PULFORD, BRUCE	QUANE, LISA
PRIETO, ROSALIE	PRUDEN, GINGER	PULLARO, CHARLES	QUAY, KAREN
PRIEWE, SEAN	PRUDEN, GINGER	PULLARO, CHARLES	QUAY, KAREN
PRIGGINS, TAMMI	PRUEGEL, STEFANIE	PULLEY, CAROL	QUAY, KAREN
PRIGGINS, TAMMI	PRUESS, DARLENE	PULTZ, KIMBERLY	QUENELL, GERALD
PRILLAMAN, JANINE	PRUET, MARY	PULTZ, KIMBERLY	QUENTEL, PATTY
PRIM, BROOKE	PRUITT, CHRISTINE	PULTZ, KIMBERLY	QUENTIN, MARGARET
PRIM, BROOKE	PRUITT, DAVID	PUMA, MARIA	QUERNER, KATHLEEN
PRIMROSE, MAGDELINE	PRUITT, PATRICIA	PUMPHREY, JANICE	QUESTAR, V
PRIMUS, CAROLYN	PRUITT, PATRICIA	PUNCH, SUZANNE	QUEZADA, MARIN
PRINCE, JEANNETTE	PRUITT, PATRICIA	PUNCHES, JILL	QUEZADA, VANESSA
PRINCE, NOELLE	PRUITT, PATRICIA	PUNNEO, SHERYLL	QUEZADA, VANESSA
PRINCE, STEVE	PRUITT-PALMER, MARIE	PUNTA SECCA, JUANITA	QUICK, DAVID
PRINGLE, PATRA	PRUITT-PALMER, MARIE	PUNTA SECCA, JUANITA	QUIGLEY, APRIL
PRIOR, ELLEN	PRUITT-PALMER, MARIE	PURCELL, BRIANA	QUINBY, CHRISTINA
PRITCHARD, JEAN	PRUM, JOAN	PURCELL, TABITHA	QUINET, LINDA
PRITCHARD, JOAN	PRUSA, PATRICIA	PURCELL, TABITHA	QUINLIVAN, DIANE
PRITCHARD, MARY	PRUSHINSKI, LAURA	PURES, DIANE	QUINLIVAN, DIANE
PRITCHARD, ROGER	PRUSSE, JENNIFER	PURNELL, MICHAEL	QUINN, CAROLYN
PRITCHETT, SARAH	PRYBYLSKI, JOHN	PURSLEY, SARAH	QUINN, CHARITY
PRITT, SUSAN	PRYBYLSKI, JOHN	PURSLEY, SARAH	QUINN, CHARLES AND
PRITT, SUSAN	PRYBYLSKI, JOHN	PURUCKER, SUSANNA	DIANA
PROBECK, LINDA	PRYCE, MARYANN	PURVIS, PAULA	QUINN, DEBBIE
PROBERT, MATT	PRYCHODKO, NICHOLAS	PURVIS, PAULA	QUINN, HARLEY
PROBST, KATRINA	PRYCH, ANN	PUSATERI, VINCENT G	QUINN, HARLEY
PROBST, REBECCA	PRYNOSKI, BARBARA	PUSCH, EDMUND	QUINN, HARLEY
PROCIDANO, MARY	PRYOR-LUZIER, MARESA	PUSEL, JOYCE	QUINN, KATHLEEN
PROCTOR, ELLEN BELLE	PRYOR-LUZIER, MARESA	PUSEL, JOYCE	QUINN, MARKA
PROCTOR, KIM	PRZYBYLSKI, LAUREL	PUSO, DIANE	QUINN, MELYNDA
PROCTOR, MARCIA	PRZYBYLSKI, LAUREL	PUSTELNIK, ANITA	QUINN, PATRICIA
PRODOEHL, MIRCELLIA	PUBLEE, JEAN	PUT, PETE	QUINN, PATRICIA
PRODOEHL, PATRICIA	PUBLEE, JEAN	PUT, PETE	QUINN, PATRICK
PRODOEHL, TRISHA	PUBLEE, JEAN	PUT, RE	QUINTANA, JOE
PROEBSTING, WILLIAM	PUBLEE, JEAN	PUT, RE	QUINTANA, PATTY
PROEGER, TERRY	PUC, ROB	PUT, RIB	QUINTANA, PILAR
PROENZA, LYNN	PUC, ROB	PUT, ROB	QUINTANA, VANESSA
PROFANT, MICHELLE	PUC, ROB	PUT, ROB	QUIRARTE, KELSEY
PROFIT, CAROL	PUC, ROB	PUTMAN, HOLLY	QUIRK, GERALDINE
PROIETTA, SUSAN	PUC, ROB	PUTNAM, AMANDA	QUIRK, KAREN
PROJANSKY, CAMALA	PUC, ROB	LOUISE	QUIROS, DONNA
PROPST, CANDACE	PUCA, ROBERT	PUTRICH, STEVEN	QUIST, ELIZABETH
PROPST, PAULA	PUCA, ROBERT	PUTT, GINA	QUISTORFF, CASSIDY
PROSNITZ, SANDRA G.	PUCA, ROBERT	PUTZI, MATHEW	QUITTNER, CLAUDIA
PROSTKO, LINDA	PUCCI, JOSH	PYHALAMPI, JUTTA	R HARLOW, PATRICIA
PROSTKO, LINDA	PUCCI, JOSH	PYLE, SUANNE	R HARLOW, PATRICIA
PROTEAU, MARY	PUCHYR, CAROL	PYLE, SUANNE	R HARLOW, PATRICIA
PROUDFIT, LINDA	PUCKETT, KAREN	PYLE-VOWLES, DEVON	R HARLOW, PATRICIA
PROUTY, LESLIE	PUDUSKI, MARY	PYSSON, CHERI	R NIBLACK, NATALIE
PROVANCE, DONNA	PUDUSKI, MARY	PYUN, LYDIA	R, A
PROVANCE, DONNA	PUDZIANOWSKI,	Q, JESS	R, C
PROVANCE, DONNA	ANDREW	Q, JESS	R, D
PROVENZANO, DEBRA	PUENTES, FELENA	QUAAS, PATTI	R, D
PROVENZANO, SHARI	PUERTA, JEANNE	QUACKENBUSH, KAY	R, HOLLY
	PUFAHL, APRIL	QUADE, ROSE	R, JOE

R, K	RAHIKAINEN, PATRICIA	RAND, RENATE	RASMUSSEN RANZ, LAUREN
R, KELLIE	RAHMAN, LINDA	RAND, SHERRI	RASMUSSEN, ANNIE
R, KRISTN	RAHN, ELKE	RANDALL, ANNETTE	RASMUSSEN, BRUCE
R, LOU	RAIBLE, ANNETTE	RANDALL, DORENE	RASMUSSEN, DAVID
R, R	RAIMONDO, TERRI	RANDALL, DORENE	RASMUSSEN, KAREN
R, S	RAIMONDO, TERRI	RANDALL, DORENE	RASMUSSEN, KATHIE
R, S	RAINERI, DONNA	RANDALL, KAY	RASMUSSEN, SERENA
R. WATSON, MICHAEL	RAINES, ANTONETTE	RANDALL, L.	RASMUSSEN, SHANNON
R., KATY	RAINES, MICHAEL	RANDALL, LISA	RASPA, DORIS
R., MARY	RAINES, SANDRA	RANDALL, LISA	RASPOTNIK, RANDY
R., YOLANDA	RAINES, SANDRA	RANDALL, SHERI	RASPOTNIK, RANDY
RA, MOHAMMED	RAITE, SARAH	RANDELL, JULIE	RASTETTER, WILLIAM
RAAB, FRANCES	RAITH, STEVEN	RANDERSON, SUSAN	RATCHMAN, GREG
RAAB, THEODORE K	RAJAN, KRISHNA	RANDOL, ADRIANA	RATCLIFF, PHILIP
RAAB, THEODORE K	RAJKUMAR,	RANDOLPH, ANNE	RATCLIFF, PHILIP
RAASCH, CAROLYN	NADARAJAH	RANDOLPH, DEE	RATHBONE, MARJORIE
RAATZ, ANNETTE	RAJKUMAR,	RANDOLPH, ERIKA	RATHMANN, PATRICIA
RABBITT, PAULETTE	NADARAJAH	RANDOLPH, JOHN	RATNER, RONALD
RABE, KEN	RAKONCAY, ARLENE	RANDOLPH, JOHN	RATTIGAN, CHRISTINE
RABELER, VALERIE	RAKOW, TAMARA	RANDOLPH, JONADINE	RATZLAFF, KAREN
RABIDEAU, SUSAN	RAKOW, TAMARA	RANDOLPH, PAMELA	RAU, ERIN
RABIN, PAT	RALL, BEN	RANDOLPH, PAMELA	RAUBOLT, KIM
RABIN, SOPHIE	RALL, BEN	RANDOLPH, TRACY	RAUCH, EDDIE
RABON, ANGELA	RALL, BEN	RANDOW, ALEX	RAUCH, GEOFFREY
RABY, JACK	RALPH, STEVEN	RANDOW, PAT	RAUDRY, SUSAN
RACE, MARGERY	RALSTON, SOPHIE	RANEY, JENNIFER	RAUM, SILVIA
RACE, MARGERY	RAMAKER, JULIANNE	RANGEL, LOUISE	RAUP, BRUCE
RACELES, DONNA	RAMAR, STEVEN	RANGEL, LOUISE	RAUSCHER, JANET
RACINE, BARBARA	RAMAURO, MICHELLE	RANGER, SHARI	RAUTUS, TONI
RACINE, JOE	RAMBOW, ROSEMARY	RANGNE, MONICA	RAUTUS, TONI
RACIOPPO, RITA	RAMIREZ REED,	RANIERI, RICHARD	RAVITTS, RICKI G.
RACOBS, RICK	BENJAMIN	RANKIN, BOB	RAVITZ, LORI
RADDEN, DAVID	RAMIREZ, ANGELA	RANKIN, C	RAWLINGS, MARIE
RADDER, PATRICIA	RAMIREZ, ANGELA	RANKIN, CAROLYN	RAWLINGS, PETER
RADER, JAN	RAMIREZ, HANK	RANKIN, CINDY	RAWLINS, ELSIE
RADER, PATTI	RAMIREZ, JESSICA	RANKIN, JANE	RAWN, LANA
RADIMER, LINDA	RAMIREZ, JESSICA	RANKIN, WILLIAM	RAWS, MARY
RADKE, IRENE	RAMIREZ, LEA	RANSOM, CAT	RAXTER, DILLON
RADLEY, VICTORIA	RAMIREZ, MARY	RANZ, GARY E.	RAY, ALICE
RADU, OCTAVIA	RAMIREZ, MARY	RAPAGNANI, RENO	RAY, AMBER
RADZIETA, DENISE	RAMIREZ, RICHARD	RAPER, CONNIE	RAY, CAROLYN
RADZIK, STEVEN	RAMIREZ, TERESA	RAPER, CONNIE	RAY, CHARLES
RAE, BEVERLY	RAMIREZ, YOLANDA	RAPOSO, CESAR	RAY, CODY
RAE, JESSICA	RAMON, LAURA	RAPOSO, CESAR	RAY, FRANCIS
RAE, MARY-ANNA	RAMOS, EURY	RAPOSO, CESAR	RAY, JENNIFER
RAEL, JANICE	RAMOS, JOANN	RAPP, ANN	RAY, JKAREN
RAFFERTY, JAMIE	RAMOS, JOANN	RAPP, LAUREN	RAY, KAUSHIK
RAFFERTY, KEITH	RAMOS, SIGRID	RAREY, TOM	RAY, KIMBERLY
RAFORTH, LAURA	RAMPI, PHILIP	RAREY, TOM	RAY, LAURA
RAGALYI, SARAH	RAMSEY II, DONALD	RARICK, ROBERT	RAY, M. DENISE
RAGHAVAN, GOPAL	RAMSEY, PATRICIA	RASCHE, SANDRA L	RAY, M. DENISE
RAGLAND, DIANE	RAMSEY, PHILIP	RASHMAN, H	RAY, MARIANNE
RAGLAND, JOAN	RAMSEY, WALTER	RASKE, MOLLY	RAY, MAUREEN
RAGO, MARIE ELAINA	RAMUNDO, MELISSA	RASKEY, ROBERT	RAY, NICOLE
RAGON, SCOTT	RANALLO, SANDY	RASMUSSEN RANZ, LAUREN	RAY, SHARON
RAHARDJO, MANDY	RANCATTI, JAN	LAUREN	RAY, SHARON
RAHAV, MARITTE	RANCOURT, CINDY	RASMUSSEN RANZ, LAUREN	RAY, SUZANNE
RAHBAR, ASAD	RANCOURT, SHANNON		
	RAND, MARCO		

RAY, SUZANNE	REDMOND, TIM	REEVES, DON	REID, DAVID
RAY, TAMI	REDWING, LIZ	REEVES, JAMES	REID, ELBERTA
RAYBURN, BOB	REDWOMIN, THUNDER	REEVES, JAMES	REID, JOHN
RAYMER, SARAH	REED, ANN	REEVES, JAMES	REID, KAREN
RAYMER, SARAH	REED, ANN	REEVES, JAMES	REID, KAREN
RAYMOND, CATHERINE	REED, ANNA	REEVES, JERRY	REID, LUCIA
RAYMOND, DEBRA	REED, ANNA	REEVES, JERRY	REID, MARLYS
RAYMOND, KAREN	REED, AVIS	REEVES, KEN	REID, MARLYS
RAYMOND, MICHAEL	REED, CLAUDIA	REEVES, LENORE	REID, MARLYS
RAYMOND, MICHAEL	REED, DAWN	REEVES, LENORE	REID, MARLYS
RAYMOND, MICHAEL	REED, DAWN	REEVES, LENORE	REID, MATTHEW
RAYMOND, MICHAEL	REED, DAWN	REEVES, MARYANN	REID, RUTH
RAYMOND, NANCY	REED, DAWN	REEVES, PAULA	REID, SUSAN
RAYNOLDS, MARGARET	REED, DIANE	REFAAT, PAULINE	REIDENBACH, GREGORY
RE, PUT	REED, DIRK	REFSLAND, LUCIE	REIF, SUSAN
REA, HENRY	REED, LESLEE	REGALADO, GEOFF	REIFF, DAVID
REA, LINDA	REED, LINDA	REGALADO, GEOFF	REIFKE, KATHLEEN
REAGAN, PAMELA	REED, LIZ	REGALADO, GEOFF	REIFMAN, JAMIE
REAGAN, RONALD	REED, MARY	REGALADO, GEOFF	REIFMAN, JAMIE
REALE, ELAINE	REED, MIHO	REGALADO, GEOFF	REIGH, NATALIE
REALI, MARY	REED, NANCY	REGALADO, GEOFF	REIGH, NATALIE
REALI, MARY	REED, ROBERT	REGALADO, MICHAEL	REILLING, MAUREEN
REALI, MARY	REED, ROBERT M AND	REGAN, DIANA	REILLO, HECTOR
REAM, CAROL	CAROL G	REGAN, LUCY	REILLY, ANN
REAM, CATHY	REED, ROBERT M AND	REGAN, MARILYN	REILLY, GLORIA
REAM, CATHY	CAROL G	REGAS, VICTORIA	REILLY, JUDITH
REAMS, SHIRLEY	REED, RON	REGELE, DEBORAH	REILLY, JUDITH
REARDON, JENNIFER	REED, SANDY	REGEN, GRACIE	REILLY, STEVEN
REARDON, JENNIFER	REED, SANDY AND	REGEN, HAMILTON	REILLY, STEVEN
REARDON, LOUISE	RANDY	REGO, DALTON	REILLY, STEVEN
REASON, RICHARD	REED, STEPHANIE	REGUSH, LISA	REINERTSON, MARY
REAUME, WAVE	REED, TOWNER	REGUSH, LISA	REINFRIED, KAY
REAVES, GERRI	REED-MD, MELVIN	REHBERG, CINDY	REINGOLD, ROBERT
REAVES, GERRI	REEDY, KAREN	REHBERG, CINDY	REINGOLD, ROBERT
REAVES, GERRI	REEDY, LINDA	REHDER, MELISSA	REINGOLD, ROBERT
REAVIS II, WILLIAM	REEDY, STACY	REHM, KAREN	REINHART, MARVIN
REBACK, MARK	REEK, MARGARET	REHN, DEBRA	REINHART, MARVIN
REBACK, MARK	REEL, BROOKE	REIBOLD, KAY	REINHART, MARVIN
REBACK, MARK	REES, COLIN	REIBSCHEID, M	REINHART, NANCY
REBER, SANDRA	REES, JUDY	REIBURN, SANDY	REINHART, NANCY
REBMAN, DIANA	REES, MELISSA	REICH, KAREN	REINHART, ROBIN
REBSON, DANIEL	REES, MELISSA	REICH, LISA	REINHOLD, CAMILLE
RECCA, FRANCES	REES, TED	REICH, LISA	REININGER, MAUREEN
RECEK, JUDITH	REESE, CATHLEEN	REICH, PATTY	REINSDORF, MARSHALL
RECHTIN, N. CLARK	REESE, DONNA	REICH, PAULA	REIS, JOURDAN
REDDOCH, BARBARA	REESE, DREW	REICHARD, DEBORAH	REISENBICHLER, REG
REDDOCH, SAMUEL	REESE, MYKEL	REICHARD, JANET	REISER, REBA
REDDY, JAYA	REESE, MYKEL	REICHART, JANET	REISLAND, MELISSA
REDDY, KATHLEEN	REESE, MYKEL	REICHART, DONNA	REISMAN, MARIAN
REDER, ELISA	REESE, MYKEL	REICHART, YAHM	REISS, WILL
REDFORD, ALISON	REESE, PATRICIA	REICHEL, JOHN	REISS, WILL
REDISH, MARYELLEN	REESE, PATRICIA	REICHELDERFER, DEB	REISTAD, CAROLYN
REDISH, MARYELLEN	REESE, THOMAS	REICHEL-HALVERSON,	REITER, DEBORAH
REDMAN, CHRIS	REESE, TOBY ANN	SUSAN	REITER, DORIS
REDMAN, CHRIS	REESE, TOBY ANN	REICHERT, CHARLOTTE	REITER, DORIS
REDMAN, JULIE	REESE, TOBY ANN	REICHERT, CHARLOTTE	REITER, DORIS
REDMON, LORRI	REEVE, LINDSAY	REICHERT, CHARLOTTE	REITER, HAYDEN
REDMOND, CHRISTINE	REEVE, LISA	REICHERT, ROBYN	REITZE, JENNIFER
REDMOND, FRANK	REEVES, C	REICHERT, ROBYN	REJEBIAN, SONA
REDMOND, FRANK	REEVES, DIANE	REICHWEIN, CARL	REJSEK, GARY
		REICHWEIN, ROBERTA	REKSTAD, MICHELLE

RELYEA, JASON	RESER, MARTY	RHOADS, KIRK	RICH, MARTHA F.
REMBE, MARK	RESNER, SANDRA	RHOADS, LEE	RICH, SHARON
REMBOWSKI, LINDA. L.	RESNICK CRENSHAW,	RHOADS, SHARON-	RICH, SHARON
REMER, JOY	SHIRLEY	MARIE	RICH, VICTORIA
REMICK, DANIEL	RESNIK, DANA	RHODEN, SHAWN	RICHARD, ELISABETH
REMILIEU, SANDRA	RESS, THOMAS	RHODES, ANNE	RICHARD, JENNIFER
REMILIEU, SANDRA	RESSLER, GABRIELLA	RHODES, JOANNE	RICHARD, JENNIFER
REMLINGTON,	RESSLER, MARYANN I	RHODES, LAURA	RICHARD, JENNIFER
MARGARET	RESTAINO, DIANA	RHODES, LISA	RICHARD, JENNIFER
REMMERS, TIMOTHYI	RESTIVO, ERNEST	RHODES, LOUIS	RICHARD, JENNIFER
REN, SYLVIA	RESTREPO, MARIA	RHODES, M.L.	RICHARD, LAREE
RENAHAN, WILLIAM	RESZKA, MICHAEL	RHODES, MARGARET	RICHARD,
RENARD, MARY	RETFERD, FRANK	RHODES, MARILYN	LINDARICHARD
RENDALL, BETH	REUS, DIANE	RHODES, SUE	RICHARD, ROBIN
RENDELL-SHELBY,	REUTER, DEBRA	RHODES-FLANARY,	RICHARDS, CHARLES
SIMONE	REUTER, LIBBY	ISABELLE	RICHARDS, CYNTHIA
RENDULICH, ELLEN	REUTER, MARGARET	RHODES-FLANARY,	RICHARDS, DEBORAH
RENFRO, SHARON	REVENAUGH, RUSSELLE	ISABELLE	RICHARDS, DERRICK
RENFROW, MICHAEL	REVERS, CAROLE	RIALS, JENNIFER	RICHARDS, DERRICK
RENFROW, SUSANNE	REVILLA, LAURA	RIANDA, TARYN	RICHARDS, DIANA
RENGANATHAN,	REVIS, CATHY	RIBEIRO, MARGARET	RICHARDS, GEOFFREY
RENEETA	REVOIR, ROSEMARY	RIBER, GENEVIEVE	RICHARDS, JACOB
RENGERS, EDWARD	REWINKEL, AMANDA	RIBOLLA, ELLEN	RICHARDS, LINDA
RENGERS, EDWARD	REWINKEL, AMANDA	RIBOLLA, ELLEN	RICHARDS, LINDA
RENGERS, EDWARD	REXROAD, RALPH	RICARD, DARLEEN	RICHARDS, MELINDA
RENNELS, DAN	REY, MARY	RICARD, GAGE	RICHARDS, SANDRA
RENNER, CATE	REY, MARY	RICARDO, LYNNE	RICHARDS, SCOTT
RENNER, ETHEL	REYERSON, LESLIE	RICCI, LAURA	RICHARDS, SUSAN
RENNER, JANINE	REYES, JOAN	RICCI, LINDA	RICHARDSON, ALEDA
RENNINGER, DONNA	REYES, JOAN	RICCI, LYNN	RICHARDSON, ANNICK
RENNINGER, ROBERT	REYES, MARCEY	RICCI, MARK	RICHARDSON, CHARLES
RENNINGER, ROBERT	REYES, ROSE	RICCI, PEGGY	RICHARDSON, GAIL
RENNINGER, ROBERT	REYMERS, KELLY	RICCIARDI, ANTHONY	RICHARDSON, GAIL AND
RENO, TERESA	REYNA, SUSAN	RICCIARDI, ANTHONY	JOHN
RENO, TERESA	REYNEVELD, MARTHA	RICCIO, EILEEN	RICHARDSON, GAIL
RENSCH, PAM	REYNOLDS, BRIAN	RICCITELLI, LUCILLE	RICHARDSON, HEATHER
RENSCH, PAM	REYNOLDS, DONNA	RICCO, JANET	RICHARDSON, JUNE
RENSKOFF, EUGENIA	REYNOLDS, GIBSON	RICCOBENE, RACHAEL	RICHARDSON, JUNE
RENTERIA, VERONICA	REYNOLDS, JEFF	RICCOBENE, RACHAEL	RICHARDSON, K
RENTFROW, LINDA	REYNOLDS, KELLI	RICCOBENE, RACHAEL	RICHARDSON, KATE
RENTMEESTERS,	REYNOLDS, KEN	RICCOBENE, RACHAEL	RICHARDSON,
STEPHEN	REYNOLDS, LISA-MAY	RICCOBENE, RACHAEL	KATHERINE
RENZELMANN, LISA	REYNOLDS, MICHELE	RICE, BEVERLY	RICHARDSON, KATHRYN
REPENSEK, DIANE	REYNOLDS, NANCY	RICE, DOUG	RICHARDSON, LEAH
REPOLE, KATHLEEN	REYNOLDS, PAT	RICE, LAURA	RICHARDSON, LESLIE
REPORTER, ROSHAN	REYNOLDS, PATRICIA	RICE, LAURI	RICHARDSON, LYNN
REPOSA, MARY ANNE T.	REYNOLDS, PATRICIA	RICE, LAWRENCE -	RICHARDSON, LYNN
REPOSA, MARY ANNE T.	REYNOLDS, REBECCA	CAROLYN	RICHARDSON, MARY
REPP, JAN	REYNOLDS, ROND	RICE, LISA	RICHARDSON, NIKI
REPP, S.	REYNOLDS, RONDA	RICE, MARY	RICHARDSON, RANDY
REPP, S.	REYNOLDS, SALLY	RICE, ROBERT	RICHARDSON, SUSAN
REPPUCCI, LOUISA	REYNOLDS, STEPHANIE	RICE, ROBIN	RICHARDSON, SUSAN
RESCH, CHRISTINE	REYNOLDS, STEPHANIE	RICEWASSER, ROBERT	RICHARDSON, SUSAN
RESCH, KAREN	REZA, JAVIER	RICH, C	RICHARDSON, WENDY
RESCH, KAREN	RHEIN, HERMAN	RICH, ERIN	RICHARTE, MARY
RESCIGNA, BRUNO	RHINE, WALLACE	RICH, GAIL	RICHCREEK, MATTHEW
RESER, CRYSTAL	RHOADES, DON	RICH, GRANT	RICHCREEK, MATTHEW
RESER, CRYSTAL	RHOADES, SHANNON	RICH, LAURA	RICHER, CHRISTINE

RICHERT, BARBARA	RIFE, TESSA	RIPLEY, RACHAEL	RIZZO, CLAUDE
RICHERT, BARBARA	RIFFLE, WILLIAM	RIPPBERGER, ADA	RIZZOLO, JAMES
RICHERT, BARBARA	RIFKIND, MAUREEN	RIPPBERGER, ADA	ROACH, BOB
RICHEY, DONALD	RIGANO, KIMBERLY	RIPPOLON, TOM	ROACH, KELLIE
RICHEY, LAUREN	RIGAU, FELIX	RISBRUDT, J.	ROACH, TERESA
RICHEY, SYLVIA	RIGBY, CHERYL	RISCHEL, LAUREN	ROANE, CHRISTINE
RICHEY, THOMAS	RIGBY, CHERYL	RISCHEL, LAUREN	ROARK, DAN
RICHIE, LAUREN	RIGBY, JULIANNA	RISEMAN, NANCY	ROARK, LISA
RICHIE, LAUREN	RIGBY, JULIE	RISENHOOVER,	ROATEN, DOUG
RICHKUS, JOHN	RIGGIO, GIGI	KRISTINA	ROATEN, DOUG
RICHMOND, CHEY	RIGGS, ANNA	RISER, MARIANNA	ROBAK, MAUREEN
RICHMOND, JODY	RIGGS, JUDY	RISHEL, CAROL S	ROBARTS, BARBARA
RICHMOND, LONNA	RIGGS, KATHERINE	RISING, C	ROBB, AAERON
RICHMOND, ROBERT	RIGGS, KRISTIN	RISING, ELIZABETH	ROBB, MARLA
RICHMOND, TERRI	RILEY, CALLIE	RISLEY, TERESA	ROBB, TERRI
RICHTER, BETH	RILEY, CALLIE	RISSELADA, HEATHER	ROBBINS, ALISON
RICHTER, KRISTEN	RILEY, CALLIE	RISSO, ALISA	ROBBINS, EDITH
RICHTER, MIKE	RILEY, CINDY	RISTAU, JACQUE	ROBBINS, ELAINE
RICHTER, RICHARD	RILEY, DAVID AND	RITCHIE, KATHLEEN	ROBBINS, GEORGE
RICHTER, SHARON	ANGELA	RITCHIE, LINDA	ROBBINS, JO ANNE
RICKARD, CAROLYN	RILEY, DAVID AND	RITCHINGS, F ANNE	ROBBINS, LINDA
RICKARD, JAMES	ANGELA	RITER, GEORGE	ROBBINS, MARTIN
RICKARD, MARY	RILEY, DEIRDRE	RITTENHOUSE, CALVIN	ROBBINS, MEGAN
RICKETTS, CHRISTIE	RILEY, KATHARINE	RITTENHOUSE, NANCY	ROBBINS, SARAH
RICKETTS, LAYNE	RILEY, KELLY	RITTENHOUSE, NANCY	ROBBINS-DRUIAN,
RICKMAN, MARTIN	RILEY, LAURA	RITTER, KIMBERLY	SALLIE
RICKMAN, MARTIN	RILEY, LAURA	RITTER, MARIA	ROBERTO, CAROL
RICKS, LINDA	RILEY, LAURA	RITTER, STEPHANIE	ROBERTO, FÁTIMA
RICKS, ROCHELLE	RILEY, MAURA	RITTER, WILLIAM	ROBERTO, ROB
RIDDELL, SALLY	RILLING, CYNDI	RITZHEIMER, BARBARA	ROBERTO, ROB
RIDDLE, BRENDA	RILLING, CYNDI	RITZHEIMER, BARBARA	ROBERTO, ROB
RIDDLE, CAROLYN	RIM, ALICE	RIVAS, CECILIA	ROBERTS, AMY
RIDDLE, CAROLYN	RIMES, JIM	RIVAS, MARY	ROBERTS, AMY
RIDDLE, EVELYN	RIMESTAD, PATRICIA	RIVERA, ADA	ROBERTS, ANNE
RIDDLE, RYAN	RIMLER, FRANK	RIVERA, ANISSA	ROBERTS
RIDENOUR, CYNTHIA	RINALDO, ROSELI	RIVERA, ASHLEY	ROBERTS, ANNE
RIDENOUR, PATTY	RINAS, JUANITA	RIVERA, DIANE	ROBERTS
RIDER, ALAN	RINCON, ANNA	RIVERA, DIANE	ROBERTS, AZRA
RIDER, DARA	RINCON, ANNA	RIVERA, JAVIER	ROBERTS, CAMERON
RIDGE, ANNE	RINCON, CHRISTINA	RIVERA, M	AND CARLENE
KATHERINE	RINCON, D.	RIVERA, ROSE	ROBERTS, CHRIS
RIDGE, JEFFREY	RINCON, HARRIET	RIVERA, SERGIO	ROBERTS, CHRIS
RIDGEWAY, WILLIAM	RINDLER, JOSEPH	RIVERA-DIAZ, JAVIER	ROBERTS, DONNA
RIDGWAY, C	RINEAR, CHARLES	RIVERA-MERRILL, HEIDI	ROBERTS, DWAYNE
RIDGWAY, C	RINEHART, VICKI	RIVERO, MARIA	ROBERTS, EARL
RIDLON, LOUISE	RINGLAND, LEZLIE	RIVERO, VIVIAN	ROBERTS, EILEEN
RIDOLFO-SALZANO,	RINGLER, RONALD	RIVERO, VIVIAN RIVERO	ROBERTS, ELIZABETH
CHERYL	RINGLER, RONALD	RIVERO, VIVIAN RIVERO	ROBERTS, F GAYLE
RIEDINGER, BONNIE	RINK, LISA	RIVERS, AMY	ROBERTS, GAIL
RIEGELHUTH, ELLEN	RINKER, ROBERT	RIVERS, KAREN	ROBERTS, GARY
RIEGER, TANJA	RINKER, ROBERT	RIVERS, MICHELLE	ROBERTS, GRETCHEN
RIEGO, AMBER	RINNE, STANLEY	RIVERS, MICHELLE	ROBERTS, JACK
RIEGO, AMBER	RIOJAS, MARIA	RIVERS, MICHELLE	ROBERTS, JACQUELYN
RIEHL, JEAN	RIORDAN, DENNIS	RIVERS, MICHELLE	ROBERTS, JAMEE
RIER, JENNIFER	RIORDAN, LINDA	RIVES, DOUGLAS	ROBERTS, JAMES
RIESBERG, JODY	RIOS, DIANE	RIZZA, CAROLYN	ROBERTS, JAMES
RIESCH, CHRIS	RIOS, SUSAN	RIZZI, TRICIA	ROBERTS, JIM AND
RIESS, WILLIAM	RIPKE, MIEKE	RIZZO, ABBY	NANCY

ROBERTS, JOHN	ROBINSON, JANET	ROCKAFELLOW,	RODRIGUEZ, JOSH
ROBERTS, JUDITH	ROBINSON, JANET	HARRIET	RODRIGUEZ, KIM
ROBERTS, JULIE	ROBINSON, JEAN	ROCKNE, JUDY	RODRIGUEZ,
ROBERTS, JULIE	ROBINSON, JEANNE	ROCKS, BRENT	LUSSELENIA
ROBERTS, KARYN	ROBINSON, JILL	ROCKWAY, TODD	RODRIGUEZ, MARIA
ROBERTS, KIM	ROBINSON, JOAN	ROCKWELL, ABIGAIL	RODRIGUEZ, RAUL
ROBERTS, LES	ROBINSON, JOYCE	ROCKWELL, LINDA	RODRIGUEZ, ROLANDO
ROBERTS, LES	ROBINSON, JUDITH	ROCKWELL, LINDA	RODRIGUEZ, ROSA
ROBERTS, LYNN	ROBINSON, JUDITH	RODACK, SORETTA	RODRIGUEZ, ROSA
ROBERTS, MARCY	ROBINSON, JUDITH	RODACK, SORETTA	RODRIGUEZ, ROY
ROBERTS, MARK	ROBINSON, JUNE	RODAR, JODI	RODRIGUEZ, ROY
ROBERTS, MICHELE	ROBINSON, KATE	RODDICK, MELINDA	RODRIGUEZ, ROY
ROBERTS, NANCY	ROBINSON, KATHRYN	RODEMAN, MARY	RODRIGUEZ, SUSAN
ROBERTS, NICOLE	ROBINSON, MARC	RODEMAN, MARY	RODRIGUEZ, SUSAN
ROBERTS, REBECCA	ROBINSON, MARCI	RODEMAN, MARY	RODRIGUEZ, SYLVIA
ROBERTS, ROB	ROBINSON, MOLLY	RODGER, COLLEEN	RODRIGUEZ-OLARTE,
ROBERTS, SALLY	ROBINSON, NANCY	RODGERS, CAMIE	MILDRED
ROBERTS, STACY	ROBINSON, NANCY	RODGERS, CAMIE	ROE, CAROL
ROBERTS, SUE	ROBINSON, NORMAN	RODGERS, CAMIE	ROE, DEBORAH
ROBERTS-IBARRA,	ROBINSON, PENNY	RODGERS, CHRISTI	ROE, SUSAN
SUSAN	ROBINSON, REBECCA	RODGERS, DIANA	ROEDEL, JULIE
ROBERTSON, BRENDYN	ROBINSON, RHONDA	RODGERS, JOHN	ROEGNER, DEBBY
ROBERTSON,	ROBINSON, ROBBY	RODGERS, LISA	ROEHM, JUDITH
CHRISANNE	ROBINSON, ROBBY	RODGERS, LISA	ROEHR, SABINE
ROBERTSON, JULIE	ROBINSON, RONALD	RODGERS, PATRICIA	ROEHRIG, MARY
ROBERTSON,	ROBINSON, SHANEY	RODGERS, ROBIN	ROEMER, JEAN
KATHERINE	ROBINSON, SHERIE	RODKEY, BRIAN	ROESCH, AL
ROBERTSON, KENNETH	ROBINSON, SHIRLEY	RODLUN, NANCY	ROETHEMEYER, KAY
ROBERTSON, LINDA	ROBINSON, SUSAN	RODMAN, HILLARY	ROETS, JOHN
ROBERTSON, MARTHA	ROBINSON, TAJEER	RODNEY, RAY	ROETTINGER, JOSEPH P
ROBERTSON, SANDRA	ROBINSON-KERR, JUDI	RODNEY, RAY	ROFFE, SHERYL
ROBEY, JOHN	ROBINSON, ISABEL	RODOFF, LENNIE	ROGALA, LINDA
ROBEY, JOHN	ROBISON, JILL	RODOMINICK, JAIME	ROGERS, APRIL
ROBEY, JOHN	ROBISON, SHELLEY	RODRICK, JANET	ROGERS, CINDY
ROBICHAUD, JUDITH	ROBLES, FERNANDO	RODRIGUE, JIM	ROGERS, COLETTE
ROBIE, STEPHEN	ROBLES, MARIANGEL	RODRIGUES, JOHN	ROGERS, DAVID
ROBIN, ETTA	ROBSON, ELLA	RODRIGUES, PAM	ROGERS, DENNIS
ROBINETTE, GARY	ROBSON, ERIC	RODRIGUEZ JR, RUSSELL	ROGERS, ELIZABETH
ROBINETTE, KATHARINE	ROBSON, FRANCES	RODRIGUEZ,	ROGERS, GEORGIA
ROBINS, JIM AND	ROBY, MARSHA	ALEJANDRO	ROGERS, IRENE
JENNIFER	ROCCO, CHUCK	RODRIGUEZ, ANA	ROGERS, JANICE
ROBINSON, AMY	ROCCO, EVELYN	RODRIGUEZ, ANA	ROGERS, JUDY
ROBINSON, ASHLEY	ROCCO, LILY	RODRIGUEZ, ANA	ROGERS, JULIANN
ROBINSON, BABETTE	ROCHA, CANDACE	RODRIGUEZ, ANTHONY	ROGERS, KATHLEEN
ROBINSON, BERTRAM	ROCHA, SILVIA	RODRIGUEZ, BELKYS	ROGERS, LAUREL
ROBINSON, BROOKS	ROCHE, ANNA	RODRIGUEZ, BREANNA	ROGERS, LESLIE
ROBINSON, DAMETA	ROCHE, BARBARA	RODRIGUEZ, CAROL	ROGERS, LINDA
ROBINSON, DAVID	ROCHE, LAURETTA	RODRIGUEZ, CAROLINA	ROGERS, MARGARET
ROBINSON, DEBRA	ROCHE, LISA	RODRIGUEZ, CECILIA	ROGERS, MELISSA
ROBINSON, ERIC	ROCHE, RICHARD	RODRIGUEZ, CLAUDIA	ROGERS, MELISSA
ROBINSON, ERIC	ROCHELEAU, BRUCE	RODRIGUEZ, CORINE	ROGERS, MELISSA
ROBINSON, ERIC	ROCHELEAU, JESSICA	RODRIGUEZ, CYNTHIA	ROGERS, NANCY
ROBINSON, FRIEDA	ROCHELEAU, SOPHIE	RODRIGUEZ, DORI	ROGERS, PAMELA
ROBINSON, GINA	ROCHESTER, ARTHUR	RODRIGUEZ, DORIS	ROGERS, PAMELA
ROBINSON, HAROLD	ROCHESTER, INGRID	RODRIGUEZ, DORIS	ROGERS, PEGGY
ROBINSON	ROCHESTER, INGRID	RODRIGUEZ, ERNEST	ROGERS, RUTH
ROBINSON, JANET	ROCHETTE, CHRISTIE	RODRIGUEZ, HARRIET	ROGERS, SHARON
ROBINSON, JANET		RODRIGUEZ, JEAN	ROGERS, SHERRY

ROGERS, SHERRY	ROLOFF, NEIL	ROOS, IRENE	ROSEN, BARBARA
ROGERS, SHERRY	ROLOFSON, TOM	ROOT, EDITH	ROSEN, BARBARA
ROGERS, SHERRY	ROLON, JENNIE	ROOT, EDITH	ROSEN, BRUCE
ROGERS, SHERYON	ROLSKY, BOB	ROOT, ELIZABETH	ROSEN, HELENE
ROGERS, STEVEN	ROLSTON, PATRICIA	ROOT, NORA	ROSEN, JOEL
ROGERS, SUZANNE	ROLSTON, PATRICIA	ROOT, NORA	ROSEN, KATHERINE
ROGERS, TINA	ROMA, MARY	ROPICKI, JAMES	ROSEN, KEN
ROGERS, TINA	ROMAIN, BELLA	ROSA, MICHAEL	ROSEN, STEPHEN
ROGERS, TINA	ROMAN, LYNN	ROSAND, LOUISE	ROSENBAUM,
ROGERS, WILLIAM	ROMAN, MIEL	ROSAND, LOUISE	THEODORE
ROGGE, MARY	ROMAN, SANDRA	ROSA-RE, LISA	ROSENBERG, ARTHUR
ROGNERUD, SANDRA	ROMAN, SANDRA	ROSA-RE, SAMANTHA	ROSENBERG, GJ
ROGOVIN, FRANCES H	ROMAN, SANDRA	ROSA-RE, SAMANTHA	ROSENBERG, JAYNE
ROGULSKI, BARBARA	ROMAN, WILLIAM	ROSA-RE, SAMANTHA	ROSENBERG, PAULINE
ROHATYNSKI, TAMMY	ROMANIELLO, CHERYL	ROSARIO, KIM	ROSENBERG, PAULINE
ROHBACK, ROGER	ROMANO, LIANA	ROSAS, GREG	ROSENBERG, STEVEN
ROHDE, ADRIANE	ROMANO, MICHAEL	ROSASCO, GREGORY	ROSENBERG, STEVEN
ROHLOFF, ROSALYN	ROMANOW, GABRIELA	ROSASCO, PAULA	ROSENBERGER, VERLYN
ROHN, DIANE	ROMANOWSKI, KRISTEN	ROSATI, DOYLA	ROSENBERGER, VERLYN
ROHN, DIANE	ROMANS, JENNIFER	ROSCZYK, MARY LOU	ROSENBLAD, KENNETH
ROHN, DIANE	ROMANS, JENNIFER	ROSE, CHRIS	ROSENBLATT, CARRIE
ROHN, MEREDITH	ROMANSKI,	ROSE, CINDY	ROSENBLATT, JON
ROHRER, CAROLYN	JACQUELINE	ROSE, CYNTHIA	ROSENBLATT, JON
ROIG, JOHN	ROMANSKI,	ROSE, DEBORAH	ROSENBLATT, JON
ROJAS, PAOLA	JACQUELINE	ROSE, DEBORAH	ROSENBLUM, MAUREEN
ROJAS, PAOLA	ROMANSKI, PAULA	ROSE, DIANE	ROSENBLUM, PAMELA
ROJAS, PAOLA	ROME, KAREN	ROSE, DIANE	ROSENBLUM, ROANNE
ROJAS, PAOLA	ROMERO, ARLENE	ROSE, DIANN	ROSENBLUM, SHELDON
ROJAS, SHANNA	ROMERO, DEVIN	ROSE, ELANA	ROSENFELD, DANIEL
ROJESKI, MARY	ROMERO, DEVIN	ROSE, ERICA	ROSENFELD, DAVID
ROJESKI, MARY	ROMERO, FELIX	ROSE, ERICA	ROSENFELD, WENDY
ROJO, ESTEBAN	ROMERO, HILARY	ROSE, ERIN	ROSENFELD, LYNNE
ROKOSH, KAREN	ROMERO, JUANITA	ROSE, ERIN	ROSENFELD, LYNNE
ROKOSH, KAREN	ROMERO, MONIKA	ROSE, HOLLY	ROSENFELD, LYNNE
ROLAND, SARAH	ROMERO, PHYLLIS	ROSE, JANICE	ROSENHOLTZ, ELLEN
ROLAND, SARAH	ROMERO, VALERIE	ROSE, JAY	ROSENKOETTER, JERRY
ROLAND, SARAH	ROMINE, JANET HOLLY	ROSE, JOHN	ROSENKOTTER,
ROLAND, TANYA	ROMITO, ALEXANDRA	ROSE, JULIE	BARBARA
ROLAND, TANYA	ROMKEY, BRYAN	ROSE, KATHRYN	ROSENKOTTER,
ROLBECK, KATHI	ROMM, JESSICA	ROSE, KERRY	BARBARA
ROLBECK, KATHI	ROMO, CHRISTIAN	ROSE, MARILYN	ROSENSTIEL, SANDRA
ROLBECK, MIKE	ROMO, ELIGIO	ROSE, MEREDITH	ROSENTHAL, DANIEL
ROLDAN, EVELYN	ROMO, JACQUELINE	ROSE, PAT	ROSENTHAL, ROBERT
ROLEDER, GEORGE	ROMO, ROBERTO	ROSE, PHILLIP	ROSENTHAL, SANDY
ROLFES, KEVIN	ROMO, ROLAND	ROSE, REGINA	ROSENTHAL, STEVEN
ROLFES, KEVIN	ROMPRE, HOWARD	ROSE, RONALD	ROSKER, EVA
ROLL, JEAN	RONCALLI, LD	ROSE, S.	ROSNER, DIANE
ROLL, KAREN	RONCI, JOHN	ROSE, SARAH	ROSS, ADRIENNE
ROLLINGS, RUSTY	RONCI, JOHN	ROSE, SHAR	ROSS, ADRIENNE
ROLLINGS, RUSTY	RONDANINI, ROB	ROSE, SKYE	ROSS, ANN
ROLLINGS, RUSTY	RONEY, DEBORAH	ROSE, TERRI	ROSS, ANN
ROLLINS, DEBRA	RONGO, CHERYL	ROSE, THATCHER	ROSS, ANNA
ROLLINS, GAIL	ROONEY, BRENDA	ROSE, TONA	ROSS, AUDREY
ROLLINS, NED	ROONEY, DIANE	ROSE, TONA	ROSS, BILL
ROLLINS, SUSAN	ROONEY, DONNA	ROSE, TONYA	ROSS, BONNIE
ROLLISON, SHERI	ROOP, KENNEDY	ROSE, TONYA	ROSS, BONNIE
ROLLKA, PATTIE	ROOS, ANNE	ROSE, VICTORIA	ROSS, BRUCE
ROLLINS, BETTY	ROOS, IRENE	ROSE, VICTORIA	ROSS, DAVID

ROSS, E J	ROTHMAN, NANCY	ROZEMA, RAY	RUDZIECKA, BARBARA
ROSS, GLENDA	ROTHROCK, LEILANI	ROZEN, JULIE	RUE, CAROL
ROSS, JANE	ROTHSTEIN, RICHARD	ROZENBERG, JENIFER	RUES, ALICIA
ROSS, JANICE	ROTTENBERG, LORI	ROZLER, JENNIFER	RUFF, BEVERLY
ROSS, JENNIFER	ROTTMAYER, THOMAS	RUBAC, GLORIA	RUGGIERO, JANET
ROSS, KATHRINE	ROTTNER, BERNARD	RUBAR, GLENN	RUGGIERO, JULIA
ROSS, KATHY	ROTUNDO, LIZ	RUBEL, CAROL	RUHA, LESLIE
ROSS, KIMRA	ROULET, SANDRA	RUBEN, ANNE	RUIZ, EDITH
ROSS, MARIA	ROUNDY, ALTON	RUBERA, KATHY	RUIZ, GEORGE
ROSS, MARSHA	ROUNTREE, JANET	RUBERT, VICTORIA	RUIZ, GEORGE
ROSS, MARSHA	ROUSE, DEBORAH A	RUBIETTA, VICTORIA	RUIZ, GEORGE
ROSS, NANCY	ROUSE, FRANK	RUBIETTA, VICTORIA	RUIZ, JANICE
ROSS, NIKISHA	ROUSE, GREGORY	RUBIETTA, VICTORIA	RUIZ, KATHLEEN
ROSS, NIKISHA	ROUSE, RICHARD	RUBIN, ALLAN	RULE, DM
ROSS, PATRICIA	ROUSEY, NEVADA	RUBIN, ANNA	RULE, JULIANN
ROSS, PATRICIA	ROUSH, NANCY	RUBIN, BRADY	RULE, JULIANN
ROSS, ROGARD	ROUT, LES	RUBIN, JOANNA	RULE, JULIANN
ROSS, SHELLY	ROUTLEDGE, CYNTHIA	RUBIN, L.	RULE, JULIANN
ROSS, SUZANNE	ROVE, FRANCES	RUBIN, MARC	RULLI, NICK
ROSS, WANDA	ROVITO, MARIE	RUBIN, STUART	RULLMANN, GALE
ROSS, WANDA	ROW, SUZANNE	RUBIN, TONI	RUMPLE, JEANNIE
ROSSATTO, DR CÉSAR	ROWALD, CHRIS	RUBINFINE, DEBORAH	RUMPLE, JEANNIE
ROSSENU, STEPHANIE	ROWAN, ERIN	RUBIN-HORTON, LISA	RUNGE, ERICA
ROSSER, BETTY	ROWAN, ERIN	RUBINO, KAREN	RUNGE, ERICA
ROSSETTER, ELIZABETH	ROWAN, LAURIE	RUBIO, BRITTANY	RUNGE, MARILYN
ROSSEY, JAMES	ROWDON, GREG	RUBIO, GEORGE	RUNION, KEITH
ROSSI, DENISE	ROWE, BERNICE	RUBIO, JULIE	RUNION, LANCE
ROSSI, DENISE	ROWE, D.	RUBSCHLAGER,	RUNK, KAREN
ROSSI, DENISE	ROWE, JUDITH	MATTHEW	RUOFF, CHRISTY
ROSSI, MICHAEL	ROWE, LARRY	RUBSCHLAGER,	RUOFF, CHRISTY
ROSSI, MICHELLE	ROWE, LAURIE	MATTHEW	RUOTSI, LISA
ROSSI, PATRICIA	ROWE, LINDA	RUBY, LISA	RUPPERT, DEBRA
ROSSIE, GLENDA	ROWE, LINDA	RUBY, THERESA	RUPPRECHT, JILL
ROSSIE, GLENDA	ROWE, LORRAINE	RUCH, VICTOR	RUSCH, VINCENT
ROSSIN, LINDA	ROWE, LUCY	RUCKDESCHER, JENNY	RUSCH, VINCENT
ROSSIN, LINDA	ROWE, MARK	RUCKER, REBECCA	RUSH, ANNE KENT
ROSSITER, PATRICIA	ROWE, PAM	RUDD, HELENA DE	RUSH, CATHERINE
ROSS-LEECH, DIANE	ROWE, WILLIAM	VENGOECHEA	RUSH, CHARLENE
ROSSMAN, ANN	ROWE-CONLAN,	RUDDER, AMANDA	RUSH, PAM
ROSSMAN, JANE	LORRAINE	RUDDER, HOPE	RUSH, REBECCA
ROSSO, BRIT	ROWELL, DIANA	RUDEE, ELIZABETH	RUSHBROOK, DEREKA
ROSSO, BRIT	ROWELL, MARY	RUDER, C	RUSHEEN, JEFFREY
ROSSOW, DEBORAH	ROWELL, RD	RUDER, CYNTHIA	RUSHEFSKY, MOLLY
ROST, CHERYL	ROWELL, STEVEN	RUDER, CYNTHIA	RUSHFORD, BOB
ROSTAMIAN, MARYAM	ROWEN, LAUREL	RUDERT, KAREN	RUSHING, SANDY
ROTH, ARLENE	ROWLAND, CHRISTINE	RUDGE, MILTON	RUSHWORTH, JERILY
ROTH, DIANE	ROWLAND, MARK	RUDIGER, CATHERINE	RUSHWORTH, JERILY
ROTH, JEROME	ROWLEY, JAMES	RUDIK, MAYA	RUSHWORTH, JERILY
ROTH, KAAYLA	ROWLEY, JAMES	RUDIN, RUTH	RUSHWORTH, JERILY
ROTH, SHANNON	ROWLISON RN, SUELLEN	RUDISILL, AMANDA SUE	RUSS, DALE
ROTH, SONJA	ROY, BRENDA	RUDMAN, LINDA	RUSSELL, CANDACE
ROTH, TWILA	ROY, DEBASRI	RUDMAN, LINDA	RUSSELL, DONNA
ROTHACKER, DENNIS	ROY, JOE	RUDNICK, KAREN	RUSSELL, EVON
ROTHBERG, ALAN	ROY, RANDY	RUDNICKI, ELIZABETH	RUSSELL, GLORIA
ROTHBERG, LEA	ROY, SUZANNE	RUDOLPH, CAROL	RUSSELL, GRACE
ROTHER, LINDA	ROYCE, MS. MIKKI	RUDOLPH, JOELLEN	RUSSELL, HEATHER
ROTHMAN, DIANA	ROYCE, MS. MIKKI	RUDOLPH, JOHN	RUSSELL, JANELLE
ROTHMAN, EMILY	ROYSE, LAURA	RUDY, KAREN	RUSSELL, JENNY

RUSSELL, KATHLEEN	RYAN, KAREN	S, PATTY	SALATA, GARY
RUSSELL, KATHLEEN	RYAN, KATHRYN	S, SANDRA	SALAZAR SHAPIRO, DEBORAH
RUSSELL, M. K.	RYAN, KATRINA	S, STEVE	SALAZAR, ALICIA
RUSSELL, MARILYNN	RYAN, KENNETH	S, STEVE	SALAZAR, ASHLEY
RUSSELL, MONIQUE	RYAN, LINDA	S, STEVE	SALAZAR, FRANCISCA
RUSSELL, SANDRA	RYAN, LYNN	S., FRANCIS	SALAZAR, JAMES
RUSSI, SUZETTE	RYAN, LYNN	S., GAIA	SALAZAR, JOE
RUSSICK, SHARON	RYAN, MARIAN	S., LINDA	SALAZAR, JOE
RUSSO, CARA	RYAN, MEGAN	S., NELSON	SALAZAR, LISA
RUSSO, DICK	RYAN, MICHAEL	S., NELSON	SALAZAR, LISA
RUSSO, ELIZABETH	RYAN, NANCY	S., NELSON	SALAZAR, LISA
RUSSO, ELLEN	RYAN, PATRICIA	S., NELSON	SALAZAR, LISA
RUSSO, JONATHAN	RYAN, PATRICIA	SAACHI, OLIVIA	SALAZAR, LISA
RUSSO, MELISSA	RYAN, PATRICIA	SAAVEDRA, JESSICA M	SALAZAR, MARIA ROSA
RUSSO, ROBERT	RYAN, PATRICIA	SABAGH, LIZ	SALAZAR, MARIA ROSA
RUST, JOSEPHINE	RYAN, REBECCA	SABATINI, KATHY	SALAZAR, ROSA MARIA
RUST, WENDY	RYAN, RICHARLE	SABELLA, KATIE	SALAZAR, WOLFGANG
RUSTENBECK, CATHERINE	RYAN, SUSAN	SABELLA, LAURA	SALDIVAR, ELAINE
RUSTIN, HOWARD	RYAN, TIM	SABER, DEEANN	SALE, ALEXANDRA
RUTH, JOY	RYAN, VERONICA	SABIN, CYNTHIA	SALE, NATALIJA
RUTH, JOY	RYAN, WAYNE	SABIN, ROBERT	SALEK, DIANE
RUTH, JOY	RYAN-NELSON, SUSAN	SABINSON, MARA	SALEK, DIANE
RUTH, JOY	RYBKA, MICHELLE	SABLE, ROSALIE	SALEK, DIANE
RUTH, MARY	RYBSKI, SUSAN	SABLE, THEO	SALERNO, BAILEY
RUTHERFORD, DAWN	RYCH, ELIZABETH	SACCARDI, JOANV.	SALERNO, LINDA
RUTHERFORD, JIM	RYCHKOVA, ANNA	SACCARDI, JOHN	SALERS, MARIA
RUTHERFORD, JIM	RYCKMAN, LYNN	SACCO, JULIE	SALGADO, DALIA
RUTHERFORD, JOHN	RYCZEK, DONNA	SACHSENMAIER, LINDA	SALGADO, DALIA
RUTIGLIANO, JANET	RYDANT, MARGARET	SACKLER, JERILYN	SALGADO, JANE
RUTKOWSKI, JAMES AND SANDRA	RYDEN, WENDY	SADE, JESSICA	SALGADO, VIC
RUTKOWSKI, ROBERT	RYDER, OLIVER	SADLER, KIRSTEN	SALGANIK, CAROL
RUTKOWSKI, ROBERT	RYERSON, WILLIAM	SADOWSKY, JANE	SALIB, SADIE
RUTKOWSKI, STACY	RYFFEL, CLIFFORD	SADUSKY, STEVEN	SALINAS, NORMS P
RUTLEDGE, BRIAN	RYLAND, BARBARA	SAEVITZ, JANET	SALISBURY, ROIDINA
RUTLEDGE, HELEN	RYLAND, GAIL	SAFER, DANIEL	SALLEE, STEPHANIE
RUTSCHMANN, LESLIE	RYLAND-ANDERSON, ANNE	SAFFREN, GENIE	SALLEE, SUDIE
RUTTAN, NORMA	RYNDERS, LYNETTE	SAFFREN, GENIE	SALLEE, SUDIE
RUTTEN, ARLEEN	RYNES, MICHAEL	SAGARDUA, MARINA	SALMANOWICZ
RUTTKAY, JAN	RYNES, MICHAEL	SAGE, CAROL	LONGEVER, JORDAN
RUTTMAN, CAVIN	S, ADI	SAGE, SANDY	SALMANOWICZ
RUTZ, TERRY	S, ADI	SAGEN, JACQUELINE	LONGEVER, JORDAN
RYAN, ADA	S, ADI	SAGNARD, CHRISTIAN	SALMANOWICZ
RYAN, ADA	S, C	SAGOVAC, EMILY	LONGEVER, JORDAN
RYAN, BART	S, C	SAILER, CARLOTTA	SALMELA, SIGRID
RYAN, BART	S, D	SAILER, CARLOTTA	SALMELA, SIGRID
RYAN, CAROLYN	S, D	SAILSTAD, DENISE	SALOF, TANYA
RYAN, DIANE	S, H	SAINT, PAUL	SALOF, TANYA
RYAN, DIANE	S, H	SAIPE, CHERYL	SALOMON, RADA
RYAN, EILEEN	S, J	SAITO, AYAKO	SALONE, MARGO
RYAN, EILEEN	S, J	SAITZ, CLAUDIA	SALONE, MARGO
RYAN, ELLEN	S, J	SAJ, BARBARA	SALONE, MARGO
RYAN, EMMET	S, JM	SAJA, JEAN	SALONE, MARGO
RYAN, GENEVIEVE	S, JOYCE	SAKAKINI, GEORGE	SALONIA, FRANK
RYAN, GERALD	S, KAT	SAKODA, KENT	SALSMAN, RUBY
RYAN, GERALD	S, KRISTIN	SAKOFF, MARGARET	SALSMAN, RUBY
RYAN, JAMYE	S, M	SALAMONE, KATHERINE	SALTER, RUTH
RYAN, JEANNE	S, MARI	SALAS, JAN	SALTZER, SANDRA
		SALAS, MORGEN	SALTZMAN, EDNA

SALUGA, MICHELINE	SANDERS, CLAIRE	SANTIAGO-AVILES,	SATRYAN, THOMAS
SALUS, RICHARD	SANDERS, DARLA	JORGE J.	SATTERFIELD, KATHY
SALVAS, KATHLEEN	SANDERS, JANICE	SANTIAGO-FLOYD,	SATTERFIELD, PAULA
SALVATORE, HANNAH	SANDERS, JEFFREY	MARY	SATTERFIELD, SUSAN
SALVATORE, HANNAH	SANDERS, KAREN	SANTINI, HADASSA	SATTERWHITE, JAY
SALVATORE, HANNAH	SANDERS, LINDA	SANTINI, PATRIA	SATTLER, LONN
SALVO, ELAINE	SANDERS, M	SANTOGADE, PETER	SATZ, DAVID
SALYER, ALLEN	SANDERS, M	SANTOIANNI, JASON	SAUCEDA, LORA
SALZMANN, MICHAEL	SANDERS, MYRNA	SANTONE, DEBORAH	SAUDE, DEBRA
SAMALLO, JACKIE	SANDERS, RICHARD	SANTONE, DEBORAH	SAUDER, ERIK
SAMARAS, ALEXANDRA	SANDERS, THERESA	SANTONE, LEAH	SAUDER, ERIK
SAMBDMAN, DIANE	SANDERS, THOMAS	SANTONI, DOUGLAS	SAUER, GRETCHEN
SAMES, THEA	SANDERS, VICKY	SANTOPIETRO, DAWNE	SAUK, PAUL
SAMONS, CAROL	SANDERS-FLEMING,	SANTORA, SUSAN	SAUL, BJ
SAMP, CECE	ALISON	SANTORA, SUSAN	SAUNDERS, ALEX
SAMP, CECE	SANDERSON KLADNIK,	SANTORO, SUE	SAUNDERS, ALEXANDRA
SAMPE, LUCILLE	JULIA	SANTOS, MAYRA A	SAUNDERS, KATHLEEN
SAMPERY, JOHN	SANDERSON, MELISSA	SANTULLI SCHUDDA,	SAUNDERS, LAURA
SAMPLE, CHARLES	SANDERSON, VALERIE	CARRIE	SAUNDERS-MAZIARZ,
SAMPLE, JOAN	SANDKNOP, K	SANTY, TARA	REBECCA
SAMPLE, STEVE	SANDLIN, LEROY	SANY, RICK	SAURS, TERRI
SAMPLES, CHARLES	SANDLIN, LISA	SANZO, MEGAN	SAUSER, KATHLEEN
SAMPLES, CHARLES	SANDOR, JAMES	SAPALO, JERIMY	SAUVE, GORDON
SAMPSON, KAREN	SANDOVAL,	SAPERSTEIN, LYNNE	SAVAGE CONNOR,
SAMS, VICTORIA	ESMERALDA	SAPP, BARBARA	DIANE
SAMSA, SHANE	SANDOVAL,	SAPPELLI, CARYN	SAVAGE, DOROTHY
SAMSON, ALPHONSE	ESMERALDA	SAPPENFIELD,	SAVAGE, KITTY
SAMSON, ANDREE	SANDOVAL, SANDI	GABRIELLE	SAVAGE, KITTY
SAMSON, MARY ELISE	SANDOVALL, RALPH	SAPYTA, KRISTEN	SAVAGE, MARJORIE
SAMSON, SHERRY	SANDRITTER, ANN	SARABIA, MICHAEL	SAVAGE, PATRICIA
SAMUEL, LILY	SANDRITTER, ANN	SARABIA, MICHAEL	SAVARD, JUDY
SAMUELS, BARBARA	SANDS, ADELE	SARAH, ALABAMA	SAVIGE, DAVID
SAMUELS, JEANNETTE	SANDS, AIMEE	SARAMA, JUNE	SAVIGE, DAVID
SAMUELSON,	SANDUSKY, HANNAH	SARAN, HARVINDERJIT	SAVILLE, AM
GEORGEANNE	SANDUTCH, JAMIE	SARAVANJA, NATASHA	SAVILLE, AM
SAN MIGUEL, PAMELA	SANDVIG, DANIEL	SARDINEER, ANN MARIE	SAVILLE, JASON
SAN PEDRO, LYGEA	SANETRA, LISA	SARE, DAWN	SAVILONIS, MELISSA
SANCHEZ, AMALIA	SANFORD, LINDA	SARELAS, VALERIE	SAWYER, JENNIFER
SANCHEZ,	SANGER, ELIZABETH	SARELAS, VALERIE	SAWYER, JUDI
CHRISTOPHER	SANGER, THOMAS	SARENPA, KELLY	SAWYER, MARGARET
SANCHEZ, DIANA	SANIAT, MERRIE	SARGENT, DEBORAH	SAWYER, NIGEL
SANCHEZ, DIANA	SANNER, HEATHER	SARGENT, ROBERT	SAWYER, PETER
SANCHEZ, ERNIE	SANOSSIAN, GREGORY	SARI, MARY	SAWYER, PETER
SANCHEZ, GAYLENE	SANOSSIAN, GREGORY	SARKAR, SAHOTRA	SAWYER, SUSAN
SANCHEZ, GAYLENE	SANSALONE, ELENA	SARKISIAN, KIRSTEN	SAXE, MATTHEW
SANCHEZ, JOSE	SANSON, VERONIQUE	SARNACKI, MARK	SAXE, MATTHEW
SANCHEZ, MARGARET	SANTACOLOMA, CLARE	SARNATARO, MARDIA	SAXENA, BARB
SANCHEZ, NATALIE	SANTANA, LILLIAN	SARNECKI, VICKI	SAXENA, RENU
SANCHEZ, SUSAN	SANTANEN, LINDA	SARNICOLA, VINCENT	SAXON, DIANA
SANCHEZ-LEVINE, G L	SANTANGELO,	SARRY, SANDRA	SAXON, ELIZABETH
SAND, JESSICA	ROSEANN	SARFIELD, REBECCA	SAXON, RACHEL
SANDAY, BONNIE	SANTANIELLO, DEIRDRE	SARTORI, ISABELLA	SAXON, RICHARD
SANDEL, NORMAN	SANTIAGO, JOSE	SASINKA, SUZANNE	SAYER, LISE
SANDELL, WALTER	SANTIAGO, MAGDA	SASLOW, RONDI	SAYERS, LOIS
SANDER, MARY	SANTIAGO, MAGDA	SASSER, LORI	SAYERS, MARY ANN
SANDER, SUSAN	SANTIAGO, MAGDA	SASSEVILLE, NORMA	SAYKALY, FRANCES
SANDERS, AMY	SANTIAGO, NATALIE	SATO, T	SAYLES, ANDY
SANDERS, CARLA		SATO, TATA	SAYLR, SUZY

SAYRE, BRENDA	SCHAFFER, HELEN	SCHENCK, STEWART	SCHLICHTER, JANE
SAYTANIDES, DONNA	SCHAFFER, ROSE	SCHENDEL, PAMELA	SCHLIE, DARILYN
SAZE, DAVE	SCHAFFER, SHERRY	SCHENK, KATHIE	SCHLIEPS, JENNY
SAZE, DAVE	SCHAFFER, SHERRY	SCHENKEL, MARY	SCHLIES, DIANNE
SCABINI, DONATELLA	SCHAFFER, ADAM	SCHENKEL, SUZANNE	SCHLINGER, DEBBIE
SCACCIO, MARILYN	SCHAFFER, CAROL	SCHENKELBERG,	SCHLINGER, HANK
SCALCO, PETER	SCHAFFER, GABRIEL	CHRISTINE	SCHLOSS, HEIDI
SCALERA, ANTONINA	SCHAFIR, STEVE	SCHENKELBERG,	SCHLOTTE, JACK
SCALLEY, LESLIE ANNE	SCHALGE, PAT	CHRISTINE	SCHLUCHTER, PEGGY
SCALZITTI, JANA	SCHALK, TRACY	SCHEPMAN, DENNIS	SCHLUNTZ, CHARLES
SCALZITTI, JANA	SCHALLMO, BARBARA	SCHERER, MELANIE	SCHLUTER, MARILYN
SCANLON, MILDRED	SCHALLY, JENNIFER	SCHERER, WENDY	SCHMAHL, MATTHEW
SCANLON, NESE	SCHAMING, CAROL	SCHERF, THERESA	SCHMAKEL, CARLA
SCANLON, SANDRA	SCHANK, JOSEPH	SCHERKENBACH, SUSAN	SCHMALZER, PAUL
SCANTLEBURY, E	SCHANNACH, MARY	SCHERMERHORN, KELLY	SCHMALZER, PAUL
SCAPPA, FRANCINE	SCHAPER, DOUGLAS B.	SCHERR, STEPHANIE	SCHMATJEN, SHERYL
SCAPPETTONE,	SCHAPKER, DON	SCHERZER, ERNEST	SCHMEDER, NADYA
JENNIFER	SCHARENBERG, SUSAN	SCHUNEMANN, ANITA	SCHMERTZ, CAROLYN
SCARANGELLO,	SCHARIN, LISA	SCHIAFONE, CHERIE	SCHMERTZ, CAROLYN
PATRICIA	SCHARNELL, PETER	SCHIAVONE, JOE	SCHMIDT, JEFFREY
SCARBOROUGH,	SCHAUB, MARSHA	SCHICK, ISABEL	SCHMIDT, BRIGITTE
BELINDA	SCHAUB, MARSHA	SCHICKER, ROBERT	SCHMIDT, CARA
SCARBOROUGH,	SCHAUB, MARSHA	SCHIEBEL, SHERRY	SCHMIDT, CARA
MARILYN	SCHAUER, JOHN	SCHIEDING, ANN	SCHMIDT, CHRIS
SCARDACI, ANTHONY	SCHAUF, CHRISTY	SCHIEDT, MARY	SCHMIDT, CHRIS
SCARIM, NICK	SCHAUF, CHRISTY	SCHIFF, MARGIE	SCHMIDT, CHRISTINE
SCARIM, NICK	SCHAUF, CHRISTY	SCHIFF, N	SCHMIDT, COETTE
SCARLATA, RACHEL	SCHAUS, CAROL	SCHIFFBAUER, KIM	SCHMIDT, DEREK
SCARNATO, MARCIA	SCHAUS, JOHN M	SCHIFFELBIAN, LLOYD	SCHMIDT, EDRA
SCAROLA, MICHAEL	SCHAUT, MATTHEW	SCHIFTER, TRUDI	SCHMIDT, JACQUELINE
SCARPINATO, AMY	SCHEAR, ROBERTA	SCHILDER, ELEANOR	SCHMIDT, JENNIFER
SCARPONE, MARINO	SCHECHEER, JOAN	SCHILDWACHTER,	SCHMIDT, KAREN
SCARRITT, DIANE	SCHECHEER, JOAN	STEVE	SCHMIDT, KIMBERLY
SCARRY, PAT	SCHECHEER, JOAN	SCHILDWACHTER,	SCHMIDT, LINDA
SCENA, MARIAN	SHARON	STEVE	SCHMIDT, LINDA
SCENA, MARIAN	SCHECHEER, ARIELLE	SCHILL, ERIC	SCHMIDT, LINDA
SCERRA, TIMOTHY	SCHECHEER, DEBORAH	SCHILLER, HERMAN	SCHMIDT, M SUSAN
SCHAAL, ELIZABETH	SCHECHEER, RUTH	SCHILLING, MARK	SCHMIDT, M SUSAN
SCHABNER, DAWN	SCHHEEL, DOUG	SCHINDELE, PAULETTE	SCHMIDT, PAUL
SCHACHAT, ROBIN	SCHHEEL, DOUG	SCHINDLER, CATHY	SCHMIDT, ROGER
SCHACHT, TIMOTHY	SCHHEEL, DOUG	SCHINSTINE, MALCOLM	SCHMIDT, RON
SCHACKNEY, STEPHANIE	SCHHEEL, DOUG	SCHISLER, MICHELLE	SCHMIDT, SYLVIA
SCHADE, COREY	SCHHEEL, DOUG	SCHLAEPFER, DANIEL	SCHMIDTLEIN-
SCHADER, KEVIN	SCHHEEL, DOUG	SCHLAFER- PARTON,	SPARLING, JANET
SCHADEWALD, LOIS	SCHHEEL, DOUG	RACHEL	SCHMIT, JANE
SCHAEFER, EUGENE	SCHHEEL, DOUG	SCHLAGER, DEENA	SCHMIT, LEONA
SCHAEFER, FREDERICK	SCHHEEL, DOUG	SCHLAIKJER, ELISE	SCHMITT, ANOUK
SCHAEFER, GEORGE	SCHHEEL, DOUG	SCHLAIS, KAREN	SCHMITT, DIANE
SCHAEFER, MILLIE	SCHHEEL, DOUG	SCHLATTER, DENISE	SCHMITT, MARGARET
SCHAEFER, NATHAN	SCHHEEL, DOUG	SCHLATTER, LAWRENCE	SCHMITT, PAUL
SCHAEFER, SARAH	SCHHEEL, DOUG	SCHLEGELMANN, PAUL	SCHMITT, TIM
SCHAEFER, SARAH	SCHHEEL, DOUG	SCHLEMEL, PIERRE	SCHMITT, TIM
SCHAEFER, STACEY	SCHHEEL, DOUG	SCHLEMEL, PIERRE	SCHMITT-DEBONIS,
SCHAEFFER, CORALYN	SCHHEEL, DOUG	SCHLESINGER, PAULA	MICHELLE
SCHAEFFER, MICHAEL	SCHHEEL, DOUG	SCHLESINGER, SYBIL	SCHMITZ, CATHRYNE
SCHAEM, SUZANNE	SCHHEEL, DOUG	SCHLESINGER, SYBIL	SCHMITZ, DAWNMARIE
SCHAERER, CAROLYN	SCHHEEL, DOUG	SCHLESINGER, WILLIAM	SCHMITZ, DAWNMARIE
SCHAFFER, GABRIELE	SCHHEEL, DOUG	SCHLEY, JANE	SCHMITZ, HEIDI

SCHMITZ, HEIDI	SCHOFIELD, ANNA	SCHRODER, KRISTEN	SCHULTZ, WHITNEY
SCHMITZ, HEIDI	SCHOLAR, SARAH	SCHROECK, ELENA	SCHULTZE, PATRICIA
SCHMUTZ, HENRY	SCHOLFIELD, LYNNE	SCHROECK, ELENA	SCHULTZE, PATRICIA
SCHMUTZ, HENRY	SCHOLL, LINDA	SCHROECK, ELENA	SCHULTZE, PATTI
SCHNEBELEN, JEFFREY	SCHOLZ, DENISE	SCHROEDER, CARLENA	SCHULZ, DIANE
SCHNEE, HOPE	SCHOLZ, DENISE	SCHROEDER, MARK	SCHULZ, JUDITH
SCHNEE, JANE	SCHOLZ, ERNEST	SCHROEDER, SANDRA	SCHULZ, STAN
SCHNEIDER, ALLYN	SCHOLZ, ERNEST	SCHROEDER, SARA	SCHULZE, MAUREEN
SCHNEIDER, AMY	SCHOLZ, ERNEST	SCHROEDER, VAL	SCHULZE, MICHAEL
SCHNEIDER, BUNNY	SCHOMBERG, SANDRA	SCHROETER, ROGIL	SCHUMACHER, AMY
SCHNEIDER, CATIE	SCHOMBURG, JOAN	SCHROETER, WILLIAM	SCHUMACHER, BRANDY
SCHNEIDER, CHERYL	SCHON, SHERRI	SCHROYER, ERICA	SCHUMACHER, BRANDY
SCHNEIDER, DANIELLE	SCHOOMER, STEFANIE	SCHRUPP, ELIZABETH	SCHUMACHER, BRANDY
SCHNEIDER, DANIELLE	SCHOONHOVEN,	SCHUB, JUDITH	SCHUMACHER, CYNTHIA
SCHNEIDER, DIANE	FRANCES	SCHUB, JUDITH	SCHUMACHER, DIA
SCHNEIDER, EDWARD	SCHOPPE, BRUCE	SCHUB, JUDITH	SCHUMACHER, JOHANN
SCHNEIDER, EDWARD	SCHOPPMANN, RENEE	SCHUB, JUDITH	SCHUMACHER, JOHN
SCHNEIDER, ERIK	SCHORR, DONALD	SCHUBERT, MERLIN	SCHUMACHER,
SCHNEIDER, JERRY	SCHORY, KEN	SCHUBERT, PAUL	MICHELLE
SCHNEIDER, KENNETH C	SCHOTT, JAN	SCHUBERT, PAUL	SCHUMACHER,
SCHNEIDER, MARGAUX	SCHOU, SAMANTHA	SCHUCKER, WAYNE	MICHELLE
SCHNEIDER, MARIA	SCHOULTZ, BOBBIE	SCHUE, KEITH	SCHUMAN, LAURA
SCHNEIDER, MELINDA	SCHOULTZ, BOBBIE	SCHUETH, STEVE	SCHUMAN, LAURA
SCHNEIDER, MELINDA	SCHRADER, STACY	SCHUETTE, KURT	SCHUMANN, CHAR
SCHNEIDER, MICHELLE	SCHRADER, STACY	SCHUETZ, SUE	SCHUMANN, CHAR
SCHNEIDER, N	SCHRADER, STACY	SCHUHMACHER,	SCHUMANN, NATHEN
SCHNEIDER, STEVE	SCHRADER, STACY	ITALINA	SCHUPBACH, SHERRY
SCHNEIDER, SUSAN	SCHRADER, SUSAN	SCHUHRKE, NANCY	SCHUPP, PAUL
SCHNELL, COLLIN	SCHRADER, TOM	SCHUIT, CARYL	SCHUSTER, PHIL
SCHNELL, COLLIN	SCHRAIER, MICHAEL	SCHULBACH, DIANE	SCHUSTERMAN,
SCHNELL, GAIL	SCHRAMER, CANDY	SCHULENBERG,	JENNIFER
SCHNELL, KATIE	SCHRAMKE, CAROL	MARGARET	SCHWAB, ALLEN AND
SCHNELLER, DOUGLAS	SCHRAMM, CATHERINE	SCHULENBERG,	PHYLLIS
SCHNELLER, SUSAN	SCHRAMM, DEAN AND	MARGARET	SCHWAB, REGINA
SCHNIERLE, MICHAEL	DOREA	SCHULENBERG,	SCHWAGER, KAREN
SCHNIPPER, LIA	SCHRAMM, MICHAEL	MARGARET	SCHWALL, NANCY
SCHNIPPER, MARGARET	SCHRAMM, PEGGY	SCHULER, BARBARA	SCHWARTZ, BARBARA
SCHNITZER, KAREN	SCHRAMMEN,	SCHULER, BARBARA	SCHWARTZ, BRIAN
SCHNITZLER, BRITTANY	TERRANCE	SCHULER, BILL	SCHWARTZ, DANIELLE
SCHNORR, LUISE	SCHREIBER, JOYCE	SCHULER, JILL	SCHWARTZ, DANIELLE
SCHOBEL, REBECCA	SCHREIBER-ROLLO,	SCHULMAN, SHANI	SCHWARTZ, DANIELLE
SCHOCH, SUSAN	MARY ANN	SCHULT, ABBY	SCHWARTZ, DONALD
SCHOEDER, NICOLE	SCHREIBER-ROLLO,	SCHULT, ABBY	SCHWARTZ, DONALD
SCHOEDLER, RANDOLPH	MARY ANN	SCHULTE, GEORGIANN	SCHWARTZ, ELIZABETH
SCHOELKOPF,	SCHREIER, SAUL	SCHULTHEIS, BOB	SCHWARTZ, ERIC
KATHERINE	SCHRETER, CAROL	SCHULTSMEIER, EFFIE	SCHWARTZ, EVAN
SCHOELKOPF,	SCHREUR, LOIS	SCHULTZ, ARNIE	SCHWARTZ, HOWARD
KATHERINE	SCHREUR, SHANNON	SCHULTZ, BRETT	SCHWARTZ, HOWARD
SCHOELKOPF,	SCHREURS, TAMI	SCHULTZ, CINDY	SCHWARTZ, JOYCE
KATHERINE	SCHREURS, TAMI	SCHULTZ, DANIELLE	SCHWARTZ, JOYCE
SCHOEN, JESSICA	SCHREURS, TAMI	SCHULTZ, DAVID	SCHWARTZ, JOYCE
SCHOENBAUER, KATHY	SCHREURS, TAMI	SCHULTZ, DWAYNE	SCHWARTZ, JOYCE
SCHOENBERGER, CAROL	SCHREURS, TAMI	SCHULTZ, MARYELLEN	SCHWARTZ, JOYCE
SCHOENBERGER, CAROL	SCHREURS, TAMI	SCHULTZ, PAUL	SCHWARTZ, JOYCE
SCHOENBERGER, CAROL	SCHREURS, TAMI	SCHULTZ, PETER	SCHWARTZ, JOYCE
SCHOENFELD, TRISH	SCHREURS, TAMI	SCHULTZ, PETER	SCHWARTZ, JOYCE
SCHOFIELD, ANNA	SCHREIBER, MAUREEN	SCHULTZ, REBECCA	SCHWARTZ, JOYCE
SCHOFIELD, ANNA	SCHRIENER, LESLIE	SCHULTZ, TIM	SCHWARTZ, KATHY
	SCHROCK, ROB		

SCHWARTZ, KELLI	SCOTT, BARBARA	SEARS, JULIE	SEGER, KIMBERLY
SCHWARTZ, MARGE	SCOTT, BELINDA	SEARS, LULU	SEGERHAMMAR,
SCHWARTZ, RICHARD	SCOTT, BENNIE	SEARS, RHONDA	CHRISTINE
SCHWARTZ, SAMUEL	SCOTT, BEVERLY	SEARSON, KAREN	SEGREST, JACKIE
SCHWARTZMAN, JANET	SCOTT, BEVERLY	SEATER, KIMBERLY	SEGUIN, JOAN
SCHWARTZMANN,	SCOTT, CAROL	SEATER, KIMBERLY	SEGURA, TONY
STEPHANIE	SCOTT, COLLEEN	SEATHER, LINDA	SEHLKE, SUSAN
SCHWARZ, BOB	SCOTT, ELLEN	SEATON, MARK	SEIBERLICH, JEFF
SCHWARZ, ELKE	SCOTT, ERIC	SEAVER, LINDA	SEIBERT, RENA
SCHWARZ, EMMA	SCOTT, ERIC	SEAWELL, SAM	SEIBERT, RENA
SCHWARZ, KURT	SCOTT, GEORGE	SEAY, EMILY	SEIBOLD, ROSLYNN
SCHWARZ, MARLENE	SCOTT, J. DAVID	SEBASTIAN, ABRAHAM	SEIERSEN, CATHERINE
SCHWARZ, PETER	SCOTT, JAN	SEBASTIAN, JOSEPH	SEIFERT, KATE
SCHWARZ, STEVEN	SCOTT, JAN	SEBASTIAN, SCOTT	SEIFERT, TERRY
SCHWARZE, RICHARD	SCOTT, JENNIFER	SEBASTIAN, SCOTT	SEIFRIED, BONNIE
SCHWASINGER, SHELLI	SCOTT, JENNIFER	SEBESTA, DOYLE	SEIGEL, MARTIN
SCHWED, LINDA	SCOTT, KIM	SECCOMBE, ANN	SEIGNON, VANESSA
SCHWEFEL, JEFF	SCOTT, KLARA	SECHRIST, SHELLEY	SEIL, FREDRICK
SCHWEFEL, JEFF	SCOTT, LAUREL	SECKENDORF, MICHAEL	SEIL, FREDRICK
SCHWEGLER, TOM	SCOTT, MARY	SECOR, GLENN	SEILER, MATTHEW
SCHWEIGER, NANCY	SCOTT, MARY	SECOY, STEVE	SEISSIAN, AMANDA
SCHWEINSBURG, RICH	SCOTT, MICHELLE	SECRIST, PATRICIA	SEITZ, ANNA
AND JANE	SCOTT, NADINE	SECRIST, PATRICIA	SEITZ, JODY
SCHWEINSBURG, RICH	SCOTT, NANCY	SECRIST, PATRICIA	SEITZ, KATHLEEN
AND JANE	SCOTT, NEIL	SECRIST, PATRICIA	SELBY, DENA
SCHWEITZER, ERIC	SCOTT, NEIL	SEDEL, GAIL	SELBY, DENA
SCHWEITZER, SHERYL	SCOTT, NOLEN	SEDERBERG, KARYN	SELBY, DENA
SCHWEIZER, TERI	SCOTT, PATRICIA	SEDERQUEST, EVAN	SELDEN, CAROL
SCHWENDEMAN, J	SCOTT, PHILLIP	SEDERSTROM, SARAH	SELDEN, MILO
SCHWENDEMAN, J	SCOTT, RAINE	SEDLACHEK, SUSAN	SELDIN, FRAN
SCHWER, DEB	SCOTT, SUSAN	SEDLAK, DEANNA	SELEY, M
SCHWER, MAUREEN	SCOTT, THOMAS	SEDON, DOUGLAS	SELEY, M
SCHWERY, DUANE AND	SCOVILLE, P	SEDON, SIDONIE	SELEY, MM
KATHLEEN	SCOVILLE, PAM	SEDY, ALICE	SELEY, MM
SCHWINBERG, JEAN	SCRANTON, LIZ	SEDY, ALICE	SELEY, MM
SCHWIND, LAURA	SCREEN, MICHAEL	SEDY, ALICE	SELF, CYDNEY
SCHWING, BILL	SCRIBNER, DENEE	SEEF, MICHAEL	SELF, DIANE
SCHWITZ, HAYLEY	SCRIBNER, SUSAN	SEEFELD, MADELINE	SELF, WINKE
SCHWOEBEL,	SCRIFF, JOE	SEEGER, BARBARA	SELIG, HEIDI
MARYHOPE	SCRIMA, PAMELA	SEEGER, DEB	SELIGMAN, ANN
SCIARRILLO, LOISANN	SCRIPP, MARGARET	SEEGERS, SALLY	SELINGER, CRAIG
SCIBETTA, JEN	SCRIPTUNAS, JUDY	SEEGOTT, MARY	SELKO, CHERYLL
SCIBETTA, JEN	SCRIVER, RENEE	SEEGOTT, MARY	SELLARI, BELINDA
SCIBETTA, JEN	SCROGGIN, DEBORAH	SEEGOTT, MARY	SELLEGREN, JEFFREY
SCIBETTA, JEN	SCUDDER, BONNIE	SEEHERMAN, ELLEN	SELLERS, BEVERLY
SCILLUFFO, JOSEPH M	SCULL, JENNIFER	SEEHERMAN, ELLEN	SELLERS, J
SCINTILLA, STEPHANIE	SCULL, JENNIFER	SEELEY, RUTH	SELLNER, JOSEPH
SCIOSCIA, JACQUELYN	SCULLY-CLARK, JACKIE	SEFTON, JANET	SELLO, SIMONE
SCIPIONE, JOSEPHINE	SEADER, SARAH	SEFTON, NANCY	SELLO, SIMONE
SCOFIELD, JANICE	SEAGER, MICHAEL	SEFTON, NANCY	SELLS, JULIE
SCOGGIN, CLAIRE	SEAGRAVE, ROBIN	SEGAL, CORINNE	SELL-SNIDER, PAMELA
SCOGGIN, MARY	SEALS JR, JOSEPH R	SEGAL, DIANE	SELQUIST, DONNA
SCOGGIN, MARY	SEALS JR, JOSEPH R	SEGAL, DIANE	SELTZER, DEVON
SCOLLON, SUZANNE	SEALS JR, JOSEPH R	SEGAL, ELLEN	SELTZER, ELIZABETH
SCOTT, ALAN	SEALS, JANET	SEGAL, ELLEN	SELTZER, JULIANA
SCOTT, ANN	SEARAIN, SUSAN	SEGAL-CRAWLEY, LINDA	SELTZER, ROB
SCOTT, ANNE	SEARLE, CLARK	SEGER, KIMBERLY	SELVERSTON, SYLVIA
SCOTT, ANNE	SEARS, CAROL	SEGER, KIMBERLY	SELZNICK, STEPHANIE

SEM, TERESA	SÉVILLA, CAROLINE	SHAKESPEARE, SUZANNE	SHAREE, DONNA
SEMINOLE AUDUBON SOCIETY, SAS	SEVILLANO, CYNTHIA	SHAKESPEARE, TRAVIS	SHARIFF, MAHA
SEN, ARLENE	SEWALL, DANA	SHAKIB, SIBA	SHARKEY, MARY
SENA, JANI	SEWARD, RENEE	SHALAT, HARRIET	SHARKEY, VIRGINIA
SENA, QUINN	SEWARD, RENEE	SHALDA, EDWARD	SHARKIN, MARTHA
SENCIAL, NINA	SEWELL, SHARON	SHALDA, EDWARD	SHARP, ANDREA
SENDELBACH, BARBARA	SEWICK, KAREN	SHALKOWSKI, JAMES	SHARP, ANDREA
SENDELBACH, BARBARA	SEXAUER, MARGARET	SHALLCROSS, BOZENA	SHARP, DWITE SHARP
SENDERA, L	SEXTON, KRISTA	SHALLER, VIRGINIA	SHARP, KATHRYN
SENESAC, PIXIE	SEXTON, SARA	SHALLMAN, ELSY	SHARP, MARY JEAN
SENESMAN, EVELYN	SEXTON, SARA	SHALLMAN, ELSY	SHARP, PATSY A
SENG, SUE	SEXTON, SARA	SHALLMAN, ELSY	SHARPE, LIBBY
SENGUPTA, SUMITA	SEXTON, TONYA	SHAMBARGER, SARA	SHARPE, SUSAN
SENKO, BOB	SEYLER, LANE	SHAMES, B SAMUEL	SHARRON, KATIE
SENN, MARY	SEYMOUR, JOYCE	SHAMES-ROGAN, JULIE	SHASKAN, HELEN
SENTI, KATHY	SEYMOUR, RENEE	SHAMPNEY, MARIE	SHAUGHNESSY, ANNA
SENTNER, REBECCA	SEYMOUR, STEPHANIE	SHAMSHOIAN-	SHAUGHNESSY, ANNA
SENYSZYN, PAUL	SEYMOUR, SYLVIA	SAKAMOTO, SUSAN	SHAUGHNESSY, ELIZABETH
SEPANLOU, MEHRY	SFEIR, LISA	SHANAHAN, MARK	SHAYER, CHARLES
SEPE, PETER	SFERRA, GLORIA	SHANDLING, DIANA	SHAYER, KATHLEEN
SEPE, PETER	SFERRA, GLORIA	SHANDLING, DIANA	SHAW, BOB
SEPTEMBER, P.	SHABBOTT, MARY	SHANE, SHEILA	SHAW, CONNELEE
SEQUICHIE-KERCHEE, DEBBIE	SHABBOTT, MARY	SHANER, JANET	SHAW, DONALD
SERAFIN, KIARA	SHABI, DEBBIE	SHANER, YOLANDA	SHAW, DONNA
SERAFIN, KIARA	SHABI, KATHLEEN	SHANER, YOLANDA	SHAW, DONNA
SERAFIN, SANDRA	SHABI, RICK	SHANGREAUX, CHRISTINE	SHAW, JACKI
SERAMBA, JAMES	SHACKELFORD, MARY	SHANKEL, GEORGIA	SHAW, JOE
SERAPHIN, SUE	SHADE MURPHY, PAMELA	SHANKLING, VICTORIA	SHAW, KELLY
SERBYN, LAURIE	SHADE MURPHY, PAMELA	SHANLEY, KAREN	SHAW, MALLORY
SERCOMBE, SARAH	SHADE MURPHY, PAMELA	SHANLEY, KAREN	SHAW, MARIANNE
SERMAK, CHESTER	SHADE MURPHY, PAMELA	SHANLEY, KAREN	SHAW, MARY
SERNE, S	SHADE MURPHY, Y	SHANLEY, MARIBETH	SHAW, PAMELA
SERNE, S	SHADIX, LOIS	SHANNAHAN, RICHARD	SHAW, SHIRLEY
SERNEL, ELLIOTT	SHAE, RHIAMON	SHANNON, DANIELLE	SHAW, SHIRLEY
SEROTINI, CAMILLE	SHAFFER, ANN	SHANNON, LYNN	SHAW, TARA
SERRA, LYNN	SHAFFER, BETH	SHANNON, LYNN	SHAWALUK, MICHELE
SERRANO, RAÚL	SHAFFER, NICOLE	SHANNON, NANCY	SHAW-ELLIS, REGINA
SERRECCHIA, ANGELA	SHAFFER, NICOLE	SHAPIRO, AGGIE	SHAWN, CARL
SERVELLO, JOHN	SHAFFER, NICOLE	SHAPIRO, ANITA	SHAY, RALPH
SERVELLON, Y. GINA	SHAFFER, SUZANNE	SHAPIRO, BONNIE	SHAY, SHEILA
SERWACKI, VERONICA	SHAFFER, TRIA	SHAPIRO, DENISE	SHAYNE, A.F.
SERXNER-MERCHANT, SHOSHANA	SHAFFER, TRIA	SHAPIRO, ELIZABETH	SHEA, BONITA
SERXNER-MERCHANT, SHOSHANA	SHAFFER-O'CONNELL, MELISSA	SHAPIRO, ELLENE	SHEA, CAROLYN
SESSIONS, ROBERT	SHAFFER-O'CONNELL, MELISSA	SHAPIRO, HOWARD	SHEA, GERALYN
SETARO, MICHELLE	SHAFRANSKY, PAULA	SHAPIRO, JUDITH	SHEA, NANCY
SETLIFF, LANCE	SHAFRANSKY, PAULA	SHAPIRO, KENNETH	SHEA, PATRICK
SETLIK, SANDRA	SHAH, NANDITA	SHAPIRO, LEO	SHEAHAN, MAUREEN
SETTERBERG, MARK	SHAH, NANDITA	SHAPIRO, MICHAEL	SHEAHON, COLLEEN
SETTLE, GREG	SHAH, NANDITA	SHAPIRO, MICHAEL	SHEAHON, COLLEEN
SEVERANCE, JENNIFER	SHAH, NANDITA	SHAPIRO, MICHAEL	SHEAKS, CINDY
SEVERSON, MARC AND SUSAN	SHAH, RABIA	SHAPIRO, MIRIAM	SHEALY, PATTI
SÉVILLA, CAROLINE	SHAHAN, JIM	SHAPIRO, NATALIE	SHEARER, WILLIAM
SÉVILLA, CAROLINE	SHAIK, HAMMAD	SHAPIRO, SOFIA	SHEBESTA, BAILLIE
	SHAKARJIAN, MICHAEL	SHAPIRO, SUSEN	SHECK, NONA MARIE
		SHARDO, JUDY	SHECK, SALLY
		SHARE, ROBIN	SHECTER, KATHLEEN

SHECTER, KATHLEEN	SHER, BRET	SHILLITO, JAN	SHORT, BETTYE
SHEDD, REBECCA	SHER, BRET	SHIMASAKI, E.	SHORT, JUNE
SHEDD, REBECCA	SHERBA, DAYLE	SHIMATA, KATHY	SHORT, KIMBERLY
SHEEHAN, KIMBERLY	SHERIDAN, KATHERINE	SHIMEL, MARGO	SHORT, NATALIE
SHEEHY, STEVE	SHERIDAN, NANCY	SHIMEL, MARGO	SHORTELL, TIM
SHEELER, PAM	SHERIN, MIMI	SHIMER, SUE	SHOULE, MICHAEL
SHEERS, DAWN	SHERIN, MIMI	SHIMKONIS, ERICKA	SHOVAH, JOYCE
SHEETS, ALYSON	SHERK, DOUGLAS	SHIN, JANET	SHOVELIN, SHARON
SHEETS, MELVIN	SHERLINE, SAMANTHA	SHINN, MICHON	SHOWN,
SHEETS, RUTH	SHERMAN, ANDREA	SHIP, L	MARYCAROLINE
SHEFCHIK, PAM	SHERMAN, BARBARA	SHIP, L	SHRADER, KAY
SHEHEEN, VIRGINIA	SHERMAN, ELISABETH	SHIP, L	SHREVE, MAGGIE
SHEIDLER, MICHAEL	SHERMAN, J.P.	SHIPKA, DARCIE	SHREVES, JOE
SHEKELL, MARGARET	SHERMAN, JEFF	SHIPLEY, JOANNA	SHRINER, LINDA
SHELANGOSKI, DENA	SHERMAN, JO	SHIPLEY, SHELLEY	SHRODER, STEVEN
SHELBY, BC	SHERMAN, LAURA	SHIPPY, JANE MAYA	SHRODER, STEVEN
SHELBY, BC	SHERMAN, LORAIN	SHIPPY, JANE MAYA	SHRUM, SHELIA
SHELBY, BC	SHERMAN, NICHOLAS	SHIPSKY, JUDITH	SHUBERT, LOIS
SHELBY, BC	SHERMAN, ROCHELLE	SHIRES, JEFFREY	SHUFORD, CARLA
SHELDON, CHERYL	SHERMAN, STEPHANIE	SHIREY, DEB	SHUFORD, CARLA
SHELDON, CHERYL	SHERMAN, VENESSA	SHIREY, LINDA	SHUFORD, CARLA
SHELDON, CHERYL	SHERMAN-JONES,	SHIREY, SANDRA	SHUFORD, CARLA
SHELDON, CHERYL	CYNTHIA	SHIRK, PAMELA	SHUFORD, CARLA
SHELDON, CHERYL	SHERMAN-JONES,	SHIRK, PAMELA	SHUFORD, LARRY
SHELDON, JANIE	CYNTHIA	SHIRLEY, ROBIN	SHUGERMAN, LANCE
SHELDON, RYAN	SHERMAN-JONES,	SHISLER, MARYANN	SHULL, MAUREEN
SHELDON, SHELLEY	CYNTHIA	SHISSLER, G. EDWARD	SHULL, MAUREEN
SHELLEY, IAN	SHERMER, SUZANNE	SHITAMA, CELESTE	SHULL, TINA
SHELLUM-ALLENSON,	SHERMOCK, MARGARET	SHIVAR, JEFFREY	SHULMAN, JOSEPH
KRISTIN	SHERMOCK, MARGARET	SHIVELY, JUDY	SHULTZ, DORIS
SHELLY, CHARLES R	SHERO, DALE	SHIVELY, JUDY	SHULTZ, JAMIE
SHELLY, DEBBIE	SHERO, DALE	SHIVLEY, KAREN	SHULTZ, RITA
SHELMIRE, SUZETTE	SHERO, DALE	SHOAF, TINA	SHULTZ, TRACY
SHELTON, ANITA	SHERRARD, KATHRYN	SHOCAIR, ABLA	SHUMAKER, H. DENNIS
SHELTON, CAROL	SHERRER, KAYAN	SHOFFNER, SANDRA	SHUMAKER, H. DENNIS
SHELTON, DANNY	SHERRER, KAYAN	SHOFNER, MARION	SHUMAKER, JAN
SHELTON, FELICITY	SHERRY, EILEEN	SHOKOHI, AZHAND	SHUNDI, ELIZABETH
SHELTON, JUSTINE	SHERRY, FRAN	SHOLLENBERGER,	SHUPE, CRYSTAL
SHELTON, KATHLEEN	SHERRY, VINCE	DEBRA	SHUPPE, KELLY
SHELTON, TERRY	SHERWIN, BOYCE	SHOLLMIER, LINDASUE	SHURGOT, MICHAEL
SHEMANSKI, ROSELYN	SHERWOOD, DAN	SHOLTEZ, ROBERT	SHUSTER, DEBRA
SHEMBERG, BEA	SHERWOOD, DEAN	SHOLTZ, LAURA	SHUSTER, MARGUERITE
SHEMENSKI, PATRICIA	SHERWOOD, DEAN	SHONE, GLORIA	SHUTAY, JEANETTE
SHEMWELL, MISTY	SHERWOOD, DONNA	SHONKWILER, RANDY	SHUTER, MELANIE
SHEN, FREDA	SHERWOOD, STACI	SHOOK SCHALEK, LIN	SHUTLER, DENNIS
SHEN, KAYE	SHERWOOD, SUSAN	SHOOK, MEGAN	SHUTLER, JENNIFER
SHEN, YE	SHETLER, JULIE	SHOOK, PHILIP	BONDLEY
SHENBERGER, RONALD	SHEVLINO, STEPHEN	SHORE, LISA	SHUTT, HEATHER
SHENNAN, JANNA	SHIDELER, VALERIE	SHORE, LISA	SHUTTE, DAINA
SHEPARD, RICHARD	SHIDLAUSKI, TAMARA	SHORE, PATRICIA	SICHEL, DIANN
SHEPARD, RICHARD	SHIELDS, DEBORAH E	SHORE, PATRICIA	SICKLES, BARBARA
SHEPARD, WENDY	SHIELDS, JAMIE	SHORE, PATRICIA	SICKLES, DAVID
SHEPHERD, MARILYN	SHIELDS, MAGGIE	SHORE, PATRICIA	SID, A
SHEPHERD, SANDRA	SHIELDS, MIKE	SHORES, KATHY	SID, A
SHEPLER, DEBRA	SHIELDS, SUSAN	SHORES, KATHY	SID, A
SHEPP, KAREN	SHIFFRIN, JOYCE	SHORES, KATHY	SID, A
SHEPPARD, COLLEEN	SHIH, VICTORIA	SHORR, VICTORIA	SID, A
SHEPPARD, KAY	SHIH, VICTORIA	SHORT, BETTYE	SIDBECK, SARAH

SIDBECK, SARAH	SILENO, MICHAEL	SIMMONS, J	SINDEL-KESWICK, AMANDA
SIDBURY, MERCY	SILER, JULIE	SIMMONS, KAREN	SINDONI, JENNE
SIDDALL, DEBORAH	SILFEN, ILYSSA	SIMMONS, MICHELLE	SINER, ROBIN
SIDEBOTHAM, NANCY	SILIATI, NORELLE	SIMMONS, PAMELA	SINGER, BARBARA
SIDOR, MARIE	SILIES, DORIS	SIMMONS, PAULA	SINGER, DAWN
SIDOTI, GEORGE	SILK, JOHN	SIMMONS, RAND	SINGER, JERALD
SIEB, ANGELINE	SILLAH, JULIE	SIMMONS, STEVE	SINGER, LINDA
SIEBERT, NANCY	SILLASEN, BECKY	SIMMONS, TAMMY	SINGER, LINDA
SIEBERT, PAMELA	SILLERY, BOB	SIMMONS, TINA	SINGER, NETTIE
SIEBOLD, NEEL	SILLIMAN-FRENCH, LISA	SIMMS, FRIDA	SINGER, SHARON
SIECK, JOANNE	SILVA, CHANTEL	SIMMS, FRIDA	SINGH-BOWMAN, NAN
SIEFKEN, DEBRA	SILVA, DEBRA	SIMMS, LISA	SINGLETARY, JANA
SIEFKEN, DEBRA	SILVA, EMILIA	SIMMS, MARYJAYE	SINGLETON, GREG
SIEGEL, ANNE	SILVA, KAREN R	SIMON, CAMILLE	SINGLETON, LYN
SIEGEL, ANNE	SILVA, KRISTIN	SIMON, CAROLYN	SINGLETON, MARTHA
SIEGEL, CHRISTA	SILVA, LISA	SIMON, DEE	SINGLETON, MARTHA
SIEGEL, CHRISTA	SILVA, MARCIA	SIMON, MELINDA	SINGLETON, MARTHA
SIEGEL, CRAIG	SILVA, MARY LOU	SIMON, SARA	SINGWI, VEENA
SIEGEL, ELLEN	SILVA, MOYIE	SIMONDS, BARBARA	SINHA, JESSICA
SIEGEL, JEAN	SILVA, MOYIE	SIMONDS, BARBARA	SINIARD, SUSAN
SIEGEL, LESLIE	SILVER, CYNTHIA	SIMONE, BEVERLY	SINICROPI, TAMIRA
SIEGEL, MYRA	SILVER, DAN	SIMONE, DANA	SININGER, KATHY
SIEGEL, RICHARD	SILVER, DAWN	SIMONETTA, PHYLLIS	SINN, JUDY
SIEGEL, SHEILA	SILVER, DENISE	SIMONETTI, HILARY	SINN, JUDY
SIEGER, BRENDA	SILVER, GENIE	SIMONIN, LISA	SINNOTT, LYNN
SIEGMANN, SUZY	SILVER, JON	SIMONIS, JIM	SIPOS, STEVE
SIEGNER, SANDRA	SILVER, KARISSA	SIMONOFF, JEANNE	SIPP, PETER
SIEGNER, SANDRA	SILVER, MARGARET	SIMONS, DENISE	SIPPRELL, THOMAS
SIEGRIST, NANCY	SILVER, PAULA	SIMONSON, SHEILA	SIRABIAN, ERIKA
SIEKEVITZ, RUTH	SILVER, REGENE	SIMPSON SERRANO, DENYSE	SIRACUSA, KAREN
SIELICKI, ELIZABETH	SILVER, RONALD	SIMPSON, BARBARA	SIRACUSA, KAREN
SIEMIAN, LORI	SILVER, VICTORIA	SIMPSON, BLAINE	SIRAK, ALISON
SIEMUCHA, JAN	SILVERMAN, DEB	SIMPSON, BRENDA	SIRANIAN, MATTHEW
SIENKO, SHAWANA	SILVERS, LYNN	SIMPSON, CYNTHIA	SIROIS, DEBRA
SIEPIERSKI, BARBARA	SILVERSTEIN, SYLVIE	SIMPSON, DEBORAH	SIRR, KATHLEEN
SIERCHIO, DEBBIE	SILVESTRO, CAROLYN	SIMPSON, EDITH	SIRULL, RICHARD
SIERRA, ELIZABETH	SILVEY, KATHERINE	SIMPSON, JILL	SIRULL, RICHARD
SIETTMANN, AMY	SILVEY, KEVIN	SIMPSON, KATHY	SIRUNI, ANA
SIEWERT, BARBARA	SILVEY, KEVIN	SIMPSON, MARYANN	SISK, CHRISTINA
SIEWERT, CHERI	SILVEY, KEVIN	SIMPSON, MICHAL	SISK, SIDNEY
SIEWERT, SALLY	SIMARD, HENRY	SIMPSON, N	SISLOCK, MARIA
SIGISMONDI, LINDA	SIMCOX, SHELLEY	SIMPSON, OPAL	SITNICK, JOAN
SIGMAN, MARY TRACY	SIMCOX, SHELLEY	SIMPSON, SALLY	SITTER, MARGARET
SIGNEY, PHILLIP	SIME, DAVID	SIMPSON, SONNA DEE	SITTON, RONALD
SIGWART, SARA	SIMEONE, LYNNE	SIMS, ANNA	SIVA, AMARA
SIKES, CATHY	SIMER, CYNDY	SIMS, JENNIFER	SIVESIND, TORUNN
SIKES, CATHY	SIMINGTON, KATHY	SIMS, JOE	SIVULICH, LENORE
SIKES, RONALD	SIMINGTON, KATHY	SIMS, JUDY	SIWECKI, ALEXANDRIA
SIKES, ROSEMARY	SIMINGTON, KATHY	SIMS, MARY	SIWIK, IRENE
SIKES, ROSEMARY	SIMIONE, ANNETTE	SIMS, SUSANNE	SIWIK, IRENE
SIKORSKI, DUANE	SIMMER, DOUG	SINCHER, JOYCE	SIXBEY, MARK
SIKORSKI, ROBERT	SIMMETH, BRUCE	SINCLAIR, CAROL	SIXTO, DANIEL
SILBER, BARBARA	SIMMONDS, BEATRICE	SINCLAIR, ELEANOR	SIZER, EILEEN
SILBERMAN, JAMES	SIMMONDS, BEATRICE	SINCLAIR, JUDITH	SJOGREN, KAREN
SILBERSTEIN, LOIS	SIMMONDS, BEATRICE	SINCLAIR, JUDITH	SJOLIN, SUSAN
SILBERSTEIN, LOIS	SIMMONDS, BEATRICE	SINCLAIR, KAREN	SKAL, STEVEN
SILBERSTEIN, LOIS	SIMMONS, COOPER	SINCLAIR, ROBERT	
SILEN, STEPHAN	SIMMONS, DEANNA		

SKALSKY, REBECCA	SLACUM, ELIZABETH	SMALL, NANCY	SMITH, CONNIE
SKALSKY, REBECCA	SLAKTER, JUDI	SMALLEY, BEVERLY	SMITH, CRISTINA
SKARIN, ELLEN	SLAPNICK, SUSAN	SMALLEY, CAROL ANN	SMITH, CYNTHIA
SKASIK, MELISSA	SLATE, JOHN	SMALLMAN, DEE	SMITH, DANIA
SKASIK, MELISSA	SLATE, JOHN	SMALLMAN, DEE	SMITH, DARRYLIN
SKEEL, LYNNE	SLATE, JOHN	SMALLWOOD, HOLLY	SMITH, DAVE
SKEFFINGTON, ANNE	SLATE, PATRICIA	SMALLWOOD, HOLLY	SMITH, DEANNA
SKELTON, BEVERLY	SLATER PRICE, PAM	SMALLWOOD, WILLIAM	SMITH, DEBBIE
SKELTON, BEVERLY	SLATER, MARTIN	SMALUK-NIX, KATHLEEN	SMITH, DEBORAH
SKELTON, KAYELAH	SLATER, PHOEBE	SMARDZ, AMY	SMITH, DEBRA
SKERLEC, ERNETTA	SLATER, PHYLLIS	SMART, JUDITH	SMITH, DELLA
SKEVOFILAX, MARK	SLATER-GIGLIOLI, JULIE	SMATLAK, ELLEN	SMITH, DIANE
SKEWS, GEOFF	SLATER-GIGLIOLI, JULIE	SMILES, STORM	SMITH, DON
SKEWS, GEOFF	SLATER-GIGLIOLI, JULIE	SMILES, STORM	SMITH, DONALD
SKEWS, GEOFF	SLATER-GIGLIOLI, JULIE	SMILES, STORM	SMITH, DONNA
SKEWS, GEOFF	SLATER-GIGLIOLI, JULIE	SMILES, STORM	SMITH, DONNA
SKIBA, DAWID	SLATIN, PATRICIA	SMILEY, JOY	SMITH, DONNA
SKIBELL, LINDSEY	SLATON, RENEE	SMILEY, PEGGY	SMITH, DONNA
SKIDMORE, CHRISTINE	SLATTERY, MAURA	SMILINGCOYOTE, JEAN	SMITH, DONNA
SKIDMORE, CHRISTINE	SLATTERY, MAURA	SMILINGCOYOTE, JEAN	SMITH, DOROTHY
SKIDMORE, CHRISTINE	SLAUGHTER, ANITA	SMILKO, MONICA	SMITH, DUANE
SKILL, JACQUI	SLAUSON, KEVIN	SMILKO, MONICA	SMITH, EARL
SKINDER, CARLA	SLAUSON, KEVIN	SMILKO, MONICA	SMITH, ELIZABETH
SKINNER, CAROL	SLEIGHT, DOUG	SMIT, LYNN	SMITH, ELIZABETH
SKINNER, GLORIA	SLEVA, CATHY	SMITH JR, DR WILLIAM	SMITH, FLORENCE.
SKINNER, KAREN	SLEVC, PATRICIA	M	SMITH, FRANK
SKIPPER, SUSAN	SLIGER, JAMES	SMITH JR, DR WILLIAM	SMITH, FRANK
SKIRBUNT-KOZABO,	SLIKKERS, DAVID	M	SMITH, GERARD
WILLIAM	SLINKARD, BONNIE	SMITH JR, DR WILLIAM	SMITH, GORDON
SKJERVEN, COLLEEN	SLIWINSKI, MARCIA	M SMITH J	SMITH, GORDON
SKLAR, DANA	SLOAN FREEL,	SMITH JR, WILLIAM M	SMITH, GORDON
SKLAR, IRWIN	ELIZABETH	SMITH, AIMEE	SMITH, GRANT
SKLAR, LIVIA	SLOAN, HALLIE	SMITH, ALICE	SMITH, GREG
SKOLNICK, ANITA	SLOAN, LINDA	SMITH, ALMA	SMITH, GREGORY
SKOLNICK, KATE	SLOAN, MARY	SMITH, ANDREA	SMITH, HOLLY
SKOLNICK, KATE	SLOAN, MARY	SMITH, ANDREA	SMITH, HORACE
SKOP, DEBORAH	SLOAN, MICHAEL	SMITH, ANNE MARIE	SMITH, JAMES
SKOP, DEBORAH	SLOAN, RICK	SMITH, ANNE MARIE	SMITH, JANE A
SKORBERG, CHRISTINE	SLOAN, WIL	SMITH, ANNETTA	SMITH, JANELL
SKOUGE, GLORIA	SLOANE, MELANIE	SMITH, ANNICK	SMITH, JANELL
SKOWRON, DOROTHEA	SLOANE, NORMA	SMITH, BARBARA	SMITH, JANET
SKOWRON, DOROTHEA	SLOCUM, JILL	SMITH, BEN	SMITH, JANET
SKOWRON, RICHARD	SLOCUM, MILTON	SMITH, BETHANY	SMITH, JASZMENE
SKOWRONEK, THOMAS	SLOMAN, PETER M	SMITH, BETTE	SMITH, JEAN
SKRENTNY, JEFF	SLOMER, ROBERT	SMITH, BRADLEY	SMITH, JEAN
SKUDRA, NILS	SLONAKER, JOHN	SMITH, BRADLEY	SMITH, JEANNIE
SKUDRA, RENEE	SLONAKER, LYNN	SMITH, BRADLEY	SMITH, JEANNIE
SKUP, DEBRA	SLONAKER, LYNN	SMITH, BRIAN	SMITH, JEANNIE
SKVARLA, SUSAN	SLONAKER, LYNN	SMITH, BRIAN	SMITH, JEANNIE
SKWAREK, KELLEY	SLONAKER, LYNN	SMITH, CANDACE	SMITH, JEANNIE
SLACK, DEBBIE	SLOSEK, BRIAN	SMITH, CANDACE	SMITH, JENNIFER
SLACK, DONNA	SLOSEK, BRIAN	SMITH, CARLYTA	SMITH, JENNIFER
SLACK, GREG	SLOTNICK, CALEB	SMITH, CAROL	SMITH, JERRY
SLACK, JANET	SLOUGH, DEB	SMITH, CAROLE	SMITH, JESSIE
SLACK, KELLEY	SLOWIK, DONNA	SMITH, CAROLE	SMITH, JOAN
SLACK, KELLEY	SLOWINSKI, WILLIAM	SMITH, CAROLYN	SMITH, JOAN
SLACK, KELLEY	SMALARA, CAROLE	SMITH, CATHERINE	SMITH, JODY
SLACK, KELLEY	SMALE, MARYANN	SMITH, CHRISTOPHER	SMITH, JOHN
SLACK, KELLEY	SMALL, BETTI	SMITH, CLAUDIA	SMITH, JOSEPH

SMITH, JOSHUA	SMITH, NANCY	SMITHWICK, ROBIN	SNYDER, ROBERT
SMITH, JOYCE	SMITH, PAMELA	SMOAK, COPLEY	SNYDER, ROBERT
SMITH, JUDITH	SMITH, PAMELA J.	SMOCK, AMANDA	SNYDER, SHELLEY
SMITH, JUDITH	SMITH, PAUL	SMOCK, AMANDA	SOARES, RACHEL
SMITH, JUDITH	SMITH, PRISCILLA	SMOCK, J.	SOARES, RACHEL
SMITH, JUDY	SMITH, RACHEL	SMOKER, ART	SOARES, SUSANA
SMITH, JULIE	SMITH, REBECCA	SMOKER, ART	SOARES, SUSANA
SMITH, JULIE	SMITH, RICHARD	SMOKER, ART	SOBANSKI, SANDRA
SMITH, JULIE	SMITH, ROBERT	SMOLINSKI, MARY	SOBANSKI, SANDRA
SMITH, KATHERINE	SMITH, ROBERT	SMOLLER, MERRY SUE	SOBANSKI, SANDY
SMITH, KATHLEEN	SMITH, RON	SMOLNIK, JENIFER	SOBEL, ALLA
SMITH, KATHLEEN	SMITH, RYAN	SMOLYANSKAYA,	SOBEL, SCOTT
SMITH, KATHRYN	SMITH, S	ALEKSANDRA	SOBERANO, AMANDA
SMITH, KATHY	SMITH, S.	SMOOT, LESLIE	SOBERING, PENELOPE
SMITH, KELLIE	SMITH, S.	SMRHA, STEVEN	SOBIESKI, MONA
SMITH, KENT	SMITH, SALLY	SMYTH, LINDA	SOBLE, SHELLI
SMITH, KEVIN	SMITH, SANDRA	SMYTH, LINDA	SOCKNESS, JAN
SMITH, KEVIN	SMITH, SHANNON	SNAVELY, MARIE	SOCOL, ALAN P
SMITH, KIM	SMITH, SHARON	SNEAD, JANIS	SODDY, DIANE
SMITH, KIM	SMITH, SHERRY J	SNEDEGAR, JAN	SODEN, TOM
SMITH, KIM	SMITH, SHIRLEY	SNEDEGAR, JAN	SODERLAND, CARL
SMITH, KRISTIN	SMITH, STEPHANIE	SNEDEKER, NADINE	SOEIRO, ANDREA
SMITH, LAMONA	SMITH, SUSAN	SNELL, ELAINE	SOENKSEN, MARK
SMITH, LAURA	SMITH, SUZANNE	SNELL, JEANNE	SOHAR, MEGAN
SMITH, LAUREN	SMITH, TAMMERYN	SNELL, VALARIE	SOHL, ERICA
SMITH, LAUREN	SMITH, TERESA	SNELL, VALARIE	SOKOL, GEORGINA
SMITH, LAURIE	SMITH, TERESA	SNELGROVE, DADE	SOKOLOVIC, LAURA
SMITH, LEE	SMITH, TERESA	SNIDER, JORDAN	SOLAN, VIRGINIA
SMITH, LEIA	SMITH, TERESA	SNIDER, LAURA	SOLANKI, LORI
SMITH, LESLIE	SMITH, TERESA	SNIDER, VIRGINIA	SOLELL-MENSING, JULIE
SMITH, LESLIE	SMITH, THOMAS	SNIEGOWSKI, DIANE	SOLETZKY, ROBIN
SMITH, LESLIE	SMITH, THOMAS	SNIEGOWSKI, DIANE	SOLLITTO, ALISSA
SMITH, LINDA	SMITH, TIFFANY	SNIPES, GEORGE	SOLMON, DONA
SMITH, LINDSAY	SMITH, TIMMIE	SNITZER, EILEEN	SOLOCK, TRISTEN
SMITH, LISA	SMITH, TIMMIE	SNOW, CASON	SOLOMON, DONALD
SMITH, LORA	SMITH, TOM	SNOW, CLIFFORD	SOLOMON, JULIE
SMITH, LYRYSA	SMITH, TOM	SNOW, CLIFFORD	SOLOMON, LINDA
SMITH, LYRYSA	SMITH, TOM	SNOW, JANICE	SOLOMON, NANCY
SMITH, MARCIA	SMITH, TOM	SNOW, KEEGAN	SOLOMON, NATALIE
SMITH, MARCIA	SMITH, TYLER	SNOW, LAURIE	SOLOW, JODY
SMITH, MARIETTA	SMITH, VICKI	SNOW, MARGUERITE	SOLTIS, LINDA
SMITH, MARILYN	SMITH, VICKY	SNOW, ROBERT	SOLTYS, MELINDA
SMITH, MARJORIE	SMITH, WENDY	SNOW, ROBERT	SOLUM, MARY
SMITH, MARK	SMITH, WILLIAM	SNOW, SUSAN	SOLUM, STACEY
SMITH, MARSHA	SMITH, WILLIAM	SNOW, SUSAN	SOLY, KRISTINE
SMITH, MARY ANN	SMITH, WILLIAM	SNOWDON, JOSEPH	SOLY, KRISTINE
SMITH, MAUREEN	SMITH, ZACH	SNTACROCE, JANET	SOMALO, RUTH
SMITH, MAUREEN	SMITH-CONNELLY,	SNURPUS, JENNIE	SOMERS, DAVID
SMITH, MEGAN J	CRYSTAL	SNUTES, DAVID	SOMERS, GUY
SMITH, MELANIE	SMITHER, SUZANNE	SNYDER - RET. CO	SOMERS, HAYLEY
SMITH, MICHAEL	SMITHERS, LINDA	MAYOR, TIFFANY A.	SOMERS, HAYLEY
SMITH, MICHAEL	SMITHERS, WAYNE	SNYDER, ANDRE	SOMERVILLE, KARYN
SMITH, MICHAEL	SMITH-MORGAN, PAT	SNYDER, BARBARA	SOMERVILLE, KEN
SMITH, MICHELLE	SMITH-MORGAN, PAT	SNYDER, BRAD	SOMERVILLE, LISA
SMITH, MICK	SMITH-PUCKETT, PEGGY	SNYDER, CATHERINE	SOMERVILLE-FRANZ,
SMITH, MONICA	SMITH-VANDERSLICE,	SNYDER, GAIL	SUSAN
SMITH, NANCY	PAULA	SNYDER, ISABEL	SOMMER, DOBBY
SMITH, NANCY	SMITHWICK, ELEANOR	SNYDER, JUDITH	SOMMER, DOBBY

SOMMERFIELD, KATHARINE	SOUTHWICK, VILMA	SPEED, ANDREA	SPILLANE-MUELLER, CAROL
SOMMERFIELD, KATHARINE	SOUZA, ALYSSA	SPEEDLING, SHEILA	SPINDLER, LOUISE
SOMMERS, SCOTT	SOUZA, MIKE	SPEIDEL, BARBARA	SPINDLER, LOUISE
SOMOGY, CESARINA	SOUZA, MIKE	SPEIDEL, ED	SPINI, JANE
SONGSIRIDEJ, SUDARAT	SOUZA, PETER	SPEIDEL, ED	SPIRES, TARA
SONGY, SANDY	SOUZA-POSTLES, DONNA	SPEIER, PENELOPE	SPITZ, DANIELLE
SONIES, BARBARA	SOVELL, LYNN	SPEIER, PENELOPE	SPITZER, BARRY
SONNANSTINE, ABRA	SOWDEN, BRUCE	SPELBRING, SALLY	SPITZER, JEN
SONNENBERG, EILEEN	SOWDEN, BRUCE	SPELL, JUDITH	SPIVEY, KIMBERLY
SONNER, SUE	SOWERSBY, NANCY	SPELMAN, SUSAN	SPIWAK-WALLIN, SANDY
SOOTOO, MARGRET	SOYSA, RADIKA	SPELTER, KATARINA	SPLAWN, PHILIP
SOOTS, ROBERT	SPAGNOLA, DEBBIE	SPELTER, KATARINA	SPLAWN, TRACI
SOPHIA, TRISTAN	SPAICH, HEATHER	SPELTER, KATARINA	SPONNOBLE, SUSAN
SORENSEN, ELAINE	SPAIN, JANET	SPENCE, GARY	SPOON, LESLIE
SORENSEN, ELAINE	SPAIN, SHERI	SPENCE, KATHRYN	SPOON, LESLIE
SORENSEN, JANELL	SPALDING, JANET	SPENCER, ALEX	SPOONER, MURIEL
SORENSEN, LENORE	SPALLONE, MARIAN	SPENCER, BEN	SPOTTS, ELICIA
SORENSEN, LORI	SPANGLER, CAROL	SPENCER, CAROLYN	SPOTTSWOOD, DANA
SORENSEN, JENNIFER	SPANGLER, CAROL	SPENCER, COREE	SPRADLIN, KAREN
SORENSEN, MICHAEL	SPANGLER, RITA	SPENCER, DEBORAH	SPRADLIN, MICHAEL
SORG, SUSAN	SPANN, BRIDGET	SPENCER, DEBORAH	SPRADLIN, MICHAEL
SORGELER, BARBARA	SPANNAUS, SUSAN	SPENCER, GAIL	SPRADLIN, MICHAEL
SORIA, GLORIA	SPANOGLE, VICKI	SPENCER, GAIL	SPRAGUE, DENISE
SORRELL, ELIZABETH	SPANSKI, MARYANN	SPENCER, GAYLE	SPRAGUE, LINDA
SORRELL, JOANN	SPANSKI, SANDY	SPENCER	SPRAGUE, NANCY
SORRELL, JOANN	SPAR, JON	SPENCER, JEREMY	SPRAGUE, TAMMY
SORRELLS, JAMES	SPARESUS, JAMES	SPENCER, KELLY	SPRATLIN, MARILAN
SORRELLS, WAYNETTE	SPARGER, JANET	SPENCER, MARCI	SPRECHER, CINDY
SORRELS, BRANDESS	SPARGO, CATLIN	SPENCER, MARTHA	SPRECHER, CINDY
SORSTEIN, CAROLINE	SPARKES, RICHARD	SPENCER, NANCY	SPRECHER, DIANNA
SORTLAND, JOYCE	SPARKS, BEN	SPENCER, ROBERT	SPRIGGS, JULIE
SOSA, LIBBY	SPARKS, CAROL	SPENCER, STEPH	SPRING, KAREN
SOSA, MELINDA	SPARKS, CHRISTINE	SPENCER-GLASSON, JANINE	SPRING, SUSANNE
SOSIN, MADELEINE	SPARKS, LINDA	SPENDELOW, JEFFREY	SPRINGER, CYNTHIA
SOSIN, MADELEINE	SPARLIN, SHAUNA	SPENGLER, MELISSA	SPRINGER, CYNTHIA
SOSSLAU, RENEE	SPARROW, DEB	SPENGLER, REGINALD	SPRINGER, MICAH
SOTELO, TIFFANY	SPARROW, DEB	SPERANZA, MICHELLE	SPRINGER, SARAH
SOTEROPOULOS, PATRICIA	SPATES, GEORGEANNE	SPERBECK, ELAINE	SPRINGSTEEN, MICHELE
SOTHERN, ROBERT	SPAUDLING, ALMA	SPERLING, NAIDA	SPRINGSTEEN, MICHELE
SOTHWARD, ROGER	SPAUDLING, NANCY	SPERO, THOMAS	SPRINGTHORPE, DIANE
SOUTHWARD	SPEAGLE, PAMELA	SPEROS, GEORGE	SPRITZER, KATHY
SOTIR, KAITLIN	SPEAR, CHRISTY	SPEROS, GEORGE	SPROEHNLE III, WILSON L
SOTO, DEBRA	SPEAR, DENISE	SPEROS, GEORGE	SPROWL, LINDA
SOTO, ELSA M.	SPEAR, ELIZABETH	SPERR, LAURA	SPROWLS, STEPHEN
SOTO, ELSA M.	SPEAR, FOREST	SPEVAK, EDWARD	SPURR, KAREN
SOTO, ELSA M.	SPEAR, LAUREN	SPEVAK, PAULA	SPURRIER, BEVERLY
SOTO, LORNA	SPEAR, MIKE	SPHAR, MARY	SQUAIRE, SANDRA
SOTO, LORNA	SPEARING, ANN	SPICKNALL, JANICE	SQUIBB, MARSHA
SOUDER, RUTH K	SPEARS COOPER, CAROLYN	SPIEGEL, EDWYNA	SQUIRE, EDNA
SOUFFRONT, SABRINA	SPECK, CARYL	SPIEGEL, ILSE	SQUIRE, JULIE
SOUSA, JAMES	SPECK, CARYL	SPIEGEL, STEVEN	SQUIRES, KATHI
SOUSA, VERONICA	SPECTOR, BEV	SPIEGELMAN, ROBIN	SQUYRES, GEORGE
SOUTHARD, MARY	SPECTOR, BEV	SPIERS, STEPHANIE	SREDNICK, KIMBERLY
SOUTHER, TARA	SPEECE, TIM	SPIEWAK, MERYL	SREDNICK, MICHAEL
SOUTHWARD, ROGER	SPEED, ANDREA		SRINIVASAN, PUSHPA

SROAT, ENA	STAHL, LISA	STANZIL, ELSPETH	STECZAK, SUZANNE
ST CLAIR, TOM	STAHR, JONEL	STAPLES, BRIAN	STEDMAN, MATT
ST CLARE, SIMONE	STAHR, SUSAN	STAPLES, LAURA	STEELE, DAVID
ST FUENTES, JOSHUA	STANTON, VIRGINIA	STAPLES, LAURA	STEELE, LEIGH
ST JOHN, CHRISTOPHER	STAIRS, JANE	STAPLES	STEELE, RICHARD
ST LAURENT, ANDREW	STALES, STEVE	STAPLES, MARY SUE	STEELMAN, BARBARA
ST PETER, PATRICIA	STALEY, GARY	STAPLES, WILLIAM	STEELMAN, REBECCA
ST PETER, PATRICIA	STALKER, JOCELYN	STAPLETON, DEBBIE	STEELY, LUANN
ST PETER, MICHELE	STALLARD, AMY	STARK, AVITAL	STEERE, CHARITY
ST PIERRE, JEANNE	STALLINGS, JONNY	STARK, JAN	STEFANIAK, REGINA
ST. GEORGE, WILLIAM	STALSWORTH, WAYNE	STARK, JAN	STEFANIC, SHELLEY
ST. JOHN, CLAYTON	STAMM, JOANNE	STARK, KATHY	STEFANIC, SHELLEY
ST. JOHN, JUDY	STAMM, NANCY	STARK, KATHY	STEFANO, COURTNEY
ST. JOHN, CLAYTON	STAMM, NANCY	STARK, LEE	STEFANSKA, KRYSZYNA
ST. JOHN, CLAYTON	STAMP, LINDY	STARK, LINDA	STEFFEK, MAUREEN
ST. PIERRE, JEANNE	STAMPER, ANDREW	STARK, LOUISE	STEFFEN, DEBRA
ST. CLAIR, LAURA	STANBERRY, BETH	STARK, PATRICIA A	STEFFEN, TYLER
STAAB, ALFRED	STANCIL, YVONNE	STARK, ROBERT	STEFFEN, WALTER C.
STAAS, BONITA	STANDER, RYAN	STARK, ROBERT	STEFFENS, ANDREA
STAAS, BONITA	STANDIFER, MARY	STARK, ROBERT	STEFFES, DOROTHY
STAAS, SUSANNA	STANDISH, JEAN	STARK, STACIE	STEFFES, SUSAN
STAATS, ALYCIA	STANDON, MARK	STARK, TONI	STEFFES, WAYNE
STABLES, LEAH	STANEK, MARSHA	STARK, TONI	STEFFY, STEPHEN
STACCIA, DAWN-MARIE	STANFIELD, LOREN	STARKEY, MARY	STEGEMANN, EMILY
STACCIA, DAWN-MARIE	STANFIELD, MAGGIE	STARLING, RICHARD	STEGER, JIM
STACEY, PAULA	STANFORD, KATHY	STARR, ELENA	STEGMAN, BRUCE
STACEY, RANDY	STANGER, DAN	STARR, ELENA	STEGMAN, CATHY
STACH, GORDON	STANGLE, SANDRA	STARR, ELIZABETH	STEHLE, ALICE
STACHENFELD,	STANIK, CELESTE	STARR, HYGIE	STEHLE, ALICE
MARILYN	STANIORSKI, ROXANNE	STARR, KAREN	STEHLIK, RICHARD
STACHERA SIMON,	STANISLOWSKY,	STARR, LAUREL	STEIDLER, JOHN
ELAINE	MARYANN	STARR, LAUREL	STEIDLER, JOHN
STACHURA, DELORES	STANISTREET, CEDAR	STARR, LAUREL	STEIGER, RICHARD
STACKNICK, LESA	STANISTREET, MARY	STARR, PAMELA	STEIGERWALDT,
STAD, NATALIA	STANKE, SHARON	STARSEED, LOZZ	SAMANTHA
STAD, NATALIA	STANKIEWICZ, MELYSZA	STARSEED, LOZZ	STEIGERWALDT,
STADELBAUER, NATALIA	STANKRAUFF, ALISON	STASZEWSKI, JAMES	SAMANTHA
STADELBAUER, NATALIA	STANKRAUFF, ALISON	STATKIEWICZ, SUE	STEIN, AARON
STADLER, DEBBIE	STANLEY, BARBARA	STAUB, GLENN	STEIN, ANNA
STADLER, DOUGLAS	STANLEY, DANIELLE	STAUB, NANCY	STEIN, BETH
STADLER, GWEN	STANLEY, EDH	STAUBER, BETH	STEIN, CINDY
STADTHER, LAURIE	STANLEY, GABRIEL	STAUBER, DAVE	STEIN, CINDY
STADTHER, LAURIE	STANLEY, KIRK	STAUDT, DEB	STEIN, ELIZABETH
STADTHER, LAURIE	STANLEY, M	STAUDT, DEBRA	STEIN, ELIZABETH
STAFFIERI, HOLLY	STANLEY, M	STAUFFER, ELLEN	STEIN, EWA
STAFFORD, LEE	STANLEY, RICHARD	STAUTZ-HAMLIN, JAN	STEIN, JAMES
STAFFORD, LINDA	STANLEY, RICHARD	STAVINOHA, ANNA	STEIN, JULIE
STAFFORD, LORI	STANLEY, SONYA	STCLAIR, LAURA	STEIN, KETURY
STAFFORD, RICHARD	STANLEY, SONYA	STEADMON, JASON	STEIN, MARSHALL
STAFFORD, RICHARD	STANLEY, VICTORIA	STEADMON, JASON	STEIN, ROBIN
STAFFORD, SHARON	STANLEY, WILLIAM	STEARNS, JAY	STEIN, SANDRA
STAFMAN, VIRGINIA	STANOVICH, KAREN	STEARNS, JOAN	STEIN, VERONICA
STAGNITTA, GAYLE	STANSELL, CATHY	STEBBINS, GARY	STEINBACH, SUSAN
STAHL, JAMES AND KAY	STANTON, CLIFFORD	STEBBINS, SHIRLEY	STEINBAUM, STEVEN
STAHL, JAMES AND KAY	STANTON, ERIC	STEC, PAULA	STEINBERG, ANGELA
STAHL, JOANNE	STANTON, LEIGH	STECH, SUSIE	STEINBERG, ANGELA
STAHL, JULIE	STANTON, MARY	STECHERT, JUDITH	STEINBERG, ERIC
STAHL, KENNETH	STANTON, NEIL	STECKHOUSE, LISA	STEINBERG, JANE

STEINER, A.L.	STERN, KARLI	STEWART, L	STOEVE, RAMONA
STEINER, DONALD	STERN, RICHARD	STEWART, LAURIE	STOFKO, JOHN
STEINER, LORA	STERN, RICHARD	STEWART, LESLIE	STOKES, JULIANNE
STEINER, NEAL	STERNBERG, LAURA	STEWART, LESLIE	STOLAR, ARIEH
STEINHAGEN, DIANA	STERNER, DANIEL	STEWART, LESLIE	STOLAR, MICHAEL
STEINHART, CAROL	STERNER, ELIZABETH	STEWART, PATRICIA	STOLFI, JACKIE
STEINHART, SYDNAEL	STERNSTEIN, AMY	STEWART, PATRICIA	STOLL, ERIKA
STEINHART, SYDNAEL	STERRETT, SHELLEY	STEWART, RONALD	STOLLA, NANCY
STEINHAUER, KENDRA	STETLER, DAVID	STEWART, RUTH	STOLPE, DANIEL
STEINHOFF, CAROLYN	STEUART, LYN	STEWART, RUTH	STOLZE, DANIELLE
STEINIGER, WILLIAM	STEVENS, A	STEWART, SARAH	STONE M.P.H., AUSTEN
STEININGER, BOB	STEVENS, AMY	STEWART, SUSAN	STONE, ANNIE
STEININGER, DON	STEVENS, CAROL	STEWART, TAMMI	STONE, BARBARA
STEININGER, LINDA	STEVENS, DIXIE	STEWART, TERRI	ASZMAN
STEININGER, LORENZ	STEVENS, EDITH	STICE, LAURA	STONE, BARBARA
STEIN-KODZIK, MIA	STEVENS, EILEEN	STICHA, WAYNE	ASZMAN
STEINMAN, KURT	STEVENS, ELAINE	STICKLEY, BEVERLY	STONE, BRENDA
STEINMAN, MEDEA	STEVENS, LEE	STICKNEY, BEN	STONE, BRENDA
STEINMETZ, CHAS	STEVENS, LOIS	STIDHAM, DANIELLE	STONE, BRENDA
STEINMETZ, CINDY	STEVENS, MARY	STIDHAM, JEAN	STONE, DARBY
STEITZ, JIM	STEVENS, PATRICIA	STIDHAM, JEAN	STONE, DEBRA
STEITZ, JIM	STEVENS, SALLY	STIDHAM, JEAN	STONE, DONA
STEITZ, JIM	STEVENS, SHEILA	STIEFER, DIANA	STONE, DOROTHY
STELLA, ELISE	STEVENS, TATYANA	STIER, ANGELA	STONE, EDIE STONE
STELLA, MICHAEL	STEVENS, TATYANA	STIER, ANGELA	STONE, GAYLE
STELLA, MICHAEL	STEVENS, TRISH	STIFF, ERIC	STONE, JACQUELYN
STELTER, JOAN	STEVENS, TRISH	STIFF, ERIC	STONE, JAN
STELTER, JOAN	STEVENS, WENDY	STIFFLER, STEVEN	STONE, JEFFREY
STEMPF, DEBBIE	STEVENSON, ARTHUR T	STIFFLER, TONYA	STONE, JENNIFER
STEN, POLLY	STEVENSON, BARBARA	STIFFLER, TONYA	STONE, JILL
STENBERG, FRAN	STEVENSON, BRIGIT	STIGLIANO, MJ	STONE, LORI
STENBERG, GRACE	STEVENSON, GRANT	STILES SR, KERRY	STONE, PEGGY
STENCE, DIANA	STEVENSON, JAN	STILL, ALEXANDRA	STONE, SHOSHANAH
STENCE, FREDERICK	STEVENSON, KYLE	STILLINGS, DEANNA	STONE, SHOSHANAH
STENGER, CAROL	STEVENSON, PATRICIA	STILLWELL, KRISTEN	STONE, SUSAN L
STENGER, EMLYN	STEVESAND, PATRICIA	STILLWELL, LYDA	STONE, SUSANNA
STENROSS, BARBARA	STEWART, LINDA	STILLWELL, LYDA	STONE, VERNON
STENSETH, CAROLYN	STEWART, ALENA	STIMAC, VICKIE	STONE, WILLIAM
STEPHAN, EDWARD	STEWART, BARBARA	STIMELY, SARAH	STONE, WILLIAM
STEPHAN, ROBERTA	STEWART, DEB	STIMMEL, VICTORIA	STONE, WILLIAM
STEPHENS, DEBBIE	STEWART, EMILY	STIMPFLE, SUSAN	STONEBANK, AMANDA
STEPHENS, DIANE	STEWART, JACQUELINE	STIMPSON, LISA	STONE-GAUDET,
STEPHENS, KATHLEEN	STEWART, JACQUELINE	STIMPSON, LISA	HEATHER
STEPHENS, KATHLEEN	STEWART, JAN K	STIMPSON, LISA	STONE-GAUDET,
STEPHENS, MARK	STEWART, JENNIFER	STIMPSON, LISA	HEATHER
STEPHENS, NATALIE	STEWART, JESSICA	CHRISTOPHER	STONE-MEYER,
STEPHENSON, ANNE	STEWART, JESSICA	STINEHART, DEBRA	VIRGINIA
STEPHENSON, JAN	STEWART, JESSICA	STINNETT, ANNETTE	STONE-MEYER,
STEPHENSON, JEAN	STEWART, JESSICA	STINSON, LORI	VIRGINIA
STEPHENSON, MOSES	STEWART, JESSICA	STINSON, SHERRY	STONE-MEYER,
STEPP, LEN	STEWART, JESSICA	STOBER, PAULA	VIRGINIA
STERGIOU, PANAGIOTIS	STEWART, JIM	STOBER, PAULA	STONE-MEYER,
STERLING, CAROLINE	STEWART, JUDY	STOCH, RONALD	VIRGINIA
STERLING, JEFF	STEWART, JUDY	STOCK, RONALD	STONER, CYNTHIA
STERLING, TRICIA	STEWART, KATHERINE	STOCK, LINDA	STONER, CYNTHIA
STERMER SR, DAVID L	STEWART, KATHERINE	STOCK, SANDRA	STONER, CYNTHIA
STERN, AMANDA	STEWART, KATHERINE	STOCKWELL, MICHELLE	STONER, CYNTHIA
STERN, AMANDA	STEWART, KATHLEEN	STODDARD, DONNA	STONER, DOROTHY
	STEWART, KATIE	STODOLA, SUE	STONER, DOROTHY
	STEWART, L	STOESSSEL, KATHERINE	STONER, GREGORY

STONETON, JAMES	STRATOS, NICK	STRYKER, STEVEN	SUAREZ, MELISSA
STONNER, MIKE	STRATTEN, ANN	STRZELINSKI, JAMES J	SUAREZ, SUSAN
STONNER, MIKE	STRATTON, DOUGLAS	STUART, JOELLE	SUBALA, MARILYN
STONNER, MIKE	STRATTON, HILLARY	STUART, MICHAEL	SUBERG, RENAE
STOPA, MARTHA	STRATTON, SHELLEY	STUART, SIGNE	SUBRAMANIAN, GOKUL
STOPAK, NOAM	STRAUB, JUDITH	STUBBLEFIELD, ELYN	SUCHANEK, PAUL
STOPFER, DANIEL	STRAUB, TRICIA	STUBBS, JEREMY	SUCHORSKY, MICHAEL
STOPPA, DONNA	STRAUBE, TAMMY	STUBBS, JEREMY	SUCKOW, CAREY
STORACE, MICHELLE	STRAUGHN, KAT	STUBBS, MARYANNE	SUCZYNSKI, JAN
STORACE, MICHELLE	STRAUS, SUSAAAN	STUBBS, OLIVER	SUCZYNSKI, JAN
STORBAKKEN, AMY	STRAUSS, ALAN	STUBBS, OLIVER	SUDLOW, GRETCHEN
STORER, TIM	STRAUSS, GREG	STUBBS, OLIVER	SUDOL, LAURIE
STOREY, DON	STRAUSS, GREG	STUBER, DOROTHEE	SUELZLE, CAROL
STOREY, FRANCES	STRAUSS, GREG	STUBER, MARY	SUETT, PAMELA
STOREY, MARK	STRAUSS, KATE	STUCKER, MELINDA	SUFFRIDGE, MARK
STORK, SHARON	STRAW, REBECCA	STUCKERT, VON	SUGARMAN, KATHY
STORM, ANNA	STREBLE, JULIA	STUCKERT, VON	SUGG, KATHRYN
STORM, LAURIE	STREBY, ASHLEIGH	STUDONIVIC, STAR	SUHR, FRED
STORMS, ANN	STRECK, LINDA	STUDT, TIMOTHY	SUJKA, SHARI
STORMS, BRUCE	STREET, BRENDA	STUEBBEN, ANGELA	SULAK, COURTNEY
STORRS, ANDREA	STREET, KERGAN	STUEHLER, HELEN	SULEWSKI, LINDA
STOUT, BARBARA	STREET, SUE	STUERMER, SUSAN	SULLIVAN, AIDEN
STOUT, CAROLINE	STREICH, KIM	STUESSY, JESSICA	SULLIVAN, B
STOUT, MARGO	STRELECKI, WAYNE	STUEVEN, KEVIN	SULLIVAN, DIANE
STOUT, VILYNDA	STRELECKI, WAYNE	STUEVEN, KEVIN	SULLIVAN, DIANE
STOVALL, GLORIA	STRELECKI, WAYNE	STUHLMACHER, JAMES	SULLIVAN, DIANNE
STOVALL, GLORIA	STRELKE, CHARLEEN	STUHLMANN, HEATHER	SULLIVAN, EDMUND
STOVER, CHARRY	STRIBLING, JUDITH	STUHLREYER, MONICA	SULLIVAN, EDWARD
STOVER, ERIKA	STRICKLAND, JIM	STULB, JEANNE	SULLIVAN, EDWARD
STOVER, JAMES	STRICKLAND, PHILIP	STULB, JEANNE	SULLIVAN, FAITH
STOVER, W. ANDREW	STRICKLAND, SARA	STULB, JEANNE	SULLIVAN, FAITH
STOWE, M.	STRICKLAND, SUSAN	STULLER, CHERI	SULLIVAN, FAITH
STOWELL, JOCELYN	STRICKLAND, TRACY	STULTS, JAMIE	SULLIVAN, FAITH
STOWELL, JOCELYN	STRICKLEY, TIM	STULTZ, CAROL	SULLIVAN, FLORENCE
STOYAN-ROSENZWEIG, NINA	STRIDINGER, JENNIFER	STULZ, ARTHUR	SULLIVAN, FRANCES
STRADER, WILLIAM	STRIEDER, HELEN	STUMP, BRENDA	SULLIVAN, GRACE
STRAFFORD, CANDY	STRIK, NICOLAAS	STUMP, BRENDA	SULLIVAN, JAMES
STRAIGHT, WAYNE	STRIKE, DEBRA	STUMP, BRENDA	SULLIVAN, JOAN PAUL AND PJ
STRAIGHT-MILLAN, PHYLLIS	STRIMBU, M	STUMP, BRENDA	SULLIVAN, JOANN
STRAIGHT-MILLAN, PHYLLIS	STRINGER, KARI	STUMPEL, DOLORES	SULLIVAN, KAREN
STRAIN, JAMES	STRINGHAM, DEB	STURGEON, JEN	SULLIVAN, KAREN
STRAIT, JANET-SUE	STRNAD, MARY	STURGEON, MITCHELL	SULLIVAN, KAREN
STRAKBEIN, STEPHANIE	STROBLE, SHARON	STURKEN, VIRGINIA	SULLIVAN, KAREN
STRAMAGLIO, GINA	STROBLE, TRISH	STURM, ANNE	SULLIVAN, KAREN
STRAND, ROBERT	STROBURG, JUDY	STURROCK, WANDA	SULLIVAN, KAREN
STRAND, STACY	STROMBECK, JOYCE	STURTEVANT, JUDY	SULLIVAN, LORI
STRANG, DONNA	STROMBERG, ANITA	STUTHEIT, DANIELLE	SULLIVAN, LUCY
STRANGER, KAT	STROMFELD, ANDREW	STUTHEIT, DON	SULLIVAN, MARGO
STRANGSTAD, LYN	STRONG, GRACE	STUTTS, ANDREE	SULLIVAN, MARK
STRANSKY, CHARLES	STRONG, NANCY	STUTTS, ANDREE	SULLIVAN, MARY ANNE
STRANSKY, JAIMEE	STROUD, MARGIE	STYERS, STEVEN	SULLIVAN, MARY
STRASBERG, MICHELLE	STRUBBE, LAURIE	STYGLES, SANDRA	SULLIVAN, MICHAEL
STRASSER COLCLOUGH, MARY	STRUBLE, CARLA	STYKA, JANICE	SULLIVAN, NANCY
STRATE, KRIS	STRUBLE, TERESA	STYLES, MARIAN	SULLIVAN, P
	STRUDELL, LORNA	STYRON, MONICA	SULLIVAN, P
	STRUGAR, BARBARA	SUAREZ, DAVID	SULLIVAN, P
	STRUNK, KIM	SUAREZ, JOSEPH	SULLIVAN, P
	STRUNK, KIM	SUAREZ, MANUEL E.	

SULLIVAN, PETRA AND ROBERT	SUTTER, SHIRLEY	SWEENEY, SHERYL	SWOPE, TRACY
SULLIVAN, PHILIP	SUTTON, BRIAN K	SWEET, DAVID	SWORD, CAROL
SULLIVAN, SHARON	SUTTON, CAROLINE	SWEET, SELINA	SWYGARD, DONALD
SULLIVAN, SHARON	SUTTON, DAWN	SWEET, SELINA	SY, STEVEN
SULLIVAN, SHARON	SUTTON, ELEANOR	SWEET, TONY	SYED, ASAD
SULLIVAN, SHAWN	SUTTON, FRANCINE	SWEETING, JANET	SYED, MUSHTAQ
SULLIVAN, STACEY	SUTTON, JANET	SWEETLAND, DAISY	SYKES, LYNNE
SULLY, NICHOLAS	SUTTON, KATHERINE	SWEETMAN, R. JEAN	SYKES, WALLY
SUMINSKI, ANDREW	SUTTON, LINDSEY	SWEETMAN, R. JEAN	SYLVESTER, DOTTIE
SUMLER, JAMES	SUTTON, MARIE	SWEETMAN, R. JEAN	SYLVESTER, JUDY
SUMMERHAWK, DIDI	SUTTON, NEAL	SWEETSER, BROOKE	SYMINGTON, MICHELE
SUMMEROUR, SHERRY	SUTTON, RUSS	SWEETWOOD, SANDRA	SYMINGTON, MICHELE
SUMMERS, ANN	SUTTON, SARA	SWEITZER, ALEXANDRA	SYMONS, RHODA
SUMMERS, BEVERLY	SVADLENKA, JEAN	SWENKA, KIM	SYRON, KEVIN
SUMMERS, ISAAC	SVEC, BONNIE	SWENNING, CHRIS	SYSON, PATRICIA
SUMMERS, JEAN	SVEC, BONNIE	SWENSEN, JOY	SYTZKO, VICTOR
SUMMERS, KATHY	SVEC, BONNIE	SWENSON, ANNIKA	SZAKMARY, GARY
SUMMERS, SUSAN	SVEHLAK, CHRIS	SWENSON, ANNIKA	SZALAY, BONITA
SUMMERSGILL, CHERIE	SVEHLAK, JACKIE	SWENSON, INGRID	SZALLAI, THOMAS
SUMMEY, JULIEN	SVENONIUS, ERICKA	SWENSON, INGRID	SZAMBELAK, SUE
SUMNER, JENNIFER	LYNN	SWENSON, INGRID	SZCZESNIAK, DENNIS
SUMPTER, MARY	SVETE, IRENE	SWENSON, JEAN	SZCZESNIAK, DENNIS
SUNDAY, LYNN	SVETE, IRENE	SWENSON, SUE	SZCZESNIAK, DENNIS
SUNDBY, WENDY	SWABB, MOLLY	SWENSON-ZAKULA, KIMBERLY	SZCZESNIAK, DENNIS
SUNDE, JOHN	SWAFFORD, LEILANI	SWERSEY, MARY N.	SZLOSEK, DONNA
SUNDERLAND, MELISSA	SWAIN, DONNA	SWETT, ROBERT	SZONYI, BETTE
SUNDERLAND, MELISSA	SWALHEIM, CHERYL	SWIERENGA, CHERYL	SZOSTAK, ALINA
SUNDERLAND, MELISSA	SWANK, CARRIE	SWIERKOSZ, JOE	SZOSTAK, ALINA
SUNDQUIST, ELIZABETH	SWANSON, CRAIG	SWIFT, JESSE	SZOSTAK, ALINA
SUNDQUIST, ELIZABETH	SWANSON, DEBRA	SWIFT, RICHARD	SZOSTAK, ALINA
SUNDQUIST, LIANN	SWANSON, GRETA	SWIFT, RICHARD	SZOSTAK, ALINA
SUNDQUIST, SANDY	SWANSON, J	SWIFT, ROBERT	SZOSTAK, ALINA
SUNDRAM, VERONICA	SWANSON, J	SWIFT, ROBERT	SZOSTAK, ALINA
SUNFLOWER, SUSAN	SWANSON, JOANN	SWIGART, KARI	SZUMAL, RA
SUNLAKE, TIM	SWANSON, KATHIE	SWIGERT, SHEILA	SZUMAL, RA
SUNLAKE, TOM	SWANSON, KRISTEN	SWINDELL, LILLIAN	SZUMAL, RA
SURBECK, RACHEL	SWARD, LEESA	SWINDELL, LILLIAN	SZUMAL, RA
SURESH, VRINDA	SWARD, LEESA	SWINK, SHARYL	SZURLEY, LINDA
SURIN, PINYA	SWARD, MARY ANN	SWINK, SHARYL	SZYDLOWSKI, LYNETTE
SURLES, EMILY	SWARM-MCDERMOTT, SANDRA	SWINNEY, HEATHER	SZYMANSKYJ, MARGIE
SURLES, EMILY	SWART, STUART	SWIRCZYNSKI, SOPHIE AND JIM	T, ANN
SURMAY, LORI	SWART, TAMARA NOËL	SWIRCZYNSKI, SOPHIE AND JIM	T, ANN
SURRARRER, MAIJA	SWART	SWISS, MAUREEN	T, ASHLEY
SURREY, THEA	SWARTWOOD, GENIEVE	SWISS, MAUREEN	T, D
SURY, LOIS	SWARTWOUT, JACE	SWISTAK, KAREN	T, KEVIN
SUSAN, SUSAN	SWARTZ, DEAN	SWITALLA, JAMES	T, R
SUSHA, JAMES	SWARTZ, JANICE	SWITALLA, JAMES	TABB, LINDA
SUSSEK, MARK	SWARTZEL, BARBARA	SWITALSKI, LESLIE	TABB, LINDA
SUTCLIFFE, MJ	SWARZMAN, GERALD	SWITALSKI, LESLIE	TABERNER, DAVID
SUTCLIFFE, NORMA	SWAYNE, MARK	SWITZER, BRUCE	TABIBNIA, ALEXANDRA
SUTCLIFFE, NORMA	SWEATT, DIANE	SWOFFER, THOMAS	TABIN, JEAN
SUTERA, MICHAEL	SWEATT, ROSEMARY	SWOISKIN, MARK	TABISH, GENE
SUTHERLAND, PETER	SWEDBERG, THOMAS	SWOPE, RICK	TABLISH, KAREN
SUTKUS, JAN	SWEENEY, CATHERINE	SWOPE, ROBIN	TABOR, KC
SUTOR, MOLLY	SWEENEY, KATHY	SWOPE, ROBIN	TABOR, KC
SUTTER, JOHN	SWEENEY, KATHY	SWOPE, TRACY	TABOR, ROSS
SUTTER, SHIRLEY	SWEENEY, MICHAEL	SWOPE, TRACY	TABOR, RUTH
			TABOR, RUTH

TACK, MARTHA	TAMARIN, CHARLES	TAVERNIA, BRIAN	TAYLOR, MATTHEW
TACKER, BARBARA	TAMBORELLO, LISA	TAVOLACCI, JOE	TAYLOR, MATTHEW
TACKER, BARBARA	TAMBORELLO, LISA	TAWIL, CYNTHIA	TAYLOR, MIKE
TACKER, ROSEMARY	TAMIMI, NAWAL	TAWIL, LEILA	TAYLOR, OMANA
TACKER, ROSEMARY	TAMMINGA, J.	TAWIL, LEILA	TAYLOR, PAM
TACKETT, DENNIS	TAN, HIEDI	TAYLOR DATER,	TAYLOR, PAT
TACORONTE, YVONNE	TAN, MARGARET	SUZANNE	TAYLOR, PAT
TAFEL, CAROL	TANAKA, JANICE	TAYLOR, ALANNA	TAYLOR, REBECCA
TAFEL, CAROL	TANAKA, WILLIAM AND	TAYLOR, ANDREW	TAYLOR, RICKY
TAFT, ROBERT	KATHLEEN	TAYLOR, ARMENA	TAYLOR, ROBERT
TAGAWA, ANN	TANDY, KATHLEEN	TAYLOR, BARBARA	TAYLOR, ROBERT
TAGAWA, ANN	TANGI, ANNA	TAYLOR, BRENDA	TAYLOR, SANDRA
TAGER, KENT	TANGUAY, GENEVIEVE	TAYLOR, BRENDA	TAYLOR, SHANNON
TAGGART, CAROL	TANN, ROSEMARY	TAYLOR, CARLA	TAYLOR, SHANNON
TAGGART, CAROL	TANNAHILL, LINDA	TAYLOR, CAROLYN	TAYLOR, SHANNON
TAGGART, CAROL	TANNENBAUM, NICOLA	TAYLOR, CHARLOT	TAYLOR, SHELIA
TAGGART, KATHLEEN	TANNER, BEVERLY	TAYLOR, CHERYL	TAYLOR, STEFAN
TAGGART, VALISSA	TANNER, BONNIE	TAYLOR, CHRISTINE	TAYLOR, STEFAN
TAHERI, JENI	TANNER, BONNIE	TAYLOR, DARLENE	TAYLOR, STEFAN
TAHERI, JENI	TANNER, ELIZABETH	TAYLOR, DAVE	TAYLOR, STEVE
TAIT, ALESE	TANNER, GAIL	TAYLOR, DEBBIE	TAYLOR, SUSAN
TAIT, ALESE	TANNER, JEFFREY	TAYLOR, DEBBIE	TAYLOR, VERNETTA
TAIT, ALESE	TANNER, MICHAEL	TAYLOR, DEBBIE	TAYLOR-WILLIAMS,
TAKAHASHI, TRINA	TANSEY, MICHAEL	TAYLOR, DEBBIE	PRISCILLA
TAKAHT, CYNTHIA	TANSKI, MARCIA	TAYLOR, DEBBIE	TAYRIEN, DANIEL
TAKAICHI, MARY	TAO, CAROL	TAYLOR, DEBBIE	TAYS, TAMRA
TAKATSCH, JULIE	TAPELT, MELANIE	TAYLOR, DEBORAH	TEACH, ERIKA
TALBERT, JAYSHAUN	TAPIA, BARBARA	TAYLOR, DEBORAH	TEAL, ANDY
TALBERT, JAYSHAUN	TAPP, YVETTE	TAYLOR, DEBORAH	TEAR, JAMES
TALBERT, ZANDRA	TARALLO, MARY	TAYLOR, DEBORAH	TEAVIS, PATRICIA
TALBOOM, CAROL	TARANT, PATRICIA	TAYLOR, DEBORAH	TEBEL, DEBORAH
TALBOT, DIANE	TARAS, MARC	TAYLOR, DEBORAH	TEEDERS, FRAN
TALBOT, JAMES	TARATULA, ALEC	TAYLOR, DINA	TEDESCHI, ELAINE M
TALBOT, JAMES	TARBET, SHARI	TAYLOR, DONNA	TEDESCO, TERRY
TALBOT-HEINDL, CHRIS	TARBOX, WILLIAM	TAYLOR, DOUGLAS	TEDESCO, TERRY
TALBOTT, DEBRA	TARBOX, WILLIAM	TAYLOR, DOUGLAS	TEDESCO-KERRICK,
TALBOTT, DEBRA	TARDIF, ROBIN	TAYLOR, GARY	TERRY
TALBOTT, FRANCES	TARDIF, STEVE	TAYLOR, GIGI	TEDHAMS, GALE
TALBOTT, LINDA	TARDIFF, TRACY	TAYLOR, GLORIA	TEDTMANN, EDWARD
TALIAFERRO, JESSICA	TARLOW, PHYLLIS	TAYLOR, J. HOLLEY	TEDTMANN, EDWARD
TALIAFERRO, JESSICA	TARRANT, VALERIE	TAYLOR, J. HOLLEY	TEED, CORNELIA
TALIAFERRO, JESSICA	TARTAGLIA, DIANE	TAYLOR, JACK	TEED, ERIC
TALIAFERRO, JESSICA	TARTAGLIA, LAURA	TAYLOR, JAMES	TEEGARDIN, ANGELA
TALICH, MICHELLE	TARTAGLIA, LAUREN	TAYLOR, JANICE	TEEGARDIN, SUSAN
TALICH, MICHELLE	TASHJIAN, BIDU	TAYLOR, JANICE	TEEGARDIN, SUSAN
TALKINGTON, WENDY	TASHJIAN, CHARMIAN	TAYLOR, JENIFER	TEEGARDIN, SUSAN
TALKOWSKI, ROMAN	TAT, MICHAEL	TAYLOR, JIMMY	TEEGARDIN, SUSAN
TALL, BEVERLY	TATE, CONNIE	TAYLOR, KARLA	TEEL, ARLEEN
TALLEY, APRIL	TATE, JOHN	TAYLOR, KARLA	TEETER, KEITH
TALLEY, LISA	TATE, LESLIE	TAYLOR, KATHRYN	TEEVAN, JOHN
TALLEY, LIZ	TATE, MARTIN	TAYLOR, KATHRYN	TEHANSKY, EUGENE
TALLEY, LIZ	TATE, TAMMY	TAYLOR, KAYE	TEHENNEPE, ANITA
TALLMAN, DAN	TATLOCK, NINA	TAYLOR, KELLY	TEICHMAN, LINDA
TALMADGE, MARY	TATTU, GEORGIA	TAYLOR, LANNY	TEITLER, JOAN
TAMAGINI, PATRICIA	TATUM, MARGARET	TAYLOR, LAURA PITT	TEITSORT, KAREN
TAMARAN, RAJA	TAUFER, LESLEY	TAYLOR, LINDSEY	TEJERO MILLS, SIMONE
TAMARGO, JORGE	TAUT, CHARLES	TAYLOR, LISA	TEKDOGAN, ERCAN
TAMARGO, JORGE	TAVANI MD, CAROL	TAYLOR, MARIE	TELESE, NANCY

TELESE, SUSAN	TESSNEAR, PAMELA	THOMAS, CARRIE	THOMAS-KRUSE,
TELFAIR II, RAY C.	TESTA, JEAN	THOMAS, CATHY	BARBARA
TELI, ANN MARIE	TESTA, MATTHEW	THOMAS, DAVID	THOMAS-MURPHY,
TELI, ANN MARIE	TESTAGUZZA, MARLENE	THOMAS, DEAN	MAUREEN
TELLEP, TRACY	TESTIN, JULIA	THOMAS, DENISE	THOMASSON, TABITHA
TELLIER, MARK	TESTIN, JULIA	THOMAS, ELA	THOMASSON, TABITHA
TELOMEN, LISA	TETER, TAMARA	THOMAS, ELA	THOMPSEN, LINDA
TEMMER, DESMOND	TETRO, BARBARA	THOMAS, EVA	THOMPSON, ALLISON
TEMPEL, LIZ	TETSWORTH, MARK	THOMAS, GARY	THOMPSON, AMBER
TEMPLE, EDWARD AND	TETSWORTH, MARK	THOMAS, JACQUELINE	THOMPSON, ANN
GAIL	TETSWORTH, MARK	THOMAS, JAMES R	THOMPSON, ANN
TEMPLE, MICHELE	TETTEMER, JANET	THOMAS, JAMES	SCOTT
TEMPLEMAN,	TEUBNER, ROBERTA	THOMAS, JAMES R	THOMPSON, BARBARA
ELIZABETH	TEUNE, TOM	THOMAS, JAMES	THOMPSON, BRENDA
TEMPLET, MEL	TEWS, DALE	THOMAS, JAMES R	THOMPSON, CAROL
TEMPLETON, BONNIE	THAKE, WILLIAM	THOMAS, JAMIE	THOMPSON, CAROL
TEMPLETON, HELEN	THAL, DOUG	THOMAS, JAMIE	THOMPSON, CATHY
TEMPLIN, MONICA	THAL, RON AND	THOMAS, JAMIE	THOMPSON, CATHY
TEMPLIN, TRACY	MALINDA	THOMAS, JAMIE	THOMPSON, CHARLDA
TEMPLIN, TRACY	THALER, GARY	THOMAS, JAN	THOMPSON, CHERYL
TEMTE, JON	THALER, GARY	THOMAS, JANIE	THOMPSON, CHRIS
TEN EYCK, KIM	THARP, REYNOLD	THOMAS, JANIE	THOMPSON, DONNA
TENNANT, ALLIE	THARPE, DONNA	THOMAS, JAYME	THOMPSON, DONNA
TENNANT, RAVEN	THAYER, CINDY	THOMAS, JEAN	THOMPSON, EILEEN
TENNEY, JOANNE	THAYER, LOIS	THOMAS, JOHN	THOMPSON, ERIC
TENNEY, SHIRLEY	THEAKOS, JENNIFER	THOMAS, JOHN	THOMPSON, GAIL
TERESA, LAUREN	THEBAUD, BETH	THOMAS, KAREN	THOMPSON, GINGER
TERESCHAK,	THEISEN, JANIS	THOMAS, KAREN	THOMPSON, GORDON
CASSANDRA	THELOT, NANCY	THOMAS, KAREN	THOMPSON, JANICE
TERJESON, SUSAN	THELOT, NANCY	THOMAS, KAT	THOMPSON, JEAN
TERLETZKY, DOREEN	THEODOROU, DORIS	THOMAS, KAT	THOMPSON, JEANNE
TERNES, RANDAL	THEW, JANET	THOMAS, KEVIN	THOMPSON, KEITH
TERRANO, CARLEEN	THEYE, SHELLEY	THOMAS, LEIGH	THOMPSON, KENNETH
TERRANOVA, ANGELA	THHELOT, NANCY	THOMAS, LETA	THOMPSON, LESTER
TERRE, KAREN	THIBAudeau, MARY	THOMAS, LINDA	THOMPSON, LINDA
TERRELL, GAIL	THIBAUT, LISA	THOMAS, MARION	THOMPSON, LINDA
TERRELL, JOANN	THIBAUT, LISA	THOMAS, MARION	THOMPSON, LINDA
TERRELL, LISA	THIBAUT, LISA	THOMAS, MARION	THOMPSON, LINDA I
TERROCK, JENNIFER	THIBAUT, LISA	THOMAS, MARION	THOMPSON, LOUISE
TERRULLI, ANTHONY	THIBODEAU, LUCILLE	THOMAS, MARY	THOMPSON, LYN
TERRULLI, ANTHONY	THIBODEAUX, TERRY	THOMAS, MICHAEL	THOMPSON, MARILYN
TERRY, DOUGLAS	THIEL, MARY	THOMAS, MICHELE	THOMPSON, MARILYN
TERRY, LANI	THIEL, MARY	THOMAS, NATHAN P.	THOMPSON, MARILYN
TERRY, LYNNE	THIEL, SUSAN	THOMAS, PATRICIA	THOMPSON, MARSHA
TERRY, NOALANI	THIEMANN, JEFF	THOMAS, PATRICIA	THOMPSON, MARY E
TERRY, PAMELA	THIER, JUDY	THOMAS, PATRICK	THOMPSON, MATTHEW
TERRY, SUSAN	THILMAN, PAT	THOMAS, PHYLLIS	THOMPSON, MATTHEW
TERRY, SUSAN	THILMAN, PATRICIA	THOMAS, REBECCA	THOMPSON, N
TERRY, WENDY	THINNES, FREDERICK	THOMAS, RENEE	THOMPSON, N
TERVELD, VAKILA TER	THIO, RITA	THOMAS, SALLY	THOMPSON, NANCY
VELD	THIO, RITA	THOMAS, SANDRA	THOMPSON, NANCY
TESAR, SUSAN	THOLL, JONATHAN	THOMAS, SHAKAYLA	THOMPSON, NANCY
TESEROVITCH, ALICE	THOMAN, JAMES	THOMAS, THERESA	THOMPSON, NATALIE
TESNAKIS, JON	THOMAN, JAMES	THOMAS, THERESA	THOMPSON, PAMELA
TESNAKIS, JON	THOMAS III, REYNOLD	THOMAS, TRICIA	THOMPSON, PATRICK
TESORIERO, PATRICIA	THOMAS, ALLISON	THOMAS, TUCKER	THOMPSON, PAULA
TESSEL, GAIA-TERZA	THOMAS, BARBARA	THOMAS-HILL, PAM	THOMPSON, REVA
TESSMAN, JACQUELINE	THOMAS, CAROL		THOMPSON, ROB

THOMPSON, SANDRA	TICOTSKY, ALAN	TISDALE WELDAY,	TOMSEN, GEORGE
THOMPSON, SUSAN	TIDD, RICHARD	REBECCA	TOMSITS, PATI
THOMPSON, SUSAN	TIDRICK, DENIS	TISEL, ANNE	TONCRAY, MIKE
THOMPSON, SUSAN	TIDRICK, DENIS	TITONE, THERESA	TONER, L.AURIE
THOMPSON, SUSAN	TIEFEN, LORETTA	TITTLE, MARYANN	TONER, L.AURIE
THOMPSON, SYDNEE	TIEFER, HILLARY	TJESSEM, SANDRA	TONER, LAURIE
THOMPSON, TERRENCE	TIEGER, JEFFREY	TKACS, LINDA	TONER, SHEILA
THOMPSON, TERRI	TIELKEMEIER, CARTER	TOBER, MARY	TONKS, LILLIAN
THOMPSON, TJ	TIEMAN, PATRICIA	TOBER, MARY	TONOLSHASKIE, THI
THOMPSON, TJ	TIEMANN, BEVERLY	TOBIAS, CAROL	TONSBERG, BARBARA
THOMPSON, TJ	TIERNAN, VIRGINIA	TOBIAS, CHRISTOPHER	TOOKER, JOHN
THOMPSON, TOM	TIGER, AMY	TOBIN, HARROLD	TOOLEN, LISA
THOMPSON, WANDA	TIGER, AMY	TOBLER, PATTI	TOOLEY, BRIANNA
THOMSEN, DON	TIGER, AMY	TOBOLA, ERICA	TOOMEY, JULIA
THOMSEN, DON	TIGERT, LINDA	TOBON, FAITH	TOOPS, CONNIE
THOMSON, CATE	TIGHE, CHRIS	TOCCI, ANGELA	TOPALIAN, MAGGIE
THONET, KATHI	TIGHE, PATSY	TODD, ALLEN	TOPALIAN, MAGGIE
THORELL, ALICE	TILDES, KATHERINE	TODD, CRAIG	TOPLEY, DEBORAH
THORENSEN, LYNN	TILLERY, BRUCE	TODD, DAVID	TOPP, KRISTA
THORESON, LISA	TILLEY, ROSE	TODD, DIERTRE	TOPPER, BILL
THORESON, LISA	TILLIER, GISELA	TODD, MARLENE	TOPPER, DIANE
THORESON, SALLIE	TILLISCH, TOM	TODD, RICHARD	TOPPING, N
THORN, DEBBIE	TILLMAN, BARBARA	TODD, SANDRA	TOPPING, SHERYLL
THORN, STEPHEN	TILLMAN, CONNIE	TODD-DENNIS,	TORCHIN, MIMI
THORNBURG, MERRIE	TILLMAN, KRIS	PATRICIA	TORINO, DON
THORNBURG, MERRIE	TILLMAN, PATRICIA	TODMAN, BILL	TORKELSON, CAROL
THORNBURG, MERRIE	TILLMAN, SALEM	TODMAN, BILL	TORNABENE, MICHELE
THORNE, HOLLY	TILLMAN, SYDNEY	TODMAN, BILL	TORNABENE, MICHELE
THORNE, JUDY	TILLMANN, WINIFRED	TOFF, B	TORNBLUM, ELEANOR
THORNE-POCH,	TILLSON, JUDITH	TOHM, KRIS	TORNETTA, ASHLEY
SHARON	TIMBRELL, JAY	TOHM, KRIS	TORO, JO ANN
THORNSBURY, JEAN	TIMBY, DAVID	TOKAR, MARY ANNE	TORO, VICTORIA
THORNTON, ELIZABETH	TIMM, MICHELE	TOLEDANO, EFRAIN	TOROSIAN, HELEN
THORNTON, KATE	TIMM, MICHELE	TOLKEN, MARIANNE	TORRE-BUENO, AVA
THORNTON, MARY	TIMM, SUE	TOLL, DENNIS	TORRENCE, PAUL
THORNTON, MARY	TIMMERMAN, LAURA	TOLL, MOLLIE	TORRES, GWENDOLYN
THORNTON, MARY	TIMMONS, MARY	TOLLEFSONCONARD,	TORRES, MARIANELLA
THORP, FRANK K.	TIMMONS, MARY	MARGOT	TORRES, PAULA
THORSEN, THERESA	TIMMONS, RUTH	TOLLEY, LEA	TORRES, RAQUEL
THORSTENSEN,	TINDALL, RANDY	TOLLEY, SYLVIA	TORRES, SANDY
MAUREEN	TINDALL, SANDRA	TOLLISON, JOANNE	TORRES, SUSAN
THRAILKILL, JAMES	TINE', PRISCILLA	TOLLIVER, CAROLYN	TORRES, VICTOR
THRASH, MELINDA	TINE', TINA	TOMASELLO, PELA	TORRES, WENDY
THRASHER,	TINGBLAD, RICHARD	TOMASELLO, PELA	TORRES-KRUSHINSKI,
DORISMARIE	TIORAN, JOANNE	TOMEI, MARIANNE	ALEXANDRA
THURAIRATNAM,	TIORAN, JOANNE	TOMINEY, KATHRYN M	TORRIE, MYRNA
SUSAN	TIPPENS, B.	TOMITA, JULIE	TORYAK, HEATHER
THURAIRATNAM,	TIPPENS, R	TOMKO, CAROL	TOSATTO, DESIREE
SUSAN	TIPPENS, SONETTE	TOMLIAN, JANICE	TOSHALIS, BARBARA
THURMAN, DOROTHY	TIPPETT, HOLLY	TOMLIAN, JANICE	TOSHALIS, BARBARA
THURMAN, NITA	TIPPING, HAROLD	TOMLIAN, JANICE	TOSTENSON, KIMBERLY
THWEATT, SUSANNE	TIPTON, CATHARINE	TOMLIN, CURTIS	TOTH, DIANA
THWEATT, WILLIAM D	TIPTON, EILEEN	TOMLINSON, CANDACE	TOTH, ELEANOR
THYONEUS, MELISSA	TIPTON, KATHRYN	TOMLINSON, DIANA	TOTH, MYRA
TIBURZI, CHERYL	TIRADO, GRENDEL	TOMLINSON, DIANA	TOTH, TRACEY
TICHENOR, LISA	TIRMAN, JOAN	TOMLINSON, MARK	TOTTY, MARY
TICHENOR, STEVEN	TISCHLER, JEFFREY	TOMLINSON, MARK	TOULSON, LEILANI
TICHMAN, NADYA		TOMPKINS, ANNE	TOUNTAS, BARBARAR

TOVAR, JOHN	TRAVERS, L. J.	TRIPLETT, BRUCE AND	TSAI, VICTORIA
TOVAR, JOHN	TRAVERS, L. J.	PENNY	TSANTES, DEMETRA
TOVAR, JOHN	TRAVERS, L. J.	TRIPLETT, TIA	TSAROFSKI, RACHEL
TOWBIN, RACHEL	TRAVERS, L. J.	TRIPLETT, TIA	TSE, KEITH
TOWBIN, RACHEL	TRAVERS, L. J.	TRIPLETT, TIA	TSUJI, SHELLEY
TOWNE, ANDREW	TRAVERS, L. J.	TRIPLETT, TRACY	TUBBS, ELLEN
TOWNE, DONNA	TRAVERS, L. J.	TRIPLETT, TRACY	TUCHER, CATHERINE
TOWNE, DONNA	TRAVERS, L. J.	TRIPOLI, VICKI	TUCHER, NANCY
TOWNE, DONNA	TRAVERS, L. J.	TRIPP, MARTIN	TUCHER, NANCY
TOWNE, DONNA	TRAVERSONE,	TRIPP, TOM	TUCILLO, MEGAN
TOWNES, PEYTON	CATHERINE	TRIVEDI, BJ	TUCK, JUDITH
TOWNILL, LINDA	TRAVIS, ANNABELLE	TROAST JR., LEW	TUCKER, ARLEN
TOWNILL, LINDA	TRAVIS, BARB	TROENDLE, TIMOTHY	TUCKER, ARLEN
TOWNILL, LINDA	TRAYLOR, CHRISTINE	TROLL, JANICE	TUCKER, ARLEN
TOWNILL, LINDA	TREARSE, TAMI	TROMBLEY, DARRELL	TUCKER, ARLEN
TOWNS, ROBERT	TREARSE, TAMI	TROMBLEY, MARILYN	TUCKER, BRENT
TOWNSEND, ALAN	TREARSE, TAMI	TROMBLY, MARK AND	TUCKER, C. W.
TOWNSEND, CARLOS	TRECARTIN, LARRY	BARBARA	TUCKER, DAVID
TOWNSEND, EDWARD	TRECARTIN, LARRY	TRONCONE, KITT	TUCKER, EULAN
TOWNSEND,	TRECARTIN, LARRY	TRONOLONE, TRACEY	TUCKER, JAMES
MARGARET	TREDOR, SOPHIE	TROSPER, CHERYL	TUCKER, JAMES
TOWNSEND, PETER	TREDOR, SOPHIE	TROSPER, CHERYL	TUCKER, JAMES
TOWNSEND, SARAH	TREFFRY, NANCY	TROTH, JOHN	TUCKER, JAMES
TOWNSEND, STEPHANIE	TREGIDGO, RICHARD	TROTT, JOHN	TUCKER, KAREN
TOWNSEND, WILLIAM	TREGIDGO, RICHARD	TROTT, JOHN	TUCKER, KATHY
TOWNSHEND, ELISA	TRELEASE, LUKAS	TROTT, JOHN	TUCKER, LEE
TOWRY, PAULA	TREMANT, CASSIE	TROTTER, ERIC	TUCKER, LINDA
TOY, CAMILLA	TREMBLAY, PAMELA	TROUP PEREZ,	TUCKER, LUCINDA
TRACHTMAN, MARIS	TREMBULAK, JAMES	MARIBELLE	TUCKER, MARY
TRACY, C	TRENT, COLETTE	TROW, LYLE	TUCKER, ML
TRACY, C	TREON, JESSICA	TROWBRIDGE-ALFORD,	TUCKER, NANCY
TRACY, C	TREPANIER, HELEN	JULIE	TUCKER, NYNVA
TRAEGER, NANCY	TRESLEY, MARIA	TROY, JOSEPHINE	TUCKER, PATRICIA
CAROL	TREUHAFT, LINDA	TROYANOVICH, STEVE	TUCKER, SALLY
TRAGER, LAUREN	TREUTER, DOUGLAS	TROYER, CHRIS	TUCKER, SALLY
TRAGER, MARCY	TREVANNE, TREVANNE	TRUAX, DEBRA	TUCKER, SARAH
TRAKYS, GERALDINE	TREVETHAN, EVELYN	TRUDEAU, PRISCILLA	TUCKER, TERRY
TRAMPOSH, DEBORA	TREVILLIAN, LINDA	TRUDEAU, PRISCILLA	TUCKER, VENICE
TRAMPOSH, JUDITH	TREXLER, ABBY	TRUE, ANNE	TUCKEY, BARBARA
TRAN, DAT	TREZIOK, ROCHELLE	TRUE, LINNEA	TUDDENHAM, ANNE
TRAN, DAT	TRIANA, ANTONIO	TRUE, MARY	TUDOR, CHRIS
TRAN, KIM	TRIANA, MARY	TRUE, SHELLY	TUDOR, CHRIS
TRAN, SHEILA	TRIBBEY, CHARLES	TRUFAN, HAL	TUECH, APRIL
TRAN, SHEILA	TRIBBLE, PEGGY	TRUJILLO, KIMBERLY	TUECH, APRIL
TRANIELLO, FRANCINE	TRICE JR., BILLY	TRUJILLO, SEVERITA	TUITE, DENISE
TRANQUILLO, RUTH	TRICE, TINA	TRUJILLO, YOLANDA	TULISZEWSKI, JENNIFER
TRANQUILLO, RUTH	TRICE, TINA	TRUMBULL, REBECCA	TULL, BYRON
TRANQUILLO, RUTH	TRICE, TINA	TRUPIANO, KIM	TULL, LISA
TRANSCHER, KATE	TRICE, TINA	TRUPIANO, REBECCA	TULL, TARA
TRAPHAGEN, DIANNE	TRICKETT, HEATHER	TRYBUS, MARILYN	TULLMAN, JUNE
TRAPP, GENE	TRIFF, ASDUR	TRYBUS, MARILYN	TULO, JENNIFER
TRASK, DAVID	TRIGG, JOSEPH	TRYBUS, MARILYN	TULU, BAYSAN
TRASK, TIM	TRIGUERAS, NANCY	TRYBUS, MARILYN	TUMARKIN, DAVID
TRASK, TIM	TRIMBLE, MICHAEL	TRYBUS, MARILYN	TUMIA, SAL
TRASK, TIM	TRIMBLE, NATHAN	TRYBUS, MARILYN	TUMOLO, CHRISTOPHER
TRAUBE, PATTY	TRIPLETT, BRUCE AND	TRYON, LAURA	TUMOLO, CHRISTOPHER
TRAUTH, BETI WEBB	PENNY	TRYPALUK, BARBARA	TUNCAY, SENCER
TRAVERS, DIANA		TSAI, FENNIE	

TUNSTALL GILBERTI, PAIGE	TUSSING, KATHARINE	UGLESICH, GARY	USBORNE, BARBARA
TUNSTALL GILBERTI, PAIGE	TUTEN, ALEC	UGOLIK, LORI	USHER, KRISTIN
TUNSTALL, GRAYDON	TUTIHASI, R-LAURRAINE	UGOLIK, LORI	USHER-DUVE, KIMBERLEY
TUNSTALL, JEAN	TUTINO, LOIS	UGOLIK, LORI	UTSINGER, ELLEN
TUNSTALL, JEAN	TUTINO, LOIS	UHLER, BRENDA	UUSTAL, SUSAN
TUOMI, R.G.	TUTOROW, EVELYN	UHLHORN, CAROL	UYENISHI, STEVEN
TURAN, FATIH	TUTTLE, EILEEN	UKMAN, VICKI	UZUNER, SELIM
TURAN, KIERAN	TUTTLE, FRANCES	ULLRICH, BAYNE	V, GLENDA
TURANCHIK, JIM	TUVIM, MICHAEL	ULMER, GENE	V, GLENDA
TURANO, JOHN	TUZZA, DOREEN	ULMER, GENE	V, GLENDA
TURBUSH, HEATHER	TWARDOKUS, GEOFFREY	ULRICH, ALBERT	V, GREGORY
TURBUSH, HEATHER	TWEEDY, JEANNE	ULRICH, CHRISTIE	V, GREGORY
TURCO, JILL	TWELVES, ROBERT	ULRICH, GEORGE	V, GREGORY
TURCO, JILL	TWERDOCHLIB, ORYSIA	ULRING, KAREN	V, GREGORY
TUREGANO, RICHARD	TWERDOCHLIB, ORYSIA	ULTEE, BEVERLY	V, GREGORY
TUREK, ANDREA	TWETEN, KIRSTEN	ULTICAN, LANNA	V, M
TURETSKY, SAMANTHA	TWIBELL, LYNN	UMPHRIES, ANDREW	V, V
TURK, JOYCE	TWOMBLY, KAY	UN, TOLGA	V, V
TURK, TINA	TWOMBLY, KAY	UNDERWOOD, BETSY	V, V
TURKEN, DONALD	TWOMEY, PATRICK	UNGARO, CRAIG	V. BETHEL, JOANN
TURKEY, TARA	TWOREK-TUPPER, MARY	UNGARO, FRANCINE	V. BETHEL, JOANN
TURLEY, ELOISE	TYE, ANNA	UNGEHEIER, BETSY	V. BETHEL, JOANN
TURLEY, ELOISE	TYLER, BARBARA	UNGER, CYNDA	VA, GLENDA
TURLEY, GERTRUDE	TYLER, MARGARET	UNGER, JILLIAN	VADAS, VIRGINIA
TURLO, JOY	GUILFOY	UNGER, PAMELA	VADEN, NORMAN
TURLO, STEPHEN	TYLER, MARGARET	UNGER, RONI	VADNAIS, KATHLEEN
TURNER, ALBERT	GUILFOY	UNICK, LORI	VADNAIS, KATHY
TURNER, BUFFY	TYLER, MARGARET	UNRUH, BARB	VADNAIS, LORI
TURNER, CAROLYN	GUILFOY	UNRUH, JULIE	VADOPALAS, ERIKA
TURNER, CHRIS	TYLER, TERESA	UNTALAN, MERIS	VAILLANCOURT, MICHELE
TURNER, DENA	TYLER, TERESA	UPCHURCH, DARREN	VAILLANCOURT, MICHELE
TURNER, FAME	TYLER, TERESA	UPCHURCH, JAMES	VAIRO, PASQUALE
TURNER, IAN	TYLER-RICKON, LAUREN	UPHAUS, THOMAS	VAIRO, SYLVIA
TURNER, JACQUELINE	TYLO, TERRI	UPP, CYNTHIA	VAIRO, SYLVIA
TURNER, JAMES	TYM, ALICE	UPPERMAN, LISA	VAIRO, SYLVIA
TURNER, KATHLEEN	TYMKIW, LIZ	UPSON MD, DONA	VAIRO, SYLVIA
TURNER, KATHY	TYNDALL, LUCY	UPTON, BETH	VAIRO, SYLVIA
TURNER, KRISTI	TYRE, LORAIN	URAN, DONNA	VALANTASSIS, JOHN
TURNER, LORRAINE	TYROLER, S	URBAN, P	VALDES-MARTINEZ, ALEJANDRO
TURNER, PAUL	TYROLER, S	URBAN, P	VALDEZ, ALEJANDRA
TURNER, PHYLLIS	TYRRELL, RONALD	URBAN, PATRICIA	VALDEZ, JULIE
TURNER, ROSALINDA	TYSON, ELAINE	URBANO MD FACEP, AUDREY	VALDEZ, JULIE
TURNER, VIRGINIA	TYSON, M LEONARD	URBANSKI, LARRY	VALDEZ, LINDA
TURNER-MCKIBBEN, ANN	TYSON, ROBERT	URBATCKA, KATHLEEN	VALDEZ, VIC
TURNNOY, DAVID	TYTLAR, PAULA S	URBON, DIANA	VALDI, TONY
TURO, KAREN	TZAKIS, JERRILYNN	URDANK, JEFF	VALDORA, ALEXIA
TUROV, ILYA	TZAKIS, MARLENA	URIAARTE, RAY	VALENCIA, ALBERT
TUROV, ILYA	TZELIL, CANAN	URIAS, ROSE	VALENCIA, GUILLERMO
TURPIN, JOAN	TZELIL, CANAN	URIAS, VICTORIA	VALENCIA, GUILLERMO
TURRI, ROBERT	TZELIL, CANAN	URIBE, GLORIA	VALENCIA, RALPH
TURSI, MARILYN	TZELIL, CANAN	URIBE, SANDRA	VALENCIA, RIO
TURTLEDOVE, BETTY	UCHNO, L	URQUHART, PETER	VALENCIA, SUZANNE
TURY, LEE	UCKO, AARON	URQUHART, PETER	VALENCIA, SUZANNE
TUSA, ROSEANN	UCKO, AARON	URQUHART, PETER	VALENCIA, SUZANNE
TUSKEY, CAROL	UDOVICH, ADAM	URRA SMITH, EMILIA	VALENCIA, SUZANNE
	UEBEL, ROBERT	URSPRUNG, DONNA	VALENSON, GAIL
		URTEAGA, NEAL	VALENTINE, JENNIFER

VALENTINE, JENNIFER	VAN KESSEL, JANE	VANDERDYS, TERESITA	VASSALLO, JUNE
VALENTINE, JENNIFER	VAN LAAR, ELIZABET	VANDERHILL, MARGO	VASSILAKIDIS, PAT
VALENTINE, JENNIFER	VAN LEEKWIJCK,	VANDERKAMP, ROBERT	VASSILAKIDIS, SOPHIA
VALENTINE, JENNIFER	NATALIE	VANDERMAY, LISA	VAT, STEPHANIE
VALENTINE, KATHLYN	VAN LEEUWEN, LYNDA	VANDERVOORT,	VAT, STEPHANIE
VALENTINE, KIMBERLY	VAN LEEUWEN, HANS	MARTHA LOAR	VATOUSIOU, MARK
VALENTINE, LESLIE	VAN LEUVEN, PHYLLIS	VANDERWERF, WENDY	VATTER, SHERRY
VALENTINE, MELANIE	VAN LINDT, SUSAN	VANDINE, LUCINDA	VAUGHAN, CAROLYN
VALENTINO, RON	VAN LOON, JACQUIS	VANDIVER, DIANE	VAUGHAN, DEBORAH
VALENZA, VIPRGINIA	VAN NESS, KELLE	VANDYKEN, BARBARA	VAUGHAN, DEBORAH
VALENZUELA, ANA	VAN NESS, KELLE	VANEATON, TREASA	VAUGHAN, LELIA
TERESA	VAN ORMER, DIANA	VANECEK, RHONDA	VAUGHAN, LISA
VALIENTE, ROSELLE	VAN OS, COLETTE	VANECEK, RHONDA	VAUGHAN, LISA
VALLA, NELLY	VAN PELT, MAIA	VANEK, MARY A	VAUGHAN, LISA
VALLA, SUSAN	VAN POYCK, LISA	VANELIS, JOHN	VAUGHAN, MARSHA
VALLE, ELLEN	VAN RHYN, NICK	VANGIESSSEN, PAMELA	VAUGHAN, MARSHA
VALLEE, MICHELLE	VAN ROSSEN, MARK	VANGIESSSEN, PAMELA	VAUGHAN, MARSHA
VALLEJOS, JAMES	VAN SANT, SANDRA	VANG-JOHNSON, BEN	VAUGHAN, MARSHA
VALLEY, CATHY	VAN SCHAFTEN, JOHN	VANLEUVAN, PATRICIA	VAUGHAN, STEPHEN
VALLONE, JENNIFER	VAN SCHAICK, ROBIN	VANLIER, ERIK	VAUGHAN, STEPHEN
VALONE, DOROTHY	VAN SKIKE, MARLENE	VANLYNN, DEREK	VAUGHAN, STEPHEN
VALORE, THOMAS	VAN STEDUM, BONITA	VANNORMAN,	VAUGHAN, SUZANNE
VALZANIA, ELAINA	VAN SWERINGEN, ANNE	KENDARA	VAUGHN, BOBBY
VAMOS, SAMANTHA	VAN TASSEL, CHARLES	VANNOY, DAVID	VAUGHN, BOBBY
VAN AKEN, RICHARD	VAN TASSELL, ROBIN	VANN-VOLK, SHELLIE	VAUGHN, CHRISTIE
VAN AKEN, RICHARD	VAN TASSELL, ROBIN	VANSTRIEN, RO	VAUGHN, DEBRA
VAN ASTEN, MICHELLE	VAN VELSOR, ELLEN	VANSTRIEN, RO	VAUGHN, LILA
VAN ATTEN, ROBIN	VAN VLIET,	VANWINKLE, JEAN	VAUGHN, LONNELL
VAN BROCKLIN,	VICKYVANVLIET	MARIE	VAUGHN, LYNN
MATTHEW	VAN VOORHIS,	VANWINKLE, JEAN	VAUGHN, MICHELLE
VAN BUREN, RENEE	GEORGIA	MARIE	VAUGHN, RENEE
VAN BURG, CHERA	VAN VOROUS, HEATHER	VARANI, DANIEL	VAUGHT, KEVIN
VAN CAMP, BARBARA	VAN WIJK, MELISSA	VARCOE, DONNA D	VAUGHT, KEVIN
VAN COUR, PATRICIA	VAN WOERT, KAY	VARCOE, DONNA D	VAUPEL, MEGAN
VAN DE WATER, CLARA	VAN ZANTEN,	VARGA, DOLORES	VAUTIER, KIANA
BETH	CATHERINE	VARGA, JOHN	VAVAS, TUSHITA
VAN DEN NOORT,	VAN ZEE, ALI	VARGAS, KAREN	VAYDA, KAREN
GORDON	VAN ZEE, ALI	VARGO, GARY	VAYDA, KAREN
VAN DER HARTEN,	VAN ZEE, ALI	VARGYAS, JASON	VAYU, SATYA
ARTHUR	VANACORE, SANDRA	VARIAN, LEE	VAZQUEZ, ILA
VAN DIEN, LINDA	VANASSE, CANDACE	VARIO, ELAINE	VAZQUEZ, MYRNA
VAN DINTER, JAMES	VANCE, JAYESON	VARKOLY, STEVE	VAZQUEZ, TINA
VAN DUSEN, BARBARA	VANCE, MICHAEL	VARNER, NANCY	VAZQUEZ, TINA
VAN DUSEN, BARBARA	VANCE, REBECCA	VARNER, NATASHA	VECCHIO, DEBORAH
VAN DUYN, ELIZABETH	VANCHENA, LORIE A	VARNES, ELENA L.	VECCHIO, PATRICIA
VAN DYNE, MIKE	VANCLEVE, ELAINEA	VARNEY, KAREN	VEE, ORDELL
VAN ENKENVOORT,	VANDE VUSS, NATALIE	VARNEY, KAREN	VEEK, MARIE
CHRISTINE	VANDEGRIFT, DEBRA	VARÓN, ERIKA	VEENSTRA, DAVID
VAN GRIETHUYSEN,	VANDEGRIFT, DEBRA	VARONA, CHERYL	VEIGA, BEATRICE
VALERIE	VANDEGRIFT, DEBRA	VARONA, DARCY	VEILLETTE, JASON
VAN GRIETHUYSEN,	VANDEGRIFT, JULIA	VARTORELLA, SANDY	VEILLEUX, BARBARA
VALERIE	VANDENDAELE, EMILY	VARVEL, SANDRA	VEINTIMILLA, KALINA
VAN GRINSVEN, DAVID	VANDENEINDE, SUZANN	VARVEL, SANDRA	VEITAS, VINCENT
VAN HECKE, DEBORAH	VANDENHEUVEL, LIZ	VASATURO, GAYLENE	VELANDRA, PAUL
VAN HENGEL, LUKE	VANDER LINDEN,	VASPOL, SALVATORE	VELARDE-STIENES,
VAN HOOK, CHRIS	MERRY	VASQUEZ, HEATHER	BARBARA
VAN KAMPEN-SWICK,	VANDER POOL, SHARON	VASQUEZ, PAMELA	VELASCO, STEVE
DANIELLE	S	VASQUEZ, SILVIA	VELASCO

VELATEGUI, VICTORIA	VICTORIA, ANNA	VINCIGUERRA, CATHY	VOJTA, MICHI
VELE, BRIGID	VICTURINE, BRIAN	VINESKI, PATRICIA	VOLDAL, ERIK
VELECHOVSKY, NATALIE	VICUNA, STEVE	VINESKI, PATRICIA	VOLK-ANDERSON,
VELEZ, SUE	VIDAL, MAUREEN	VINESKI, PATRICIA	VIRGINIA
VELEZ, SUE	VIGAR, DIANE C	VINEY, JAMES	VOLKMAN, MARIAN
VELEZ, SUE	VIGIL, CAROL	VINEYARD, RACHEL	VOLL, CAROL
VENANZI, CAROL	VIGIL, LARINA	VINICK, MARTHA	VOLLMER, TERRY
VENEGAS, ANDRES	VIGIL, MARISABEL	VINIKOFF, JERALD	VOLOVNIK, LEONID
VENEZIA, DEBRA	VIGNARI, FRANCES	VINIKOFF, JERALD	VOLPE, SABRINA
VENNER, JONATHAN	VIGNERE, JOEL	VINING, VICKIE	VOMUND, KARIN
VENOS, MARY HELEN	VIGYIKAN, NANCY	VINSKI, JOSEPH	VON DOHLEN, LINDY A
VENTO, ALEXIS	VIJARRO, CARMEN	VINSON, PATRICIA	VON HIPPEL, PETER AND
VENTO, GIGI	VILCEK, DIANA	VINSON, THOMAS	JOSEPHINE
VENTO, GIGI	VILES, ZOE	VINTILLA, JOANNA	VON POPPE, EUGENIE
VENTURA, TAMMI	VILJOEN, CHRISTINA	VIOLA, KRYSTLE	VON POPPE, EUGENIE
VERA, LAURA	VILJOEN, CHRISTINA	VIOLA, MELISSA	VON SCHMACHT,
VERAGUTH, TERESA	VILJOEN, CHRISTINA	VIOLA, STEVEN	SUSAN
VERALDI, ANNE	VILLABLANCA, JUDITH	VIOLETTE, MORGAN	VON, ALYSSA
VERALDI, ANNE	VILLADAMIGO,	VIRAMONTES,	VORA, RUCHIR
VERBERG, CHRISTINE	LOURDES	CHRISTINE	VORDERBRUGGEN,
VERBERKMOES, KRIEN	VILLADAMIGO,	CHRISTINE	JOAN
VERBEUREN, DIRK	LOURDES	CHRISTINE	VORLAND, JIM
VERBOVEN, APRIL	VILLAGOMEZ, JUAN	VIRZI, NICHELLE	VORLAND, JIM
VERCIGLIO, MIKE	VILLALPANDO, LYNDA	VISCONTI, JAMES	VORNOLI, DIANE
VERDERBER, WALTER	VILLAMIZAR, HERMAN	VISIOLI, LORI	VORWALSKE, SHARON
VERDIER, DOUGLAS	VILLANI, SEB	VISPERAS, CARLENE	VOSS, VIVIAN
VERDILL, E	VILLANO, LINDA	VISSER, MARIJKE	VOUROSCALLAHAN,
VERGILIA, NADINE	VILLANOVA, CAROLYN	VITALE MANDICH,	PAMELA
VERITO, FRANK	VILLANOVA, MICHAEL	REBECCA	VOVES, DEBORAH
VERMIGLIO, MARIA J	VILLARREAL, GLORIA	VITALE, CINDY	VOVES, DEBORAH
VERNON, MARGARET	VILLARREAL, HILDA	VITALE, VINCE	VOVES, DEBORAH
VERNON, MARGARET	VILLASENOR, JUAN	VITELLI, JEFFERSON	VOYLES, TAMARA
VERRET, JOAN	VILLASENOR, JUAN	VITIELLO, JANET	VRABEL, KARRIE
VERRIER, RAY	VILLAVICENCIO	VITIELLO, JANET	VRANCART, CHARLOTTE
VERSTRAETE, FRANK	ARGÜELLES, CAROLINA	VLADESCU, ELOISA	VRANCART, CHARLOTTE
VERSTRAETE,	VILLAVICENCIO, ANNA	VLADESCU, ELOISA	VRANCART, CHARLOTTE
KIMBERLEE	VILLAVICENCIO, DENNIS	VLAH, MARSHA	VRANCART, CHARLOTTE
VERTREES, MARA	VILLEGAS, JUDY	VLASOPOLOS, ANCA	VRBA, TRACY
VERWOLF, CAROLYN	VILLEGAS, PAULINA	VO, ROBERT	VREELAND, MOLLIE
VERZINO, SIMA	VILLEGAS, PAULINA	VO, STEPHANIE	VREELAND, MOLLIE
VESCIO, PAT	VILLEGAS, PAULINA	VOGEL, KATHRYN	VREELAND, MOLLIE
VESEY, STEPH	VILLENEUVE, MICHELE	VOGEL, MARGARET	VREELAND, MOLLIE
VESEY, STEPH	VILLENEUVE, MICHELE	VOGEL, NATHAN	VREELAND, MOLLIE
VESPA, DAVID	VILLINES, DEBORAH	VOGEL, STEVE	VU, QUYEN
VESPER, REBECCA	VILLINGER, BEVERLY	VOGELSANG, JUDITH	VU, TUNG
VESSICCHIO, SUSAN P.	VILLODAS, ABIGAIL	VOGT, E	VUKOVIC, HEIDEMARIE
VEST, MARTHA	VILLODAS, ABIGAIL	VOGT, KARLA	VUKOVIC, HEIDEMARIE
VETRANO, MONIQUE	VINCELETTE, CINDY	VOGT, SUSAN	VULLO, VALERIE
VETRONE, DEANNA	VINCELETTE, CINDY	VOGT, WARREN	VUOSO, GENNARO
VEZIAN, MARC	VINCELETTE, CINDY	VOGT, WARREN	VYAS, SHELLEY
VEZOLLES, CELESTE	VINCENNIE, PAUL	VOHRA, DEEPAK	VYAS, SHELLEY
VEZOLLES, CELESTE	VINCENNIE, PAUL	VOHRA, DEEPAK	VYAS, SHELLEY
VEZZETTI, ELENA	VINCENT, AMY K	VOHS, MARILYN	VYAS, SHYAM
VIACRUCIS, JOHN	VINCENT, AMY K	VOHS, MARILYN	VYNNE, MEGAN
VICK, JENNIFER	VINCENT, AMY K	VOHS, MARILYN	W BENNETT, LAUREN K
VICKSTROM, BRITT	VINCENT, BRUCE	VOIGT, GUNNA	W, A
VICTOR, PAULA	VINCENT, LOUIS	VOIGT, VALERIE	W, ANNE
VICTORIA, ANNA	VINCENT, RANDI	VOISE, ERIC	W, ANNE

W, C	WAGONER, DOUG	WALKER, KELLY	WALLER, EMORY
W, C	WAGUESPACK, PATRICE	WALKER, KELLY	WALLER, SARA
W, KELLY	WAGUESPACK, PATRICE	WALKER, KELLY	WALLER, SARAH
W, LEROY	WAHLANDER, JUDITH	WALKER, KELLY	WALLESZ, BARBARA
W, M	WAINE, LINDA	WALKER, KEVIN	WALLEY, JANET
W, MA	WAINRIGHT, SAM	WALKER, LINDA	WALKER, STEVEN
W, MA	WAINSTOCK, ELIZABETH	WALKER, LORI	WALLNER, MARK
W, MA	WAINWRIGHT, PAUL	WALKER, MADONNA	WALLOF, HUNTER
W, MA	WAINWRIGHT, PAUL	WALKER, MARCIA	WALLS, FRED
W.REICHEL, GEORGE	WAIT, SUE	WALKER, MARIE	WALLS, MARY
WACHOWIAK, MARK	WAITE, BETTY	WALKER, MARY	WALLS, MARY
WACHTEL, FERN	WAITE, DANIEL	WALKER, MICHAEL	WALP, SUSAN P.
WACHTER, LAURA	WAITE, JUDITH	WALKER, PAMELA	WALSH, AMY
WACKERBARTH,	WAKEFIELD, ANN	WALKER, PATRICIA	WALSH, ANITA
CYNTHIA	WAKEFIELD, MARIE	WALKER, PATTI	WALSH, BARBARA
WACKLOR, REBECCA	WAKELY, CATHERINE	WALKER, PAUL	WALSH, CAITLIN
WADDELL, CHRIS	WAKERLEY, NORM	WALKER, PAUL	WALSH, CD
WADE, AARON	WALANO, EVELYN	WALKER, RANDY	WALSH, CD
WADE, AARON	WALCOTT, DONNA	WALKER, ROSANNA	WALSH, DENISE
WADE, AARON	WALD, ALOYSIUS	WALKER, SARAH	WALSH, ELLEN
WADE, CHARLES	WALD, ALOYSIUS	WALKER, SHARON	WALSH, GWEN
WADE, ELLEN	WALD, ALOYSIUS	WALKER, SHELIA	WALSH, GWEN
WADE, JOY	WALD, GILBERT	WALKER, SHELIA	WALSH, GWEN
WADE, KIMBERLY	WALD, SUSAN	WALKER, TATJANA	WALSH, GWEN
WADE, LAUREN	WALDE, RYAN	WALKER, TATJANA	WALSH, JANE
WADE, LINDA	WALDEN, DON	WALKER, WILLIE	WALSH, KATHLEEN F.
WADE, LOUISE	WALDERA, WANDA	WALKER, YVONNE	WALSH, KELLY
WADE, LYNDA	WALDINGER, ALYSON	WALKER-WARD,	WALSH, KEVIN
WADE, MARGARET	WALDORF, ASHLEY	GINELLE	WALSH, LAURAL
WADE, MARY	WALDRIP, STEVEN	WALKOW, JERE	WALSH, MARCE
WADE, MARY	WALDRON, CARLA C.	WALKOWSKI, JILL	WALSH, MARCE
WADE, NORA	WALDRON, SHANN	WALKOWSKI, MARK	WALSH, MOLLY
WADKINS, REBECCA	WALDRON, SHANN	WALL, ADAM	WALSH, NANCY
WADSWORTH, ANDREW	WALDROUP, LINDA	WALL, DANIEL	WALSH, RACHAEL
WADSWORTH, ANDREW	WALES, JEREMY	WALL, TERRI	WALSH, SARAH
WADSWORTH,	WALES, MELISSA	WALLACE, BARBARA	WALSH, SHARON
CANDACE	WALKER, CAROL	WALLACE, BARBARA	WALSH, STEVE
WAERING, JOHN	WALKER, CHARLENE	WALLACE, BARRY L	WALSH, SUSAN
WAGENER, ERICA	WALKER, CHERYL	WALLACE, CATHERINE	WALSH, TERRY
WAGGONER, DEBRA H	WALKER, CONSTANCE	WALLACE, DAVID H	WALSH-LAPINSKI, LINDA
WAGGONER, LEE	WALKER, DAWN	WALLACE, DIANA	WALTASTI, MARILYN
WAGNER, ELISSA	WALKER, DAWN	WALLACE, DIANE	WALTER, CRYSTAL
WAGNER, GERALDINE	WALKER, DAWN	WALLACE, FRANCES	WALTER, LAWRENCE
WAGNER, INGE	WALKER, ELAINE	WALLACE, JOHN	WALTER, MAC
WAGNER, INGE	WALKER, ELIZABETH A	WALLACE, LINDA	WALTER, MARCIE
WAGNER, JIM	WALKER, ELIZABETH A	WALLACE, PAM	WALTER, RHETTA
WAGNER, LAURA	WALKER, ELIZABETH A	WALLACE, PATRICE	WALTER-FROMSON,
WAGNER, LAUREL	WALKER, GAY	WALLACE, PETER	ANN
WAGNER, MARGIE	WALKER, HEATHER	WALLACE, RICHARD	WALTERMYER, MARY
WAGNER, MARY	WALKER, HEATHER	WALLACE, RICHARD	WALTERS, CHRISTIE
WAGNER, PRISCILLA	WALKER, HEATHER	WALLACE, SHARON	WALTERS, ERNIE
WAGNER, PRISCILLA	WALKER, HEATHER	WALLACE, SHELLY	WALTERS, ERNIE
WAGNER, PRISCILLA	WALKER, JOAN	WALLACE, STARLA	WALTERS, ERNIE
WAGNER, RANDE	WALKER, JOHN	WALLACE, SUSAN	WALTERS, ERNIE
WAGNER, ROBIN	WALKER, JOHN	WALLACH, ANDREW	WALTERS, ERNIE
WAGNER, ROBIN	WALKER, KATHY	WALLER, ANN	WALTERS, ERNIE
WAGNER, NORMAN	WALKER, KELLY	WALLER, ANN	WALTERS, KENNETH
AND DEE	WALKER, KELLY	WALLER, ELLEN	WALTERS, MEREDITH

WALTERS, NANCY	WARD, PENELOPE	WARREN, MEGAN	WATERS, SUSAN
WALTERS, RONALD	WARD, RALPH	WARREN, SABRINA	WATERS, SUSAN
WALTERS, TERIE	WARD, RALPH	WARRICK, JULIE	WATERS, SUSAN
WALTERS, WENDY	WARD, RALPH	WARRICK, LINDA	WATERSON, MARGARET
WALTHOUR, CHERYL	WARD, ROSANNA	WARRINER, DALE	WATERSON, MARGARET
WALTHOUR, CHERYL	WARD, ROSEMARY	GOLSON	WATERWORTH, LAURA
WALTMAN, KAREN	WARD, SHEILA	WARRINGTON, JASON	WATERWORTH, LAURA
WALTMAN, KAREN	WARD, SUSAN	WARTMAMN,	WATERWORTH, LAURA
WALTMAN, KAREN	WARD, SUSAN	JACQUELINE	WATERWORTH, LAURA
WALTMAN, KAREN	WARD, SUZAN	WARWICK, APRIL	REBECCA
WALTMAN, KAREN	WARD, TERENCE	WARWICK, FREDERICK	WATHEN, WAYNE
WALTON, CHRISTINE	WARD, TONI	WARWICK, MIRIAM	WATKINS, ANITA
WALTON, CHRISTINE	WARD, WENDY	WASFI, ELLEN	WATKINS, JAMES
WALTON, JOHN	WARDELL, TOM	WASGATT, ANN	WATKINS, KAREN
WALTON, LOIS JEAN	WARE, BETTY BYRNE	WASGATT, ANN	WATKINS, KAREN
WALTON, LOIS JEAN	WARENYCIA, DEE	WASHBURN,	WATKINS, KATHRYN
WALTON, MARYLOUISE	WARFIELD, MELISSA	CATHERINE	WATKINS, LIZ
WALTON, SHARI	WARGO, CINDY	WASHBURN, CLAUDIA	WATKINS, NATHANIEL
WALTON, STELLA	WARGO, CINDY	WASHBURN, MARK	WATKINS, RHIANNON
WALTON, YUNG MARC	WARHOL, THOMAS	WASHBURN, NORMA	WATKINS, RYAN
WALTZ, LEE	WARING, JOHN	WASHBURN, SCOTT	WATKINS, RYAN
WALTZ, SHIRLEY	WARMAN-SZVOBODA,	WASHIL, MIKE	WATKINS, SHARON
WALTZ, SHIRLEY	GAERIN	WASHINGTON, CHRIS	WATKINS, TANI
WALWORTH, AMANDA	WARNE-BROOKS,	WASHINGTON, ORIS	WATKINSON, TOMEKA
WAMBACH, GERALD	SHEILA	WASHKO, DONNA	WATSON, BRADLEY
WANAMAKER, ABBY	WARNER, CAROLYN	WASHKO, DONNA	WATSON, CARRIE
WANENMACHER, ERIKA	WARNER, CAROLYN	WASHKO, DONNA	WATSON, CATHERINE
WANG, ART	WARNER, DAVID	WASINSKI, MARCY	WATSON, CONSTANCE
WANG, ASHLEY	WARNER, GARY	WASS, TERESA	WATSON, CORA
WANG, KEVIN	WARNER, KARDN	WASSELL, KATHLEEN	WATSON, DONALD
WANG-IVERSON, PATSY	WARNER, KATE	WASSER, NANCY	WATSON, DONNA
WANIEWSKI, STEPHEN	WARNER, LANEY	WASSERMAN, C	WATSON, DONNA
WANNINGER, STEVE	WARNER, NANCY	ANDREA	WATSON, ELIZABETH
WARD JR., TEDD	WARNER, RITA	WASSERMAN, DAVID	WATSON, ELIZABETH
WARD, ALLISON	WARNER, RITA	WASSERMAN, DAVID	WATSON, HAROLD
WARD, AURELIE	WARNER, SCOTT	WASSERMAN, JOSEPH	WATSON, HAROLD
WARD, AURELIE	WARNER, SHARMAN	WASSERMAN, LINDA	WATSON, HAROLD
WARD, AURELIE	WARNER, SUE	WASSERMAN, LINDA	WATSON, HAROLD
WARD, CAROL	WARNER, SUSIE	WASSERMAN, LINDA	WATSON, KIM
WARD, CARYLE	WARNER, TERESA	WASSMER, TOM	WATSON, KIM
WARD, CHRISTOPHER	WARNER, THOMAS	WASSON, SELDEN	WATSON, LAURA
WARD, DENISE	WARNER, VIRGINIA	WATABAYASHI,	WATSON, LAUREL
WARD, JEFFREY	WARNER, ZOE	JENNIFER	WATSON, LISA
WARD, KATE	WARNER, ZOE	WATANABE, DEBBIE	WATSON, LISA
WARD, KIMBERLY	WARNER-SCIARRETTA,	WATERMAN, EVE	WATSON, MARIE
WARD, KRISTINE	CONSTANCE S	WATERMAN, GLENNA	WATSON, PATRICK
WARD, MARC	WARNICK, AMY	WATERMAN, GLENNA	WATSON, ROBERT
WARD, MARIANNE	WARREN, BANKS	WATERMAN, GLENNA	WATSON, ROBERT
WARD, MARVIN J.	WARREN, CAROLE	WATERS, BEVERLY	WATSON, SHARON
WARD, MARY	WARREN, CRAIG	WATERS, ELYCE	WATSON, SHARON
WARD, MICHAEL	WARREN, GRADY	WATERS, JENNIFER	WATSON, VIRGINIA
WARD, MICHELLE	WARREN, JANET	WATERS, LESLIE	WATSON, VIRGINIA
WARD, NANCY	WARREN, JANET	WATERS, LIZ	WATSON-BERNARD,
WARD, NANCY	CRISTINA	WATERS, LIZ	JANICE
WARD, NANCY	WARREN, LEIGH	WATERS, MELISSA	WATTERS, CHERYL
WARD, NANCY	WARREN, LINDA	WATERS, MELISSA	WATTERS, CHERYL
WARD, NANCY	WARREN, LISA	WATERS, MELISSA	WATTERS, CHERYL
WARD, PENELOPE	WARREN, MADISON	WATERS, SANDRA	WATTERS, CHERYL

WATTERS, WHITNEY	WEBER, MARILYN	WEIMER, SCOTT	WEISS, ROBERT
WATTERS, WHITNEY	WEBER, MARY ANN	WEINBERG, GUDRUN	MARSHA
WATTERS, WHITNEY	WEBER, MICHAEL	WEINBERG, JOYCE	WEISS, SHARON
WATTERS, WHITNEY	WEBER, NANCY	WEINBERG, LAURENCE	WEISS, STUART
WATTERS, WHITNEY	WEBER, SANDY	WEINBERG, REBECCA	WEISS, SUSAN
WATTLES, GARY	WEBERG, MELANIE	WEINBERG, ROBERT	WEISS, VALERIE
WATTS, BARBARA	WEBSTER, BERNADETTE	WEINBERGER, DANIEL	WEISSBERG, CAROL
WATTS, CAROLYN	WEBSTER, DEBORAH	WEINBERGER, DIANE	WEISSBERG, CAROL
WATTS, ELIZABETH	WEBSTER, JOSEPH	WEINBERGER, MARK	WEISSBERG, CAROL
WATTS, SUSAN	WEBSTER, JUDITH	WEINBERGER, MARK S.	WEISSMAN, IRA
WAUGH, KYM	WEBSTER, JUDITH	WEINER, ADAM	WEISZ, RUSSELL
WAUSCHEK, MICHAEL	WEBSTER, JUDITH	WEINER, BRIEN	WEKSELMAN, WILLIAM
WAUSCHEK, MICHAEL	WEBSTER, KAREN	WEINER, BRIEN	WELBURN, CLINTON
WAUSCHEK, MICHAEL	WEBSTER, LINDA	WEINER, CATHY	WELCH, BRIANA
WAUSCHEK, MICHAEL	WEBSTER, MARK	WEINER, HILLARY	WELCH, DAVID
WAUSCHEK, MICHAEL	WEBSTER, MICHAEL	WEINER, MARY	WELCH, ELIZABETH
WAYCIE, LINDA	WEBSTER, PAMELA	WEINER, MICHAEL	WELCH, JOANNA
WAYCIE, LINDA	WEBSTER, PENNY	WEINER, NONA	WELCH, JOANNA
WAYMIRE, DAVID	WEBSTER, SANDY	WEINER, NONA	WELCH, JOANNA
WAYNE, SUSAN	WECHSLER, SUSAN	WEINER, PETER	WELCH, LINDA
WEAMER, DK	WECKER, JUDITH	WEINER, PETER	WELCOME, STACIE
WEANT-LEAVITT,	WECKER, TAMARA	WEINER, PETER	WELDES, PETRA
MARGARET	WEDEL, ELIZABETH	WEINER, PETER	WELDON, FLORA
WEARE, MARCIA	WEDOW, NANCY	WEINLICH MILTENBERG,	WELDON, WENDY
WEATHERLY, HANA	WEED, AMY	ANNE	WELDON, WENDY
WEATHERWAX, NANCY	WEEDEN, NOREEN	WEINMAN, DIANN	WELFORD, LACEY
WEAVER, CHARLIE	WEEDEN, NOREEN	WEINSOFT, MARK	WELLE, MARCENE
WEAVER, GEORGE	WEEKLEY, SAMANTHA	WEINSTEIN, DEENA	WELLER, ALAHNA
WEAVER, LINDA L	WEEKS, KAY	WEINSTEIN, DIANE	WELLER, FORREST
WEAVER, LINDA L	WEEKS, MARIA	WEINTRAUB, GREGG	WELLER, HARRIETTE
WEAVER, MICHAEL	WEEKS, VICCI	WEIR, ELAINE	WELLER, MYRNA
WEAVER, RACHEL	WEEKS, VICCI	WEIR, VERNON	WELLER, RUTHIE
WEAVER, TAMMY	WEEMS, SUSAN	WEIRMAN, KARN	WELLER, RUTHIE
WEAVER, WES	WEEMS, SUSAN	WEIS, GREGORY	WELLES, LINDA
WEBB, ALICIA	WEEN, BEE	WEIS, GREGORY	WELLINGTON, MARY
WEBB, DEBORAH	WEEN, BEE	WEIS, JOE	WELLNITZ, ALICIA
WEBB, JANE	WEGE, DIANA	WEIS, JUDITH	WELLS, A
WEBB, JANE	WEGER, EVAN	WEIS, MARIE	WELLS, A
WEBB, MARY	WEGNER, JUDITH	WEIS, MARIE	WELLS, DEBORAH
WEBB, MAUREEN	WEGSCHEIDER-	WEIS, RANDEL	WELLS, EILEEN
WEBB, MICHAEL	KISSINGER, VICKI	WEISBERG, CHERYL	WELLS, ERIC
WEBB, SUSAN	WEHBERG, SHELLEY	WEISBERG, LISA	WELLS, JANETTE
WEBB, TRISH	WEHNER, MICHELE	WEISENBACH, ANITA	WELLS, JOANNE
WEBBER, LAURIE	WEHRLI, PATRICIA	WEISENBACH, ANITA	WELLS, KATHY
WEBBER, LYNN	WEICKERT, THOMAS	WEISENFELD, HARV	WELLS, KELLY
WEBBER, ROBERT	WEIDINGER, CORINA	WEISENFELD, SUZ	WELLS, KRISTLE
WEBBER, TAYLOR	WEIDNER, MARCIA	WEISENSEE, MICHAEL	WELLS, KRISTLE
WEBBER, TAYLOR	WEIGEL, ALICE	WEISKE, LYNNE	WELLS, LASHA
WEBER, AHNNA	WEIGEL, ELONNA	WEISKOTT, ALAN	WELLS, LASHA
WEBER, ANDREW	WEIGHT, CHRISTINE	WEISLO, JILL	WELLS, LINDA
WEBER, ARIANNA	WEIK, ROBERTA	WEISMULLER, KAREN	WELLS, LYNN
WEBER, GRETCHEN	WEILAND, JUDY	WEISS, CAROL	WELLS, MICHAEL
WEBER, JEANINE	WEILAND, SHERRY	WEISS, DAWN	WELLS, ROBERT
WEBER, KATHLEEN	WEILAND, SHERRY	WEISS, ERIC	WELLS, SUSAN
WEBER, LINDA	WEILAND, SHERRY	WEISS, HELENE	WELLS, TAMMI
WEBER, LORE	WEILER, DEBBI	WEISS, JACQUELINE	WELLS, WILLIAM
WEBER, LORI	WEIMAN, RICK	WEISS, JANICE	WELSFORD, SUSAN
WEBER, LORI	WEIMAN, RICK	WEISS, PAUL	WELSH, CAITLIN

WELSH, CARRI	WERTIN, JOHN AND	WETZEL, DEMI	WHITE, BROOKE
WELSH, ROBIN	ROBBIE	WEVER, DANIELA	WHITE, BRUCE
WELSH, ROBIN	WERTIN, JOHN AND	WEYANDT, FAITH	WHITE, CAROL
WELSON, NILLIE	ROBBIE	WEYLER, MICHELLE	WHITE, CAY
WELTE, SARAH	WERTZ, DEBORAH	WHALEN, AGNES	WHITE, CHARMAINE
WELTEROTH, CHRISTINA	WERTZ, DEBORAH	WHALEN, FRANCES	WHITE, CLAUDIA
WELTEROTH, CHRISTINA	WESCOTT, PATRICIA	WHALEN, HELENE	WHITE, CONNIE
WELTON, CINDY	WESELEY, PHOEBE	WHALEY, AMANDA	WHITE, DAVID
WELTON, KATHLEEN	WESELEY, PHOEBE	WHALEY, JENNIFER	WHITE, DAVID
WELTON, TIFFANY	WESELEY, PHOEBE	WHALEY, JENNIFER	WHITE, DIANE
WELTY, TRUDY	WESELEY, PHOEBE	WHARTON, BECKY	WHITE, ERIN
WENDEL, PATRICIA	WESEMAN, LISA	WHEATLEY, BENJAMIN	WHITE, EVAN
WENDEL, TOM	WESLEY, DONALEE	WHEATLEY, JANET	WHITE, GRETA
WENDELL, PATRICIA R.	WESLEY, F. ROBERT	WHEATON, JOYCE	WHITE, HAL
WENDER, JUDY	WESLEY, KATHRYN	WHEATON, SUSAN	WHITE, HEATHER
WENDT, INGRID	WESLEY, KATHRYN	WHEATON	WHITE, ILDI
WENDT, MARILYN	WESLOH, KRISTEN	WHEATON, SUSAN	WHITE, JANE
WENDTLAND, MARY	WESNER, JOHN	WHEATON	WHITE, JANE
WENGER, HOLLY	WESS, ROGER	WHEELAND, ALLEN	WHITE, JANICE
WENGER, HOLLY	WESSELS, MARGARET	WHEELER, AUDREY	WHITE, JEAN
WENGER, LARRY	WESSINGER, ANNA	WHEELER, BARBARA	WHITE, JEAN
WENGLARZ, LAURIE	WEST, ALICE	WHEELER, CAROLYN	WHITE, JENNIFER
WENNBO, LORI	WEST, ALICE	WHEELER, JANET	WHITE, JENNIFER
WENNBO, LORI	WEST, ALLISON	WHEELER, KATHLEEN	WHITE, JENNIFER
WENRICH, RAY	WEST, AMY	WHEELER, MARIKO	WHITE, JENNIFER
WENRICH, TANYA	WEST, BECKY	WHEELER, MARK	WHITE, JOHN
WENRICH, TANYA	WEST, CAROL	WHEELER, MAUREEN	WHITE, JOHN
WENSEL, BETH	WEST, CARRIE	WHEELER, MICHAEL	WHITE, JOHN
WENSKI, LORNA	WEST, CARRIE	WHEELER, TARA	WHITE, KAIBA
WENTHOLD, RANDY	WEST, ERIC	WHEELER, TARA	WHITE, KIM
WENTLING, KAYE	WEST, ERIC	WHEELER, TARA	WHITE, KIRSTEN
WENTWORTH,	WEST, ERIC	WHEELER, THERESA	WHITE, LAURA
KATHERINE	WEST, JACK	WHEELER, VICKI	WHITE, MARY
WENTZ, PAT	WEST, JULIA	WHEELER, VICKIE	WHITE, MARY
WENTZEL, ASHLEY	WEST, LYNDA	WHEELOCK, DONNETTE	WHITE, MELODIE
WENZ, HERMAN	WEST, MARLA	WHEIR, JOHN	WHITE, MICHAEL
WENZEL, JOSEPH	WEST, PAUL	WHELDON, KEITH	GRANT
WENZEL, JOSEPH	WEST, R.A.L.	WHERLEY, MARGE	WHITE, MICHELE
WENZEL, JOSEPH	WEST, RAL	WHILLOCK, LAUREL	WHITE, MICKY
WENZEL, JOSEPH	WESTBOURNE, A	WHIPPLE, ALLYSON	WHITE, MIKI
WENZEL, JULIA	WESTBROOK, SUZANNE	WHIPPLE, BRIAN	WHITE, MIKI
WENZEL, JULIA	WESTCOTT, NICHOLAS	WHIPPLE, LISA	WHITE, MINDI
WENZEL, JULIA	WESTLAKE, KIM	WHIPPLE, LISA	WHITE, NANCY
WENZLAFF, CARLA	WESTLER, MARC	WHIPPLE, WILLIAM	WHITE, PAMELA
WENZLICK, ALLYSON	WESTLUND, KATHLEEN	WHISPELL-GONZALEZ,	WHITE, PEGGY
WERMERS, JOHANNA	WESTON, EDMUND	LORRAINE	WHITE, PHYLLIS
WERNER, BETH	WESTON, JOHN	WHISTLER, MARLEY	WHITE, PHYLLIS
WERNER, ELIZABETH	WESTON, MARSHA	WHITACRE, GAIL	WHITE, PHYLLIS
WERNER, JACKIE	WESTON-YOUNG,	WHITACRE, JULIE	WHITE, REGINA
WERNER, JUDITH	CAROL	WHITAKER, HOWARD J	WHITE, RENEE
WERNER, ROZALIND	WETHERELL, JOAN	WHITAKER, HOWARD J	WHITE, ROB
WERNIMONT, NATALIE	WETMORE, SUSANNE	WHITAKER, NANELLE	WHITE, ROBERT
WERNKE, DIANE	WETTELAND, ANNE	WHITE ALMEIDA,	WHITE, ROBERTA
WERNTZ, LORNA	WETTELAND, ANNE	GINGER	WHITE, ROBIN
WERST, PAUL	WETTELAND, ANNE	WHITE SR, DARCY	WHITE, ROSE
WERT, MEG	WETTELAND, SIGNE	WHITE, ANNE	WHITE, SCOTT
WERTHEIM, ELLEN	WETTENGEL, THOMAS L	WHITE, BEN	WHITE, SHANNON
WERTHEIM, ELLEN	WETTERSTEN, JILL	WHITE, BEN	WHITE, SHEILA

WHITE, SHELLY	WHYNOTT, GREGORY	WIINIKAINEN, DAVID	WILENSKY, ROY
WHITE, SUE	WIANT, JEAN	WIINIKAINEN, DAVID	WILES, GARY
WHITE, SUSAN	WIBALDA, ANNA	WIINIKAINEN, DAVID	WILES, GARY
WHITE, THERESA	WICHSER, TOM	WILBANKS, KIMBERLY	WILEY, ANN
WHITE, TIM	WICK, CAROL	WILBAT, MAUREEN	WILEY, CAROL
WHITE, TRINA	WICK, CAROL	WILBER, KIM	WILEY, JAN
WHITE, TRINA	WICK, KIMBERLY	WILBER, STEWART	WILEY, JANE
WHITE, YVONNE	WICKE, BLANCHE	WILBER, STEWART	WILEY, JOSEPH
WHITEFIELD, ANNE	WICKE, BLANCHE	WILBERDING, BECKY	WILEY, KIMBERLY
WHITEHAUS,	WICKHAM, JOAN	WILBERDING, BECKY	WILEY, KIMBERLY
GENEVIEVE	WICKINGS, HEATHER	WILBUR, DEBRA	WILEY, MARA
WHITEHEAD, CRYSTAL	WICKLIFF, DAVID	WILBUR, LYNN	WILEY, PATRICIA
WHITEHEAD, CRYSTAL	WICKMAN, APRIL	WILBUR, MAREN	WILFING, JANICE
WHITEHOUSE, JUDY	WICKS, CARA LOU	WILBUR, MAREN	WILHELM, DEBORA
WHITEHURST, CAROL	WICKS, ROBERT	WILBURN, KATHY	WILHELM, FELICIA
WHITEMAN, DONNA	WIDGER, BARBARA	WILBURN, KATHY	WILHELM, GEORGE
WHITENER, DR. SCOTT	WIDHALM, MARY V	WILBURN, PATRICIA	WILHELM, MICHAEL
WHITENER, DR. SCOTT	WIDMARK, DANA	WILBURN, SHARON	WILHELMSSEN, JOHN
WHITENER, DR. SCOTT	WIDMEYER, ALLAN	WILCE, JOAN H.	WILKENING, KAREN
WHITENER, JANE	WIDMEYER, ALLAN	WILCKEN, LOIS E	WILKERSON, JERE
WHITENER, JENEE	WIEBE, CARRIE	WILCOX, CAROL	WILKERSON, MARIANNE
WHITERABBIT, HERMAN	WIEBOLDT, JANET	WILCOX, CHER	WILKERSON, SOPHIE
WHITESIDE, JANE	WIECZORECK, KAREN	WILCOX, DAVID R	WILKES, EVE-ANNE
WHITEWOLF, PHOENIX	WIEDEMAN, PAGE	WILCOX, JAMES	WILKES, LINDSAY
WHITFORD, REE	WIEDENHOEFT,	WILCOX, KIMERLY	WILKES, SARA
WHITFORD, REE	NICHOLAS	WILCOX, LEANNE	WILKIE, MONNIE
WHITING, ANNE	WIEDER, ANNA MARIE	WILCOX, MARY	WILKINS, ELIZABETH
WHITING, CAROLYN	WIEDER, JONATHAN	WILCOX, PHYLLIS	WILKINS, JACI
WHITING, GM	WIEDER, JONATHAN	WILD AND	WILKINS, KEITH
WHITING, JEAN	WIEGAND, KATHLEEN	WONDERFUL, PROTECT	WILKINS, RICHARD
WHITLEY, TRACEY	WIELAND, CHARLES	ALL THINGS	WILKINSON, AMELIA
WHITLOCK, CATHIE	WIELAND, MARTIN	WILD AND WONDFUL,	WILKINSON, ANGELA
WHITLOW, BRIGITTE	WIER, ERIC	PROTECT ALL THINGS	WILKINSON, L. L.
WHITLOW, BRIGITTE	WIER, JANICE	WILD AND WONDFUL,	WILKINSON, L. L.
WHITMAN, BEATRIZ	WIERSCHEM, REBECCA	PROTECT ALL THINGS	WILKINSON, L. L.
WHITMAN, ERIC	WIERSEMA-LOPEZ,	WILD AND WONDFUL,	WILKINSON, LINDA
WHITMAN, ERIC	KIMBERLY	PROTECT ALL THINGS	WILKINSON, TONI
WHITMAN, FANNY	WIERZBOWSKI, JUDITH	WILD AND WONDFUL,	WILKINSON, TONI
WHITMAN, FRAN	WIESBROCK, LUCY	PROTECT ALL THINGS	WILL, JENNIFER
WHITMAN, GEORGE	WIESE, KATHERINE	WILD, BETH	WILL, JENNIFER
WHITMAN, LARRY	WIESE, VERNE	WILDE, DEENA	WILL, RANDY
WHITMAN, LARRY	WIESENTHAL-GOLD,	WILDE, EMMA	WILL, SANDRA
WHITMAN, RICK	RUTH ANN	WILDE, MAY	WILL, SHERRY
WHITMER, BETTY	WIESNER, LAWRENCE	WILDE, SHAUN	WILLARD, KATHRYN
WHITMOYER, CAROL	WIEST, AIMEE	WILDER, DEE	WILLARD, LEESA
WHITNEY, AMY	WIEST, SANDRA	WILDER, GEORGE	WILLCOX, CATHRYN
WHITNEY, DARREL	WIGEN, CONNIE	WILDER, PAM	WILLET, KIM
WHITNEY, DAVID	WIGETMAN, SUSAN	WILDER, SUSAN	WILLETTE, CYNTHIA
WHITNEY, DEB	WIGGIN, DEBORAH	WILDER, YVONNE	WILLETTE, ROBERTA
WHITNEY, GINA	WIGGINS, JAMES	WILDES, MARK	WILLEY, PAULA
WHITNEY, SHIRLEY	WIGGLESWORTH,	WILDFLOWER, IVORY	WILLIAM, CLAUDIA
WHITSON, ANDREA	MICHAEL	WILDMAN, TEENA	WILLIAMS II, CLYDE
WHITTEN, GAIL	WIGHT, BARBARA	WILDMAN, TEENA	WILLIAMS, AIMEE
WHITTEN, ROBIN	WIGHTMAAN, KEVIN	WILDMAN, TEENA	WILLIAMS, ALVA
WHITTLE, ALEXANDER	WIGHTMAN, RICHARD	WILDMAN, TEENA	WILLIAMS, ANN
WHITTON, ERIKA	WIGHTMAN, RICHARD	WILDMAN, TEENA	WILLIAMS, BARBARA
WHITWELL, GISELLE	WIGHTS, REANNA	WILDMAN, TEENA	WILLIAMS, BRUCE
WHYMAN, BARBARA	WIINIKAINEN, DAVID	WILDSCHUT, LARRY	WILLIAMS, C

WILLIAMS, CAROL	WILLIAMS, REGINALD	WILLSON, CLYDE	WILSON, SANDY
WILLIAMS, CAROL	WILLIAMS, ROXANNE	WILLY, SHAWN	WILSON, SARA-JANE
WILLIAMS, CAROL	WILLIAMS, RUTH	WILM, ML	WILSON, SHANNA
WILLIAMS, CAROLE	WILLIAMS, SABINE	WILM, ML	WILSON, SUSAN
WILLIAMS, CATHERINE	WILLIAMS, SANDI	WILMES, NORM	WILSON, TIM
WILLIAMS, CHERYL	WILLIAMS, SANDY	WILMES, NORM	WILSON, TINA
WILLIAMS, CHERYL	WILLIAMS, SANDY	WILMOT, VALERIE	WILSON, TINA
WILLIAMS, CHERYL	WILLIAMS, SANDY	WILSEY, FRANK	WILSON, TYRUS
WILLIAMS, CHRISTINA	WILLIAMS, SHERRI	WILSON, ANNE	WILSON, WINN
WILLIAMS, CORI	WILLIAMS, SHERRI	WILSON, BRIAN	WILT, KATHY
WILLIAMS, CYNTHIA	WILLIAMS, SHERRY	WILSON, CHERYL	WILTSHIRE, GEORGE
WILLIAMS, DALE	WILLIAMS, SUSAN	WILSON, DAVID	WIMBERLEY, BRUCE
WILLIAMS, DANNA	WILLIAMS, SUSAN	WILSON, DAVID	WIMBISH, DEBORAH
WILLIAMS, DAVID	WILLIAMS, SUSI	WILSON, DAVID	WIN, M
WILLIAMS, DAVID	WILLIAMS, TAFFY	WILSON, DEBORAH	WINCHELL, JASON
WILLIAMS, DEB	WILLIAMS, TANYA	WILSON, DEBRA	WINCHELL, RICHARD
WILLIAMS, DEB	WILLIAMS, TERRIE	WILSON, DEBRA	WINCHESTER, LINDA
WILLIAMS, DEBORAH	WILLIAMS, TERRIE	WILSON, DEWI	WINCHESTER, LINDA
WILLIAMS, DEBORAH	WILLIAMS, TERRIE	WILSON, DONALD	WINCHESTER, STEWART
WILLIAMS, DIANA	WILLIAMS, TERRIE	WILSON, DOUGLAS	WINDBERG, THOMAS
WILLIAMS, DIANE	WILLIAMS, TODD	WILSON, EILEEN	WINDELL, MICHELLE
WILLIAMS, EARL	WILLIAMS, TODD	WILSON, GAYLE	WINDER-STEED, ANNE
WILLIAMS, ELIZABETH K	WILLIAMS, VICTORIA	WILSON, GRANT	WINDETT, SHELLY
WILLIAMS, FREDDIE	WILLIAMS, WELDON	WILSON, HOLLY	WINDHAM, DALLAS
WILLIAMS, FREDDIE	WILLIAMS, WELDON	WILSON, HOLLY	WINDHAM, GAYLE
WILLIAMS, GERRY	WILLIAMS, WENDY	WILSON, IVALEE	WINDHAUSER, BRET
WILLIAMS, GWEN	WILLIAMSON, BARBARA	WILSON, J	WINDINWOOD,
WILLIAMS, HALLIE	WILLIAMSON, DEBORAH	WILSON, JAMES	REBECCA
WILLIAMS, HELEN JO	WILLIAMSON, DIRK	WILSON, JEAN	WINDISCH, BETSY
WILLIAMS, JEANNE	WILLIAMSON, FAITH	WILSON, JEFFREY	WINDRUM, KEN
WILLIAMS, JERI	WILLIAMSON, JILL	WILSON, JILL	WINDUS, JARED
WILLIAMS, JESSE	WILLIAMSON, JOAN	WILSON, JONI	WINDUS, JARED
WILLIAMS, JESSE	WILLIAMSON, JOAN	WILSON, JOYCE	WINECKER, CHRISTINE
WILLIAMS, JOANNE	WILLIAMSON, JOAN	WILSON, JUDITH	WINFREE, JOHN
WILLIAMS, JUDITH	WILLIAMSON, JOAN	WILSON, KAREN	WINFREE, JUDITH
WILLIAMS, KAREN	WILLIAMSON, JOAN	WILSON, KAREN	WINFREE, JUDITH
WILLIAMS, KATHRYN	WILLIAMSON, JOAN	WILSON, KAREN	WINFREY, BETH
WILLIAMS, KELLY	WILLIAMSON, JOAN	WILSON, KARLA	WING, ALICE
WILLIAMS, KRISTINE	WILLIAMSON, JOAN	WILSON, KATHY	WING, AMELIA
WILLIAMS, LINDA	WILLIAMSON, JOAN	WILSON, KATHY	WING, MARJORIE
WILLIAMS, LORI	WILLIAMSON, JOAN	WILSON, KEN	WINGFIELD, DEB
WILLIAMS, LYNNMETA	WILLIAMSON, LYNN	WILSON, KEN	WINGO, KAYLYN
WILLIAMS, LYNNMETAL	WILLIAMSON, MARIA	WILSON, KEN	WINGO, KAYLYN
WILLIAMS, LYRAE	WILLIAMSON, TESSA	WILSON, KRISTI	WINHOLTZ, BETTY
WILLIAMS, MADISON	WILLIE, JANE	WILSON, LAUREN	WINICKI, ANNE
WILLIAMS, MARY	WILLIFORD, MARISSA	WILSON, MARIANNE	WINICKI, ANNE
WILLIAMS, MARY	WILLING, RICK	WILSON, MARIANNE	WINKEL, DAVID
WILLIAMS, MELANIE	WILLIS, HEIDI	WILSON, MARK	WINKELBAUER,
WILLIAMS, MELISSA	WILLIS, NANCY	WILSON, MARY	TIMOTHY
WILLIAMS, NICHOLAS	WILLIS, NANCY	WILSON, MERLIN	WINKLE, ANNETTA
WILLIAMS, NICHOLAS	WILLIS, NANCY	WILSON, MICHELE	WINKLE, CHERYL
WILLIAMS, NORMAN	WILLMAN, ANDREW	WILSON, MICHELLE	WINKLE, KENNETH
WILLIAMS, PAMELA	WILLNER, DANIEL	WILSON, PATRICIA	WINKLER, ALISA
WILLIAMS, PAUL	WILLOBY, RANDOLPH	WILSON, RICARDO	WINKLER, CAROL
WILLIAMS, RAMONA	WILLROTH, ALANA	WILSON, ROBERT	WINKLER, ERICH
WILLIAMS, RAMONA	WILLS, E	WILSON, SAMUEL	WINKLET, B
WILLIAMS, RAMONA	WILLS, SUSAN	WILSON, SANDRA	WINKLET, B
WILLIAMS, REED	WILLS, VICKIE	WILSON, SANDRA	WINN, JIM

WINN, LINDA	WISINSKI, ROGER	WOLF, JOYCE	WOOD, ANGELA
WINN, OLIVER	WISINTAINER,	WOLF, KAREN	WOOD, ANGELA
WINN, TRISHA	DEBORAH	WOLF, KAREN	WOOD, BARBARA
WINNICK, JOIE	WISK, MICHAEL	WOLF, KAREN	WOOD, BARBARA
WINNICKI, KRISTINE	WISMER, BRUCE	WOLF, KAREN	WOOD, BRUCE
WINNINGHAM, LISA	WISNEWSKI, ROBERT	WOLF, LARRY	WOOD, CATHY
WINNUBST, KAREN	WISNIEWSKI, JAN	WOLF, MARGARET	WOOD, CHRISTINA
WINOGRAD, DEBORAH	WISNIEWSKI, JAN	WOLF, MARK	WOOD, CHRISTINA
WINOGRAND, LAURIE	WISNIEWSKI, JAN	WOLF, ROBERT	WOOD, DALE
WINSHIP, WILL	WISOTSKY, CANDY	WOLF, ROBERT	WOOD, DIANE
WINSLOW, HILARY	WISSLER, FRANK	WOLF, ROHANA	WOOD, DONNA
WINSLOW, LEE	WISSMAN, CONSTANCE	WOLF, STEPHEN	WOOD, GLENN
WINSTEAD, ANNIE	WIST, ROBERT	WOLFBERG, AMY	WOOD, HAILEY
WINSTEAD, ANNIE	WISZNEAUCKAS, DAVID	WOLFBERG, AMY	WOOD, HAILEY
WINSTON, JULIA	WITHERS, JAMES	WOLFE, CATHY	WOOD, HEIDI
WINSTON, PEG	WITHERS, LYNELL	WOLFE, CHARLES	WOOD, JUDY
WINSTON, TAMMY	WITHERS, MERILEE	WOLFE, CHARLES	WOOD, KAREN
WINTER, HAZEL	WITHNALL, EMILY	WOLFE, CHERYL	WOOD, KATHERINE
WINTERBOTTOM,	WITHROW, LISA	WOLFE, CLAIRE	WOOD, KATIE
CARLA	WITKOSKI, STEPHANIE	WOLFE, HALLIE	WOOD, LAURA
WINTERBURN, KATHY	WITKOWSKI, CARA	WOLFE, HEATHER	WOOD, LAURA
WINTERS, DRUSILLA	WITMER, MARY	WOLFE, LEE	WOOD, LAURA
WINTERS, EMILY	WITMER, PHILIP	WOLFE, LEE	WOOD, LEVI
WINTERS, EMILY	WITMER, PHILIP	WOLFE, MARK	WOOD, LOIS
WINTERS, JAYNE	WITOWSKI, DENISE	WOLFE, MIKE	WOOD, LORNA
WINTERS, MARY	WITT, BETTE	WOLFE, NANCY	WOOD, MARGARET
WINTERS, MARY	WITT, STEPHANIE	WOLFE, PETER	WOOD, MICHAEL
WINTERS, NINA	WITTENBORN, GARY	WOLFF, ARIELLE	WOOD, NANCEE
WINTERS, PATRICIA	WITTENBRADER, JILL	WOLFF, JENNIFER	WOOD, NARA
WINTERS-DUKE, LAURA	WITTHUHN, BETHANY	WOLFF, PAT	WOOD, PAMELA
WINTJEN, ROBIN	WITTHUHN, BETHANY	WOLFFE, JONI	WOOD, PETER
WINTJEN, ROBIN	WITTL, WENDY	WOLFORD, JIM	WOOD, R
WINTJEN, ROBIN	WITTLINGER, JENNIFER	WOLFORD, JIM	WOOD, R
WINTJEN, ROBIN	WITTMAYER, CAROL	WOLFSON, TONI	WOOD, RICK
WINTJEN, ROBIN	WITTY, SUSAN	WOLFSONG, JENNIFER	WOOD, SUZANNE
WINTON, GREG	WITTY, SUSAN	WOLKEN, CANDACE	WOOD, TOM
WIOT, GAIL	WITZEMAN, JANET	WOLLMAN, NAN	WOOD, TOM
WIPF, THOMAS	WITZMAN, KATHY	WOLNER, KIRSTEN	WOOD, TOM
WIRTH, CAROLYN	WIZEMAN, CYNTHIA	WOLNIEWICZ, RONALD	WOOD, TOM
WISDOM, KIM	WIZER, ANN	WOLONGEVICZ,	WOODALL, SANDRA
WISDOM, KIMBERLEY	WOHL, KENTON	PATRICIA	WOODARD, BENNIE
WISE, AMY	WOHLBERG, ROBERT	WOLTER, CAROL	WOODARD, JUD
WISE, JERUSALEM	WOJCIAK, STAR	WOLTER, MARY	WOODARD, SALLY
WISE, JERUSALEM	WOJTCZAK, BARBARA	WOLVERSON, SHIRLEY	WOODASON II, JOHN
WISE, MARK	WOJTOWICZ, SANDRA	WOLZ, DONNA	AND RITA
WISE, SALLY	WOLAK, ABIGAIL	WOMACK, JODI	WOODCOCK, DIANE
WISE, TONY	WOLCK, DALE	WOMACK, KRISTIN	WOOD-CONSTABLE,
WISEL, CATHERINE	WOLD, SUSAN	WOMACK, KRISTIN	MARY E
WISEMAN, ANN	WOLF, ANNE	WONCH, HOWARD	WOODHULL, DELIGHT
WISEMAN, ANN	WOLF, BETSY	WONDER, ANDREA	WOODIN, PEG
WISEMAN, ANN	WOLF, CRYSTAL	WONDERS, KAREN	WOODINGTON, ROBERT
WISEMAN, ANN	WOLF, DARLENE	WONG, DEEANN	WOODLAND, CAZ
WISEMAN, ANN	WOLF, DARLENE	WONG, DEEANN	WOODROW, JEAN
WISEMAN, ANN	WOLF, DARLENE	WONG, HUGH	WOODRUFF, JENNY
WISHIK, BRYAN	WOLF, DAVID	WONG-BREHMER,	WOODRUFF, JOHN AND
WISHIK, BRYAN	WOLF, DEBBIE	JANENE	ELLEN
WISHNOSKY, MARY	WOLF, JOSEPH	WONIO, DIANE	WOODRUFF, MARCY
ANN	WOLF, JOSEPH	WONNACOTT, BARBARA	WOODRUP, SIMON

WOODS, ANNA	WORKMAN, SARAH	WRIGHT, KELLY	WYNN, ARIEL
WOODS, ARLECA	WORLEY, DAVID	WRIGHT, KENNETH	WYNN, BOBBY
WOODS, BARB	WORLEY, DAVID	WRIGHT, KENNETH	WYNN, GARETH
WOODS, DANA	WORLEY, DON	WRIGHT, KENNETH	WYNN, PATRICIA
WOODS, DAVID	WORNUM, CLAUDIA	WRIGHT, LAUREL	WYNN, PEGGY
WOODS, ERIKA	WORRALL, CHRIS	WRIGHT, LAUREL	WYRICK, ROBERTA
WOODS, JUDITH	WORRALL, JOAN	WRIGHT, LAUREL	WYSE, MARGO
WOODS, LOUISE	WORSHAM, CYNTHIA	WRIGHT, LAWRENCE	WYSE, MARGO
WOODS, MICHAEL	WORSHAM, CYNTHIA	WRIGHT, LAWRENCE	WYSE, ROSEMARY
WOODS, MICHELLE	WORTHAM, VICTORIA	WRIGHT, LISA	XAVIER, MARJORIE
WOODS, NANCY	WORTMAN, SUSAN	WRIGHT, PATRICIA	XEROS, JULIA
WOODS, PATRICIA	WOULFE-BEILE,	WRIGHT, PRISCILLA	XHROUET, LEONORA
WOODS, PATRICIA	VIRGINIA	WRIGHT, ROBIN	Y, MISS
WOODS, ROCQUELLE	WOYCHUK, SUZAN	WRIGHT, SAMANTHA	YACCINO, FRANK
WOODS, ROTH	WOZNOCK, HEATHER	WRIGHT, SHARON	YACIO, JENNIFER
WOODS, ROTH	WOZNY, LACEY	WRIGHT, SHEILA	YADALAM, KASHINATH
WOODS, ROTH	WRAIGHT, S	WRIGHT, SUE	YAFFE, LINDA
WOODS, STEPHANIE	WRAIGHT, S	WRIGHT, SUE	YAGHMOUR, SUAD
WOODS, SUELLEN	WRAY, ANTHEA	WRIGHT, SUE	YAKE, BILL
WOODS, TERESA	WRENCH, SUSAN	WRIGHT, SUSAN	YAKOVLEVA, NATALIYA
WOODSON, R	WRENN, EDWARD	WRIGHT, SUSAN	YALAKIDIS, ALEXANDRA
WOODWARD, CHARLES	WRICH, DANA	WRIGHT, TRIGG	YAMADA, JUNE
WOODWARD, CHARLES	WRIGHT MD, RHONDA	WRIGHT, TRIGG	YAMAGATA, SUSAN
WOODWARD, EMILY	D.	WRIGHT, TRIGG	YAMAGATA, SUSAN
WOODWARD,	WRIGHT MD, RHONDA	WRIGHT, TRIGG	YAMAGATA, SUSAN
JONATHAN	D.	WRIGHT, TRIGG	YAMAUCHI, SAEKO
WOODWARD,	WRIGHT MD, RHONDA	WRIGHT, TRIGG	YANCHAR, RYAN
MARJORIE	D.	WRIGHT, TRIGG	YANEZ, ANDREA
WOODWARD, RICHARD	WRIGHT MD, RHONDA	WRIGHT, WENDY	YANEZ, GUADALUPE
WOODWARD, ROGER	D.	WRIGHTSMAN, SUSAN	YANEZ, GUADALUPE
WOODYARD, JOHN	WRIGHT, ANITA	WRITZ, GINA	YANEZ, GUADALUPE
WOOLARD, ROBERT	WRIGHT, ARMIN	WRITZ, GINA	YANG, ASHLEY
WOOLDRIDGE, EDNA C	WRIGHT, BARBARA	WROBEL, ANTHONY	YANGO, LYLIA
WOOLDRIDGE, EDNA C	WRIGHT, BARBARA	WRONA, DIANE	YANGO, LYLIA
WOOLER, JANET	WRIGHT, BILL	WRY, ELLEN	YANICKE, JOAN
WOOLER, JANET	WRIGHT, BRADLEY	WRY, ELLEN	YANINSKA, SLAVEYA
WOOLERY, MATT	WRIGHT, DAVID	WU, BLAKE	YANKE, BRIAN
WOOLEY, STACIE	WRIGHT, DEBRA	WU, CAT	YANKE, BRIAN
WOOLFORD, RONALD	WRIGHT, DONNA	WUENSCH, TRISHA	YANKE, BRIAN
WOOLFSON, VIVIAN	WRIGHT, E. LYNNE	WUETHRICH, LINDA	YANT, ANDREW
WOOLLEY, APRIL	WRIGHT, E. LYNNE	WUETHRICH, LINDA	YARBER, TAMMY
WOOLRIDGE, VIRGINIA	WRIGHT, E. LYNNE	WULF, SYLVIA	YARBROUGH, SUSIE
WOOLRIDGE, VIRGINIA	WRIGHT, E. LYNNE	WULFF, MERIDITH	YARDLEY, PATRICIA
WOOLWORTH, MORIAH	WRIGHT, GEORGINA	WULFSON, ELIZABETH	YARMAS, GARRETT
WOOMER, JOANNA	WRIGHT, GLENDA	WULLENWABER, DANA	YARNELL, SUSAN
WOOMER, JOANNA	WRIGHT, GLENN	WUNDER, KRISTINA	YARNELL, SUSAN
WOOMER, JOANNA	WRIGHT, GLENN	WUNSCH, DORIS	YARYAN, CONNIE
WOOMERT, ALISON	WRIGHT, GLENN	WURZER, KELLY	YASUDA, KUNIKO
WOOTAN, CATHY	WRIGHT, GRIFFIN	WUSHENSKY, SHARON	YATER, JANE
WOOTEN, DEBORAH	WRIGHT, JIM	WUTHNOW, DONA	YATER, JANE
WOOTEN, MARA	WRIGHT, KAITLYN	WUTHRICH, JASON	YATER, JOAN
WOPPERT, JEAN	WRIGHT, KAREN	WYATT, AIMEE	YATES, BARBARA
WORDEN, JAMES	WRIGHT, KAREN	WYATT, D	YATES, BRUCE
WORDEN, REBA	WRIGHT, KATHERINE	WYATT, JOHN	YATES, CHARLOTTE
WORDEN, REBA	WRIGHT, KATHERINE	WYATT, MIA	YATES, JAN
WORDEN, REBA	WRIGHT, KATHERINE	WYLIE, MARY	YATES, MICHELLE
WORDEN, SUSAN	WRIGHT, KATHLEEN	WYLIE, MICHAEL AND	YATES, PAMELA
WORKMAN, CAROL	WRIGHT, KATHLEEN	ANN	YATES, ROBIN
WORKMAN, MARY	WRIGHT, KATHY	WYMETAL, ALEXANDRA	YATES, ROBIN

YATES, SHARON	YOUNG, AMANDA	YOW, RAY	ZAMORA, DENISE
YATES, VANESSA	YOUNG, AMANDA	YOW, RAY	ZAMORA, LAUREN
YAVORSKY, DONNA	YOUNG, AMY	YOWS, JEANINE	ZAMORA, MARGIE
YAVORSKY, DONNA	YOUNG, ANDREA	YRASTORZA, TERESA	ZAMOS, JOHN
YAVORSKY, DONNA	YOUNG, BK	YUAN, SHAOKANG	ZAMOS, JOHN
YAZMER, ELLEN	YOUNG, BK	YUCHT, FREDERICK	ZAMUDIO, A.
YBARRA, KATHERINE	YOUNG, CAROL	YUDENFREUND-SUJKA	ZAMVIL, KEN
YBARRA, SANDRA	YOUNG, DEBRA	MD, SHARI	ZANCAN, ANNA
YDE BODEN, MICHELLE	YOUNG, DENISE	YUDIN, NANCY	ZANDERS, MARYA
YEAGER, TERRI	YOUNG, DIANA	YUEN, SUSAN	ZANE, MARY
YEAGLEY, JO	YOUNG, DOUG	YUGA, ROCHELLE	ZANETAKOS, NICOLE
YEARGAIN, PEGGY	YOUNG, GEORGIANN	YUHASZ, JOHN	ZANINELLI, DEE
YEASH, LEE	YOUNG, JAMES	YUNKER, ELLEN	ZANNEY, SHAWNA
YEATON, TONI	YOUNG, JAMES	YUREK, KATHRYN	ZANNINI, NANCY
YEATON, TONI	YOUNG, JANE	YURKOVIC, ERIN	ZAPIAIN, ESTEBAN
YEATS, NANCY	YOUNG, JANE	YUROSKO, BETH	ZAPPA, EDNA
YEEND, MICHELLE	YOUNG, JOSLYNNE	Z, ERIKA	ZAPPALA, SALVATORE
YELENICK, LISA	YOUNG, JULIE	Z, LINDA	ZAPSZALKA, BARBARA
YELENICK, LISA	YOUNG, KELLY	Z, VERONICA	ZARA, WENDY
YELVERTON, JILL	YOUNG, KELLY	Z, VERONICA	ZARET, CORTNEY
YEN, FLORA	YOUNG, KELLY	ZAAS, WENDEE	ZARETT, DEBORAH
YEOMANS, GARY	YOUNG, KRISTIN	ZABECKI, DOROTHY J	ZARICOR, DORIEN
YEOMANS, HELEN	YOUNG, LANDON	ZABORSKY, PATRICIA	ZARISH, DEBRA
YERA, STEPHANIE	YOUNG, LATIKA	ZABRANSKY, JOSEPH	ZARKHOSH, HELIA
YERARDI, MARIE	YOUNG, LATIKA	ZACHER, JO	ZARNICK, ELLEN
YERDEN, CAROL	YOUNG, LATIKA	ZACHOW, LYNN	ZARZOSA, ANNIE
YERKALOV, VLADIMIR	YOUNG, LENORA	ZACHRITZ, TODD	ZARZYCKA, ALEXANDRA
YERKES, SUSAN	YOUNG, LOWELL	ZACK, MARY	ZARZYCKA, ALEXANDRA
YERMAK, IRIS PATTY	YOUNG, MARGARET	ZACK, MARY	ZARZYCKA, ALEXANDRA
YERMAK, IRIS PATTY	YOUNG, MARY	ZADACA, JOY	ZASTROW, SANDRA
YESH, JANET	YOUNG, MELANIE	ZADKOVIC, LYNN	ZATIRKA, THERESA
YEUNG, ISABELLA	YOUNG, MELANIE	ZADKOVIC, LYNN	ZATTLIN, RUTHANN
YGLESIAS, JANET	YOUNG, MELANIE	ZAFAR, LISA	ZAWIERUCHA, ALINDA
YINGLING, AUDREY	YOUNG, NANCY	ZAFERES, ANDREA	ZAWOYSKI, MICHAEL
YINGLING, AUDREY	YOUNG, NANCY	ZAHAVI, NAOMI	ZDANYS, MARCIA
YOCHMOWITZ, JANET	YOUNG, NANCY	ZAHLER, GARY	ZDENCANOVIC, JOHN
YOCHUM, CAROL	YOUNG, PAREESE	ZAHLER, GARY	ZE, MAY
YOGEV, YONIT	YOUNG, PHILIP	ZAHLER, MARY	ZECH, GISELA
YOHO, BRAD	YOUNG, ROBERTA	ZAHLER, MARY	ZECH, GISELA
YOHO, BRAD	YOUNG, SANDRA	ZAHLER, MARY	ZECHOWY, KAREN
YOKUBONUS, PEGGY	YOUNG, SAVANNAH	ZAHLER, MARY	ZEDICK, JON
YONTZ, MARY	YOUNG, SCOTT	ZAHLER, MARY	ZEECK, GLEN
YORK, JOHN	YOUNG, SCOTT	ZAHLLER, GUY	ZEGARAC, NIKOLA
YORK, TRACI	YOUNG, SHARON	ZAHORSKY, CATHERINE	ZEGARAC, NIKOLA
YOSHIDA-GORDON,	YOUNG, SHELLEY	ZAHRA, RAYMOND	ZEGLEN, MARIE
JANET	YOUNG, SUSAN	ZAIENTZ, STEPHANIE	ZEIDER, PATRICIA
YOST, PEGGY	YOUNG, SUSAN	ZAIENTZ, STEPHANIE	ZEIDMAN, LOIS
YOST, SANDRA	YOUNG, TAYLOR	ZAJAC, ANDREA	ZEIGENFUSE, ANGELA
YOST, VIVIAN	YOUNG, TERESA	ZAK, DEBORAH	ZEILER, ERIC
YOST, VIVIANA	YOUNG, VIRGINIA	ZAK, DEBORAH	ZEIS, LORA
YOU, SAM	YOUNG, VIRGINIA	ZAKIN, ERIC	ZEIS, LORA
YOU, MARK	YOUNGBLOOD, CLAY	ZALE, LIZ	ZEIS, MARY LOU
YOUENS, RACHEL	YOUNGBLOOD, TAYLOR	ZALOUDEK, CLYDE D.	ZEIT, STEVEN
YOUMANS, K.	YOUNGELSON, NOAH	ZAMALLOA, TERESA	ZEIT, STEVEN
YOUMANS, K.	YOUNGER, KRISTINA	ZAMAN-ZADE, RENA	ZELASKO, SANDY
YOUMANS, K.	YOUNG-HOLT, CAROL	ZAMAN-ZADE, RENA	ZELASKO, SANDY
YOUMANS, K.	YOUNGS, ALEX	ZAMBELLI, RENEE	ZELASKO, SANDY
YOUMANS, K.	YOUNGS, CHERYL	ZAMBELLO, ERIKA	ZELINSKE, SARA
YOUNG, ALANA	YOUNGSON, PATRICIA	ZAMOR, BOB	
	YOUTZ, CHARLES		

ZELINSKI, LISA	ZIMMERMAN, DANIELLE	ZOUBEK, THOMAS	CURRY, ALBERT
ZELL, SABINE	ZIMMERMAN, DIANA	ZSERAI, STEVEN	DENNARD, MARY
ZELLER, MICHAEL	ZIMMERMAN, ELAINE	ZUCCARO, CYNTHIA	DOWSETT, EMILY
ZELLER, ROBERT	ZIMMERMAN, GARY	ZUCKER, JANE	EVANS, PAM
ZELTMANN, KATHY	ZIMMERMAN, KARL	ZUCKER, M. LEE	FALLS, CYNTHIA
ZEMAN, JOHN	ZIMMERMAN, LEDA	ZUCKER, SCOTT	FARRIS, JEAN
ZEMEK, RUTH	ZIMMERMAN, LINDA	ZUCKERMAN, ANDREA	FELDMAN, ALISHA
ZEMKE, MARK	ZIMMERMAN, PAM	ZUCKERMAN, ARLENE	FOSTER, LEAH
ZENKO, TINA	ZIMMERMAN,	ZUERCHER, MICHELE	FREDERICK, NICHOLAS
ZENO, PAULETTE	PAULETTE	ZUKOSKI, EDWARD	FREMIN, MICAH
ZENTURA, MS	ZIMMERMAN,	ZUKOSKI, KATIE	GARVEY, JOAN
ZENTURA, MS	PAULETTE	ZULKIE, SHARON	GARY, LINDA
ZENTURA, MS	ZIMMERMAN,	ZULLO, MICHAEL	GASTINEL, PHILIP
ZENZAL, T.J.	PAULETTE	ZUMWALT, RICHARD	GIBBONS, VALERIE
ZENZAL, TJ	ZIMMERMAN,	ZUNG, HELEN	GUBLER, LAWRENCE
ZEPEDA, ESTHER	PAULETTE	ZUNIGA, ARLEEN	GUNASEKARA, NIRAN
ZEPEDA, ESTHER	ZIMMERMAN, STEVEN	ZUNIGA, ESTELA A	GUTH, DOUGLAS
ZEPF, PAUL	ZIMMERMANN,	ZUPAN, MARY	HALL, SHAWN
ZERR, LAURA	CYNTHIA	ZUPANCIC, JODIE	HEBERT, JACQUES
ZERVOUDAKIS, MARTHA	ZIMMERMANN, JERI	ZURCHER, PAULA	HEBERT, JOHN
IBANEZ	ZIMMERMANN, ROBERT	ZURINE, CINDY	JONES, ALLEN
ZERVOUDAKIS, RONALD	ZINGHER, JUDITH	ZUURDEEG, WALT	KEPPER, DREW
ZERZAN, PAULA	ZINK, AMY	ZWARUN, JUDITH	KINLER, STEPHANIE
ZEVELOFF, L.	ZINK, JACQUI	ZWETSCH, GAIL	LANTER, PHILIP
ZEVELY, CARINA	ZINK, MICHELLE	ZWIEBEL, JAMES	LARGAY, JOHN
ZEVIAN, SHANNIN	ZINK, VIVIEN	ZWIERZYNA, STEPHEN	LEACH, JASON
ZHAO, KATHY	ZINK, WAYNE	ZYGO, BRIAN	LEBON, ELIZABETH
ZHONG, SOPHIA	ZINKAN, LINDA	ZYLA, ALISON	LECOMPTE, LUCAS
ZHONG, SOPHIA	ZINN, ANDREA	ZYLA, ALISON	LEVY, ROBERT
ZIAS, BILL	ZINN, MARTHA	ZYLBERBERG, MAXINE	MANSOUR, KAREN
ZICKEFOOSE, JESSICA	ZINN, ROBERT	ZYLBERBERG, MAXINE	MARSZALEK, KEITH
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ANDERSON, DOROTHY	ARBITER, DANIEL	AXBERG, LYNDA	BALCH, ROSEMARIE
ANDERSON, GAIL	ARCHER, KAREN	AYERS, FRANK	BALCH, ROSEMARIE
ANDERSON, GLEN	ARDIKE, MARYBETH	AYRES, DONALD	BALDWIN, MARY
ANDERSON, JAMES	ARDINGER, BARBARA	AZCOITIA, VICTORIA	BALELLA, JOANNE
ANDERSON, JANET	ARELLANO, CHANTELL	AZZARELLO, JOSEPH	BALEY, PATRICIA
ANDERSON, JESSICA	ARENDR, MARY	B, JULIE	BALEY, PATRICIA
ANDERSON, JOAN	ARGO, MARY	B, NICOLE	BALFOUR, JOAN
ANDERSON, JOEL	ARIAS, MARIA	B, P	BALL, CHARLOTTA
ANDERSON, JOSIE	ARIOLI, KRISTIN	B, Z	BALL, CONNIE

BALLANTYNE, BONNIE	BARRY, MARINA	BEATTIE, SHARYL	BENDER, NANCY
BALLARD, KAREN	BARRY, MARION	BEATTY, BRENT	BENEDICT, DEREK
BALLARD, SHAWN	BARRY, SHEILAH	BEAUCHAMP,	BENISH, TOM
BALLARD, SR	BARSCIEWSKI, PATTI	CATHERINE	BENITEZ, ANA
BALLENTINE, WANDA	BARSNESS, DARNELL	BEAUCHAMP, JAN	BENJAMIN, BRIAN
BALLENTINE-HARRIS,	BARTH, JOLINE	BEAUDET, MELISSA	BENJAMIN, ELAINE
REBECCA	BARTHEL, CAROLYN	BEAUDET, MELISSA	BENKERT, CYNTHIA
BALLESTEROS, JENNIFER	BARTHEL, CAROLYN	BEAUDOIN, JEAN	BENNER, LINDA
BALMAIN, LISA	BARTINDALE, J	BEAULIEU, RICHARD	BENNETT, BARBARA
BALMAIN, LISA	BARTKOWIAK, BARB	BEAVERS, CLAUDE	BENNETT, BARBARA
BALOGH, ALYSSA	BARUNAS, LAURA	BEAZLEY, BRANDY	BENNETT, DAVID
BALOTTI, BRANDON	BASHEN, MELINDA	BEAZLEY, BRANDY	BENNETT, REGINA
BALSAMO, MONIQUE	BASHIAN, ALISON	BEBOUT, JULIA	BENNETT, REGINA
BALTZ, ANNA	BASOM, VAL	BECHTEL, PAUL	BENNETT, THOMAS
BANCROFT, WILLIAM	BASON, SHEILAH	BECK, JIM	BENNIS, JUDITH
BANDOLA-MARKS, JODI	BASS, CATHERINE	BECK, KIM	BENNITT, ZACHARY
BANGERS, INGRID	BASSELL, ALISON	BECK, KIMBERLY	BENOIT, MADALYN
BANKER, CARROLL	BASSETT-DOLAN,	BECK, S.E.	BENOIT, MARGUERITE
BANKS, HANNAH	THERESA	BECK-BROWN, SUSAN	BENSCHOTER, JOHN
BANKS, JENNIFER	BASSMAN, LYNETTE	BECKER, ELAINE	BENSON, DANIELE
BANKS, JERRY	BATES, KATHLEEN	BECKER, ELIZABETH	BENSTER, JACQUELINE
BARBER, JOANNE	BATES, KATHLEEN	BECKER, JANE	BENZIE, MELISSA
BARBERA, DIANE	BATORY, JOAN	BECKER, MARTIN	BERBERI, JULIE
BARBEZAT, MARY	BATTAGLIA, RICHARD	BECKER, MARTIN	BERCZELLER, OLGA
BARCLIFT, GLENN	BATTALY, GERTRUDE	BECKER, SHERYL	BERDANIS, MARGO
BARCLIFT, GLENN	BATTLE, JOHN	BECKERMAN, GARY	BERG, CHERYL
BARCUS, VANESSA	BATTLESWORD,	BECKUS, NANCY	BERG, MARTHA
BARDIN, KATHLEEN	JOSEPHUS	BEDDOW, KAREN	BERGER, DORIS
BARFIELD, ELLEN	BAUCOM, FRANK	BEDEL, VERNON	BERGER, DORIS
BARGER, JOHN	BAUER, CHERINE	BEDNAR, TOM	BERGERON, BRAD
BARKER, CAROLYN	BAUM, KAREN	BEEBE, BETH	BERGERON, SHEILAGH
BARKER, DONALD	BAUMAN, SARAH	BEEDLE, TINA	BERGERY, DON
BARLOW, HEATHER	BAUMANN, CHARLES	BEELER, JAMES	BERGEY, DON
BARLOW, JESSICA	BAUMANN, KIM	BEHM, MEGHAN	BERGGREN, RICHARD
BARNES, EUGENE	BAUMANN, KIM	BEHNKE, ELISE	BERGGREN, RICHARD
BARNES, MELODY	BAUMEISTER, MARY	BEHNKE, RACHEL	BERGH, DARCY
BARNES, SHERYL	BAUR, MICHAEL	BEHRMANN, ANN	BERGHOLT, SHARYN
BARNES, SHERYL	BAUR, MICHAEL	BEHRMANN, ANN	BERGMAN, STEVEN
BARNETT, DAVID	BAUSER, STEPHEN	BEIN, ANN	BERKELEY, CAROL
BARNETT, LINDA	BAUTISTA, MELVIN	BEJGROWICZ, THOMAS	BERLINER, DIANE
BARNETT, MELINDA	BAUTISTA, OLGA	BELASKIE, MICHELLE	BERMAN, JEAN
BARNHOUSE, JOHN	BAVOSO, LORENZO	BELCASTRO,	BERMAN, JESSE
BARONI, CHERIE	BAWART, NATALIE	BERNADETTE	BERMAN, LEAH
BARONI, CHERIE	BAXEL, GARY	BELETSKY, AGNIESZKA	BERNARDO, KATHLEEN
BARR, JODIE	BAXEL, GARY	BELL, ANITA	BERNAT, SUSAN
BARRETT, ELAINE	BAXTER, AMANDA	BELL, LAWRENCE	BERNBECK, CAROL
BARRETT, JOHN	BAXTER, SUZANNE	BELL, LORI	BERNER, SYDNEY
BARRETT, VIRGINIA	BAXTER, VALERIE	BELL, LORI	BERNETT, CYNTHIA
BARRETT, VIRGINIA	BAZZ, HAVA	BELL, SHARON	BERNHARDT, BRIGITTE
BARRINGTON, TIM	BAZZ, HAVA	BELL, VICTORIA	BERNSTEIN, BARBARA
BARRIOS, CARLA	BEACH, PATRICIA	BELL, WILLIAM	BERRIOS, LAURA
BARRIOS, LOIDA	BEACH, PAUL	BELLASALMA, SAM	BERRY, BARBARA
BARROW, HARRIET	BEACHLER, JUDY	BELLIARD, STACEY	BERRY, BARBARA
BARROWS, WILLIAM	BEAL, CHRISTINA	BELLWOAR, JESSICA	BERRY, BARBARA
BARRY, CHARLOTTE	BEAN, KATRIN	BELT, ANNIE	BERRY, DAVID
BARRY, DOUGLAS	BEAN, MICHAEL	BELTON, SALLY	BERRY, JUDITH
BARRY, KARYN	BEARER, ANDREW	BENDA, HILAREY	BERRY, LINDA
BARRY, MARINA	BEATO, MARIA	BENDER, GARY	BERTELL, PATRICIA

BERUBE, BOB	BLAIR, FRANCES	BOLT, JEFFREY	BOYER, ELEANA
BERUS, MARK	BLAIR, SMED	BOLYE, BRIAN	BOYER, ROBERT
BEScript, LINDA	BLAIR, SUSAN	BOMARITO, MARYANN	BOYER, TRACY
BESSEN, JENNIFER	BLAKE, SR.	BOND, GEORGE	BOYERS, SADIE
BESSETTE, LAURA	BLAKELY, CARMEN	BOND, GEORGE	BOYKO, BRENDA
BESSLER, MICKI	BLANCHARD, JOHN	BOND, JAY	BOYLE, DEBARA
BEST, IRENE	BLANCHARD, JOHN	BOND, KAREN	BOYNTON, BADGER
BETHEL, JOANN	BLANCHARD, KATHRYN	BONE, ADRIANNE	BOZUNG, DORI
BETZ, MICHAEL	BLANDFORD, MARK	BONK, DENISE	BRABHAM, LORRAINE
BETZ, SUSAN	BLANTON, JEFFERY	BONNER, DANA	BRADLEY, KARLYN
BEVERLEY, BARRY	BLASCO, NATALIE	BONNEY, CORY	BRADLEY, KATHLEEN
BEY, LISA	BLASE, LILLY	BONNINGTON, JOAN	BRADLEY, KATHY
BEZY, TIM	BLASINGAME, JACK	BOOK, CAROL	BRADLEY, KEVIN
BHATT, VAISHNAVI	BLATNIK, LINDA	BOOKER, EMILIE	BRADLEY, RYAN
BHATT, VAISHNAVI	BLEAKNEY, APRIL	BOONE, JOSEPH	BRADSHAW, BARBARA
BHENCE, BLAZE	BLECHNER, STU	BOONREUNG, JAIME	BRADSHAW, SUSAN
BIAGI, JOSEPHINE	BLECKINGER, DANA	BOORSMA, SUSAN	BRADY, DAREN
BIANCO, LOUISE	BLEECKER, ANNETTE	BOOT, PATRICK	BRADY, HUGH
BIAS, STEPHANIE	BLEKH, INNA	BOOTH, ALEXANDRA	BRADY, IRENE
BICKEL, GEORGE	BLEKH, INNA	BOOTH, ROBERT	BRADY, JAMES
BIENEMANN, KATHRYN	BLIZZARD, TRACY	BORCHERDING, PAUL	BRAGG, DIANNE
BIERMAN, KENNETH	BLOCH, ALICE	BORDENAVE, MICHAEL	BRAGG, STUART
BIERN, LAURI	BLODGETT, JENNIE	BORELLI, ANTHONY	BRAILER, HANNAH
BIESZKE, MARIA	BLOM, THOMAS	BORGES, KENT	BRAKEL, L.A.W.
BIGGINS, JANE	BLUE, JONNA	BORGHI, MICHAEL	BRASSE, M.
BILGER, MICHAEL	BLUM, CHARLOTTE	BORGHINO, TOMMY	BRAMHALL, RITA
BILLADEAU, MICHELLE	BLUM, JOSEPH	BORGHINO, TOMMY	BRAMMER, KATHLEEN
BILLINGSLEY, GLENN	BLUMBERG, HAL	BORGHINO, TOMMY	BRANDES, MICHAEL
BILLS, BARBARA	BOAS, KATHERINE	BORGHINO, TOMMY	BRANDON, VICTORIA
BILOUS, OLEKSII	BOBB, MARY	BORKOWSKI, RUTH	BRANDRIFF, MARIA
BILSBOROUGH, COOKI	BOCANEGRA, PATRICIA	BORLAND, KELSEY	BRANNAN, NICHOLAS
BILYEU, GEORGE	BOCCIA, JAMIE	BORRERO, SHIRLEY	BRANNIGAN, KELLY
BINDERIM, GARY	BOCK, BILL	BORSHODY, JOHANNA	BRANNON, ELIZABETH
BING, ERIC	BOCKELMAN, DON	BOSTICK, MARY	BRANT, KAREN
BINGAMAN, BENJAMIN	BOEHM, LYNNE	BOSTON, CAROLINE	BRAOUDAKIS, SPYROS
BINKLEY, ROBERT	BOEHMER, JADE	BOSWELL, THOMAS	BRASAEMLE, LOUIS
BIR, QWERQ	BOGART, SARAH	BOTHERN, LAWRENCE	BRASWELL, SPENCER
BIRCH, M	BOGART, STEVE	BOTKIN, MARIE	BRAUDE, MARCIE
BIRD, JENNIFER	BOGART, STEVE	BOUCHER, BLAIR	BRAUDE, MICHAEL
BIRD, JUDITH	BOGART, STEVE	BOUCHER, KAREN	BRAUN, CONCHITA
BIRD, JUDITH	BOGDANOVICH, SUSAN	BOURGUIGNON, LAURENCE	BRAUT, HEATHER
BIRES, ROY	BOGIE, ARTHUR	BOURKS, CLAUDIA	BRAY, EVELYN
BIRKHAHN, CHRIS	BOGOLUB, LARRY	BOURNE, HALLI	BRAY, JOHN
BIRMINGHAM, SCOTT	BOHAC, STEPHEN	BOURY, ANDREA	BRAY, SHERRI
BISANZ, JEANNE	BOHANNAN, THERESA	BOWDEN, JOAN	BRAZIL, LARRY
BISHOP, CHRIS	BOHL, JESSE	BOWEN, JOYCE	BREAZEALE, KELLY
BISHOP, JACQUELYN	BOHLEN, DANIELLE	BOWER, S	BRECHIN, VERNON
BISKUS, MIMI	BOHLMAN, NICOLE	BOWERS, LINDA	BREEDLOVE, CAROLYN
BISKUS, MIMI	BOHN, JENNIFER	BOWERS, PEGGY	BREHM, KEVIN
BISSELL, JENNIFER	BOHORFOUSH, KATHLEEN	BOWERS, PEGGY	BREITHAUP, JAMES
BISSON, GEORGE	BOIGON, SHANNA	BOWERS, VINCENT	BRENGARD, GENE
BLACK, DAVID	BOISVERT, REBECCA	BOWMAN, CASSONDRA	BRENNAN, A
BLACK, DAVID	BOKROS, KATHLEEN	BOWMAN, ROBERT	BRENNAN, MARGOT
BLACK, MARY	BOLETCH, STEPHEN	BOYD, ERNEST	BRENNER, LARRY
BLACK, MORRIGAN	BOLICK, CHARLES	BOYD, JOHN	BRENNER, LYNN
BLACK, STEVEN	BOLLIN, HOLLY	BOYD, JANICE	BRENNER, SARA
BLAHA, JOHN	BOLOCAN, DAVID	BOYD, JOHN	BRENZA, DR.
BLAINE, ALEX		BOYD, MEGHAN	BRESLIN, JEAN

BRESTLE, JESSE	BROWN, JANICE	BULICEK, CATHRYN	BUTLER, SARAH
BREVIDORO, LESLIE	BROWN, JEANNE	BULL, PETER	BUTLER, SUSAN
BREWER, DENISE	BROWN, JOANNA	BULLOCK, BEVERLY	BUTSCHER, KAI
BRICKEL, CAROL	BROWN, JOY	BUNKER, DAVID	BUTTNER, DEE
BRIDE, TANIA	BROWN, KAREN	BURBES, JUDI	BYCOFF, BARRY
BRIDGES, LINDA	BROWN, KEVIN	BURCA, GEORGETA	BYERS, DREW
BRIDGES, LINDA	BROWN, KIERA	BURCH, SUSAN	BYERS, MEGAN
BRIDGES, LINDA	BROWN, M.	BURCH, SUSAN	BYRD-LONSKI, BETH
BRIGANDI, JOSEPH	BROWN, MARGARET	BURCKHARDT, CHRISTINE	BYRNE, NICK
BRIGATI, VICKI	BROWN, MARYETTA	BURES, FRANK	BYRON, RANDI
BRIGHT, ERIN	BROWN, MICHELE	BURESH, STEPHANIE	C, G
BRIGHTMAN, PAMELA	BROWN, NATASHA	BURGIN, CAROLYN	C, JEN
BRILL, JUSTIN	BROWN, PEGGY	BURGIN, HOLLY	C, KENDRA
BRIMECOMBE, LYNNE	BROWN, PETER	BURKIN, HOLLY	C, MICHAEL
BRINKMAN, JOHN	BROWN, PETER	BURKARD, PETER	C, TONY
BRINKMAN, JOHN	BROWN, RACHEL	BURKART, KARL	C., K.
BRINKMAN, JOHN	BROWN, REGINA	BURKE, JIM	C., LYNNE
BRINKMAN, JOHN	BROWN, ROBERT	BURKE, JOHN	CABELLO, NAJLA
BRINZAN, LUCIA	BROWN, ROBERT	BURKE, LINDA	CABOT, CATE
BRIONES, SYLVIA	BROWN, RONALD	BURKE, MAUREEN	CABRERA, ASHLEY
BRISEBOIS, LISETTE	BROWN, SHANNON	BURKE, SHARON	CABRERA, ASHLEY
BRISEBOIS, LISETTE	BROWN, SUSAN	BURKE, WILLIAM	CABRERA, MARIA
BRISTOL, J	BROWN, TERESSA	BURKHALTER, MEGHAN	CABRERA, MARIA
BRITTAN, ANDI	BROWN, TRESHANDA	BURKHARDT, HELGA	CACHOPO, PATRICIA
BRITTAN, ANDI	BROWN, WALTER	BURLISON, JUDY	CAHILL, EUGENE
BROCK, CARYN	BROWNE, TINA	BURNET, GREG	CAHUSTIN, GRACE
BROCKMAN, BLAISE	BROWNING, DEVONAE	BURNETT, BARBARA	CAICCO, JODY
BROCKWAY, BARBARA	BROWNING, M.	BURNETT, ROBERT	CAIRNS, KAREN
BROCKWAY, TAUNJA	BROWN-NESBIT, PARKER	BURNS, CECILIA	CAISEY, JEANELL
BRODHUN, CARL	BROWN-RIDLEY, DEBORAH	BURNS, GAIL	CALABRESI, MILES
BRODLIE, LISA	BROZIK, ELLEN	BURNS, GAIL	CALABRO, NICK
BRODY, JANET	BRUNELL, LARRY	BURNS, JESSICA	CALCOTT, ANDREW
BROEKMAN, MARINUS	BRUNER, DEBORAH	BURNS, NANCY	CALDERON, SHEILA
BROMER, PETER	BRUNETTI, TINA	BURNS, ROBERT	CALDERON, VIC
BROMUND, MICHAEL	BRUNNER, CHRIS	BURNS, SARAH	CALDWELL, CONSTANCE
BRONER, M	BRUNNER, MARI	BURRELL, DRUSILLA	CALHOUN, JOHN
BROOKE, DIANNE	BRUNO, OLIVIA	BURRELL, JIMBETTY	CALLAGHAN,
BROOKE, LISE	BRYAN, PAT	BURT, SHIRLEY	CATHERINE
BROOKER, MARK	BRYANT, KEISHA	BURTON, PATRICIA	CALLAHAN, AMALIE
BROOKMAN, GERALD	BRYANT, ZOE	BUSACCO, JEANNE	CALLAHAN, JACK
BROOKS, ELIZABETH	BRYNES, KEITH	BUSCH, MERRI	CALLAN, A
BROOKS, JOHN	BRZEZINSKI, MATT	BUSCHING, WILLIAM	CALLISON-PALERMO,
BROOKS, JUDY	BUBB, DONNA	BUSH, DON	BETTYE
BROOKS, VICKI	BUCHANAN, JOHN	BUSH, JULIE	CALZETTA, GIANCARLA
BROOKSHIRE, BECKY	BUCHANAN, SISTER	BUSHMAN-COPP, LILY	CAMHI, SHARON
BROSOFOSKE, GREG	BUCK, MARSHA	BUSTER, KATEY	CAMMACK, CARRIE
BROUILLETTE, MARY	BUCKINGHAM, LAURENCE	BUSUTTIL-CASHMAN, OLIVIA	CAMP, DAVID
BROULARD, JACQUELINE	BUCKLEY, LEO	BUTCH, TOM	CAMP, KELSEY
BROWN, CYNTHIA	BUCOLO, JAMES	BUTCHER, NIKI	CAMPAGNA, CATERINA
BROWN, DANIEL	BUDA, JANET	BUTCHER, NIKI	CAMPBELL,
BROWN, F	BUDNIAK, MICHAEL	BUTLER, CYNTHIA	CARRIEFOSTER
BROWN, GABRIELLA	BUDNIK, BRADLEY	BUTLER, DANIEL	CAMPBELL, GINA
BROWN, GAIL	BUDNIK, BRADLEY	BUTLER, DAVID	CAMPBELL, GREG
BROWN, GAYE	BUESCHER, MICHAEL	BUTLER, DAVID	CAMPBELL, MARY
BROWN, ISAAC	BUKOWSKI, NANCY	BUTLER, ELIZABETH	CAMPBELL, NEAL
BROWN, JAMES		BUTLER, MARY	CAMPBELL, SUSAN
BROWN, JAMES		BUTLER, SANDRA	CAMPBELL, THERESE
			CAMPISI, SAMANTHA

CAMPOPIANO, BRIAN	CARRAWAY, KERMIT	CHALFIN, D.	CHOI, ILENE
CAMPOS, GLENDA	CARRERA, DRE	CHALKER, MIKKI	CHRIS, CAROLYN
CANDLER, STEVEN	CARRILLO, STEPHEN	CHAMBERLAIN, ROYAL	CHRIS, CHRIS
CANFIELD, CHRIS	CARRODUS, SUSAN	CHAMBERS, JANIS	CHRISLEY, CALEB
CANNARD, SHARON	CARROLL, DEBORAH	CHAMBERS, PAT	CHRISTENSEN, CARRIE
CANNON, CAROLE	CARSON, ANTHONY	CHAMBERS, PATRICIA	CHRISTENSEN,
CANNON, MELISSA	CARSON, BARBARA	CHAMBLEE, CATHERINE	MARGARET
CANNY, BRIAN	CARTER, ANGELA	CHAMBRONE, LORETTA	CHRISTENSON,
CANTOR, ANNETTE	CARTER, ANN	CHAMPION, MARY	COURTNEY
CANTOR, DANIEL	CARTER, KIMM	CHAN, ANNINA	CHRISTIAN, BRYAN
CANTOR, MIRIAM	CARTER, MICHELLE	CHANDLER, CAROL	CHRISTOFF, STEPHANIE
CANTOR, MIRIAM	CARTER, ROBERT	CHANDLER, DANIEL	CHRISTOPHER, ANN-
CANTOR, MIRIAM	CARTER, RONALD	CHANDLER, GREGORY	MARIE
CANTRELL, CAROL	CARTON, BARBARA	CHANDLER, JENNIFER	CHUPP, T.
CANTWELL, JACK	CARUSO, SHANNON	CHANESE, MOIRA	CHURCHILL,
CAPAN, PATRICE	CARVER, ROBERT	CHANG, NICOLE	CHRISTOPHER
CAPANO, SUZANNE	CASADAY, GARTH	CHAPMAN, JOHN	CHYBA, MIKE
CAPERTON, KATHRYN	CASADY, KENT	CHAPMAN, ROBERT	CIANCAGLINI, KATHY
CAPLAN, ELISE	CASAR, DANIEL	CHAPPELL, CHRISTINA	CIMINELLO, BRIANNE
CAPLOW, CHERYL	CASE, CHRISTINA	CHARBONNIER,	CIMINO, ANNE
CAPOZZA, LISA	CASE, TONY	MONIQUE	CIMINO, ELLEN
CAPUTO, DAWN	CASEY, MARY	CHARRIER, JL	CIMINO, RHONDA
CARABALLO, NOED	CASEY, MICHELLE	CHARTOCK, SUE	CINQUINO, DEBORAH
CARAVEO, PAULA	CASH, DONNA	CHASE, GILBERT	CIOFFI, LINDA
CARBLEY, WILLIAM	CASHELL, JANICE	CHASE, LINDA	CIRI, SHARON
CARBONE,	CASHIN, ELIZABETH	CHATURONGKUL,	CIRILE, JAMES
CHRISTOPHER	CASHIN, ELIZABETH	SUJITTRA	CISEK, DALE
CARBONE, EVAN	CASHMAN, KRISTEN	CHAVEZ, ELEANOR	CIUFFO, ALICE
CARDARELLI, BARBARA	CASHMAN, KRISTEN	CHAVEZ, JOSELYN	CLAIR, PEGGY
CARDARELLI, BARBARA	CASH-PROCELL, GLORIA	CHAVEZ, PHYLLIS	CLAIR-HOWARD, MARIA
CARDINALE, SARAH	CASIELLO, KATHY	CHAVEZ, SALISSA	CLAPP, JONATHAN
CARDONA, EDWARD	CASPER, SANDRA	CHAVEZ, SALISSA	CLARE, ANNE
CAREDDU, KATHERINE	CASSAR, LEE	CHAVEZ, SALISSA	CLARK, ALAN
CAREW, MOLLY	CASTELLAN, JAMES	CHAVEZ, SALISSA	CLARK, CONAN
CAREY, ELTON	CASTIANO, JUDITH	CHAY, KENNETH	CLARK, CONNIE
CAREY, SHARON	CASTINE, PATRICIA	CHEN, DAVID	CLARK, DEB
CARGO, ALEXANDRA	CASTNER, EMILY	CHEN, SONNY	CLARK, DEBORAH
CARJULIA, LOREN	CASTOR, JERRY	CHERUBIN, EL	CLARK, DIANA
CARL, SAMUEL	CASTRO, ELIZABETH	CHERWINK, ROBERT	CLARK, DONALD
CARLISLE, SCOTT	CASTRO, KARI	CHESEN, MICHAEL	CLARK, DONNA
CARLISLE, TRACEY	CASTRO, MAFALDA	CHESSA, MARINA	CLARK, E
CARLSON, CAROL	CATALDO, CLAUDIA	CHEZAR, HOWARD	CLARK, ED
CARLSON, DAVID	CATHEY, MARGARET	CHIANIS, ANTONIA	CLARK, FERN
CARLSON, JOHN	CATLIN, JULIA	CHIAVIELLO, ANTHONY	CLARK, GRACE
CARLSON, SUSAN	CATO, MARY	CHIECO, EILEEN	CLARK, JENNIFER
CARLTON, THOMAS	CAULEY, ROBERT	CHIEN, LISA	CLARK, JENNIFER
CARMACK, LINDSEY	CAVALIERO, ROBERT	CHILDERS, DEBORAH	CLARK, KRISTINA
CARMAN, JUDY	CAVALLONE, LUIS	CHILDERS, VICTORIA	CLARK, LEWIS
CARNEGIE, SHEILA	CEASER, ROSEMARIE	CHILDS, ABIGAIL	CLARK, LORALEE
CARON, JESSICA	CECERE, LORRAINE	CHILDS, BESS	CLARK, MAXINE
CARP, RICHARD	CERDA, JASMINA	CHILDS, PETE	CLARK, NANCY
CARPENTER, CHARLES	CERNIGLIA, SUZANNE	CHING, ROBIN	CLARK, REBECCA
CARPENTER, VICTORIA	CHABOT-WEINGART,	CHIONE, ANDREW	CLARK, RENEE
CARR, HOPE	RAEHEL	CHISARI, ANDREA	CLARK, SANDRA
CARR, JAMES	CHADWELL-GATZ,	CHISHOLM, AMY	CLARK, TERRY
CARR, JENNIFER	COURTENAY	CHIVIAN, SUSANNA	CLARK, VIRGINIA
CARRANO, FRANK	CHADWICK, WISTAR	CHODOSH, JANIE	CLARKE, VIRGINIA
CARRANZA, ANDREW	CHAIT, ELIZABETH	CHOI, BRENDA	

CLAUNCH-MEYERS, JENNIFER	COLE, DORI	CONNER, JOHN	COSGRIFF, MARK
CLAY, MITCHELL	COLE, JACKIE	CONNER, MIGDALIA	COSNER, SANDRA
CLAY, WILLARD	COLE, KATIE	CONNOR, ANNE	COSTA, MARDENE
CLEARY, MICHAEL	COLE, NEIL	CONNOR, GABRIELE	COSTA, WENDY
CLEAVER, MELISSA	COLE, PAULA	CONOSCENTI, PAULA	COSTEA, MEAGAN
CLEESE, ROSE	COLE, SANDRA	CONRAD, ERIC	COSTELLO, GARY
CLEMENT, KAY	COLEMAN, DF	CONRAD, LORI	COSTELLO, JOHN
CLEMENTS, KAREN	COLEMAN, ELAINE	CONTARINO, CATHERINE	COSTELLO, LAUREL
CLEMENTS, RAWNIE	COLEMAN, ELLIS	CONWAY, MAURENE	COSTELLO, PRISCILLA
CLEMONSON, SCOTT	COLEMAN, VICTORIA	CONYNGHAM, KAREN	COTTON, CONNIE
CLENDENEN, GAIL	COLEMAN, VICTORIA	COOK, ANDREW	COUGHLIN, HELEN
CLEVELAND, GEORGE	COLEMAN, VICTORIA	COOK, D'ARCY	COULSON, BOB
CLIFFEL, CLAUDIA	COLERICH, EDWARD	COOK, PATRICIA	COULSON, SUE
CLINTON, KIP	COLFER, D	COOK, PATRICIA	COUNCIL, ASHLEY
CLOTWORTHY, SHAWN	COLGAN-DAVIS, JOHN	COOK, PATRICIA	COURIM, STEPHEN
CLOUD, JARRETT	COLLAS, JUDITH	COOK, STEVEN	COURTAWAY, ROBBIE
CLUTTER, MARCIE	COLLETTE, DR.	COOK, SUZANNE	COURTNEY, MARGUERITE
CO, ELAINE	COLLI, LEE	COOKE, DELIA	COURY, AL
COAKLEY, KRISTEN	COLLIER, MITCHELL	COOLEY, KATHI	COVENY, RICHARD
COBARRUBIA, MARK	COLLINS, BARBARA	COON, LORI	COVEY, MADELINE
COBB, CINDY	COLLINS, BELINDA	COOPER, CHARLENE	COVEY, TIM
COBELLO, SUSAN	COLLINS, CAROL	COOPER, JON	COVIELLO, DEBORAH
COCCO, BRIAN	COLLINS, DEBBIE	COOPER, MAURY	COVINO, ROBIN
COCHRAN, KATY	COLLINS, ELEANOR	COOPER, MICHAEL	COWART, REBECCA
COCKS, RENEE	COLLINS, GRETA	COOPER, PAUL	COWEE, ALESSIA
CODDING, DON	COLLINS, LAURA	COOPER, RAY	COWEN, DAVE
CODDINGTON, TOM	COLLINS, SHERRON	COOPER-OTT, LORI	COX, EDYTHE
COELLO, AMANDA	COLONY, PAMELA	COPE, DENYS	COX, HOLLY
COFFEE, EILEEN	COLONY, STEPHANIE	COPELAND, LYNDA	COX, KATHY
COFFER, CURTIS	COLOPY, MARK	COPPOTELLI, FRED	COX, LANIE
COFFEY, MONIQUE	COLOTTI, DEBORAH	COPPOTELLI, HEIDE	COX, MERRY
COHEN, CHARLES	COLSTON, LAURA	CORBETT, ALEC	COX, RACHELLE
COHEN, DAN	COLTMAN, EVELYN	CORBETT, PATRICIA	COX, SUSAN
COHEN, ELIZABETH	COLTON, CAMMY	CORBIN, LAURIE	COX, SUSAN
COHEN, FREDERICA	COMBS, D	CORBIN, MARION	COYLE, N.
COHEN, GARY	COMBS, MARY	CORCETTI, LAURA	COYLE, NORA
COHEN, HOWARD	COMBS, TREVOR	CORDER, LINDA	COYNE, PORTIA
COHEN, HOWARD	COMISKEY, ANNE	CORDES, TRUDY	COZ, ANN
COHEN, JUDY	COMISKEY, THOMAS	CORDOVA, KRIS	COZAD, CHELSEA
COHEN, KARIN	COMMUNOS, SOHEILA	COREY, BONNIE	COZZI, ALETHEA
COHEN, KARIN	COMPAIN, DANIELLE	CORNELIA, JARED	CRAFTON, NORA
COHEN, KARIN	COMPSON, LINDA	CORNELIUS, STACY	CRAIL, PATRICIA
COHEN, LAURA	COMRACK, JANINE	CORNER, SUSAN	CRAKOW, NANCY
COHEN, LAWRENCE	COMRADA, JIM	CORNEZ, SANDI	CRAMER, PAUL
COHEN, MARK	CONANT, DOUGLAS	CORNILLIAT, FRANCOIS	CRANDALL, ANALISA
COHEN, MICHELLE	CONANT, MERIDITHE	CORNMAN, BARBARA	CRANE, DONNA
COHEN, PAUL	CONDELL, FREYA	CORONA, STEPHANIE	CRANE, MARGARET
COHEN, TOVA	CONE, CARRIE	CORPUS, ROBERT	CRANE, STEPHEN
COHEN, WAYNE	CONKLIN, CORINNE	CORREALE, MARIA	CRANFORD, CONNIE
COHN, CATHY	CONLEY, BEN	CORREAL-TIPPIE, KRYSTAL	CRANKE, ELOISE
COINER, DIANE	CONLEY, BOB	CORREIA, RUTE	CRANMER, JULIA
COKER, JASON	CONLEY, BOB	CORRIGAN, JAMES	CRASE, SANDRA
COLADONATO, STEPHANIE	CONLEY, BRAIN	CORRIGAN, JAMES	CRAVEN, RUSSELL
COLBERG, RICHARD	CONLEY, CHRIS	CORTEZ, TORI	CRAVENS, CLAUDIA
COLE, CALVIN	CONLEY, CHRIS	CORTNER, DIANA	CRAWFORD, ANDRA
COLE, CAROLE	CONLEY, PATRICK	CORUM, KAY	CRAWFORD, NICOLA
	CONN, PATRICK	COSBY, WILL	
	CONNELLY, WALTER		

CRAWFORD, P.E.	CUNNINGHAM, STORM	DANHAUER, MARY	DAY, JOE
CRAWFORD, TRACY	CURET, CHRISTYANA	DANIEL, JOE	DAY, JOHN
CRAWFORD, VALERIE	CURIA, PETER	DANIEL, KIAN	DE BACA, SYLVIA
CRAWFORD, VALERIE	CURRAN, ERIN	DANIELCZYK, MATTHEW	DE BOER, DARYL
CRAWFORD, WILLIAM	CURRAN, JEAN	DANIELLE, ANGIE	DE FRANCIS, PATRICIA
CREIGHTON, CYNDI	CURRIE, ANN	DANIELS, ANTOINETTE	DE LA CERDA, VICTOR
CRESS, BENITA	CURTIS, HARRISON	DANIELS, MARILYN	DE LONG, KARL
CRESSEVEUR, JESSICA	CURTIS, MARGARET	DANIELS, VICTORIA	DE MARE, ANTHONY
CREW, TAMMY	CURTIS, PAUL	D'ANNA, MARIE	DE RAAT, MAIA
CREWS, BECKY	CUSACK, JOSH	DANNIES, PRISCILLA	DE SENA, LORI
CRIGGER, MACKENZIE	CUSSAC, DONNA	D'ANNUNZIO, PATRICK	DEAL, BRANDIE
CROAKE, JAMES	CUTHBERTSON,	DANOS, TERI	DEAL, BRANDIE
CROCCO, FRANCES	JACQUELINE	DANOWSKI, K	DEAL, LINDA
CROCKER, DEBORAH	CUTKOMP, LAURA	DANOWSKI, K	DEAN, DIANE
CRONE, ROBERT	CUTLER, BARRY	DARDARIAN, JESSICA	DEAN, DIANE
CROOK-HILL, JANICE	CVT, ERIN	DARDEN, ELENA	DEAN, LIZ
CROOKS, HAROLD	CYR, EMILY	DARLING, ROBERT	DEAN, SARAH
CROOMS, SANDY	CZACH, JEFF	DARLINGTON, ALYSSA	DEAN, SUE
CROOP, GERALD	CZASTER, GINO	DARLINGTON, BETH	DEARBORN, CAROL
CRORY, LAURA	CZICHOS, ROMONA	DASKAL, SHARON	DEATS, LIN
CROSBY, CHRISTINA	D, C	DASS, CAROL	DEBOMA, EMILY
CROSBY, SARA	D, DANIEL	DAUGHERTY,	DEBORAH, DEBORAH
CROSS, BONNIE	D, JOANNE	SAMANTHA	DECARGOUET, YVES
CROSS, HEATHER	D, M	DAVENPORT, PATRICK	DECASTRIS, VALERI
CROSS, RUSS	D, R	DAVENPORT, SUSAN	DECKELBAUM, KATYA
CROSS, VICTORIA	DA SILVA-DRAUD, BETTY	DAVID, ALLEGRA	DECKERT, LORI
CROSS, ZACHARY	DABANIAN, KATHY	DAVIDSON, PAMELA	DECRESCENTIS, CAROL
CROTHERS, THOMAS	DADGARI, JOSEPH	DAVIDSON, PHIL	DECRESCENZI,
CROUCH, ERIC	DADGARI, JOSEPH	DAVIDSON, ROBERT	EMERAECH
CROUSE, GRAY	DAEHN, DAWN	DAVIES, DOROTHY	DEEGAN, CHRISTINE
CROW, AMY	DAGHER, CARRIE	DAVIS, ALANA	DEETER, JOSHUA
CROWLEY, SUSAN	DAGOSTINO, RON	DAVIS, AMANDA	DEFELICE, PAULA
CRUGER, KURT	D'AGOSTINO, FRANK	DAVIS, BROOKE	DEFEVER, DAVID
CRUICKSHANK,	DAHLGREN, DEBORAH	DAVIS, CARLA	DEFIORIO, ROSEMARY
ELIZABETH	DAIGLER, LYNN	DAVIS, CAROLYN	DEGRAW, JENNY
CRUM, CATHY	DAIGNEAULT, DEBRA	DAVIS, CAROLYN	DEGUTIS, PATRICIA
CRUM, CATHY	DAIL, MICHELLE	DAVIS, ELIZABETH	DEHANKE, MARK
CRUMP, JENNIFER	DAILEY, ELIZABETH	DAVIS, EMILY	DEISCHER, JEFF
CRYSTAL, LAKOTA	DAIRIKI, JANIS	DAVIS, ERICA	DEISTER, BOBBIE
CRYSTAL, LAKOTA	DAISS, BECKY	DAVIS, HEATHER	DEITS, CARLA
CRYSTAL, LAKOTA	DAITSMAN, MARK	DAVIS, JON	DEKANY, JENNIFER
CSASZAR, JOHN	DAKIN, SHAUN	DAVIS, KARA	DELANEY, LORRAINE
CSENGE, DEBRA	DALE, BYRON	DAVIS, KAREN	DELANEY, MICHELE
CUELLAR, ELIZABETH	DALEY, PAULA	DAVIS, KATHERINE	DELANEY, PAT
CUELLAR, ELIZABETH	DALEY, PAULA	DAVIS, LISA	DELANEY-WINN, ELAINE
CUELLAR, STEPHANIE	DALLA, JOHN	DAVIS, MELISSA	DELAY, KAY
CULBERT, LAURETTE	DALTON, MAGGIE	DAVIS, NANCY	DELIA, CATHY
CULLEN, MARJORIE	DALTON, MARY	DAVIS, S	DELILI, JAMIE
CULP, JUDITH	D'AMATO, PAUL	DAVIS, SARAH	DELMAR, WENDY
CUMINE, SALLY	DAMBRUN, NICOLE	DAVIS, SCOTT	DELMONICO, CAROL
CUMINGS, DAWN	DAMERON, EMERSON	DAVIS, SUMMER	DELOSSANTOS, SILVIA
CUMMINGS, ALLISON	DAMIR, REVA	DAVIS, SUZANNA	DELUCA, MEL
CUMMINS, JENNIFER	DAMIR, REVA	DAVY, EVA	DELVECCHIO, GIANLUCA
CUNDIFF, CLAY	DANA, KRISTA	DAVY, EVA	DELYRIA, ELIZABETH
CUNNINGHAM, CAROL	DANE, DOROTHY	DAWLEY, DANIEL	DEMARAIS, JACKIE
CUNNINGHAM, GLENN	DANESE, BARBARA	DAWSON, DAWN	DEMAS, JAMIE
CUNNINGHAM, GLENN	DANFORD, MARK	DAWSON, KICHECKO	DEMASCIO, FRANK
CUNNINGHAM, NANCY	DANGLE, PATRICIA	DAY, D.	D'EMILIO, BRIAN

DEMIRCHELIE, ELAHEH	DIAZ, SUSAN	DONKIN, SALLIE	DUERLING, NAN
DENICOLO, PATRICIA	DICICCIO, MICHELE	DONNELLY, GAYLE	DUFFY, PATTY
DENISSEN, PAULA	DICKEY, LAURA	DONNELLY, MICHAEL	DUGAW, ANNE
DENMAN, LORA	DICKEY, MARY	DONOVAN, ELAINE	DUGGAN, ANN
DENMARK, GLORIA	DICKINSON, AL	DOOGAN, EDWARD	DUKES, NITA
DENNING, ASPHODEL	DICKINSON, MARCIA	DORAN, PATRICIA	DUNCAN, GREGORY
DENNING, BRUCE	DICKSON, JUDY	DORCAS, ELIZABETH	DUNCAN, MARY
DENNIS, JACK	DICKSON, SAM	DORIS, THERESA	DUNHAM, ELEENNA
DENNIS, KENDALL	DIEDERICHS, KAREN	DORMAN, KIMBERLY	DUNKEL, TREVVOE
DENNIS, MARILYN	DIEHL, MIRA	DORMAN, WENDY	DUNLAP, NAOMI
DENNIS, MARILYN	DIEHL, THOMAS	DORN, DONNA	DUNLAP, NAOMI
DENNY, GARY	DIERINGER, MELANIE	DORRICO, CAROLYN	DUNLEAVY, SHEILA
DENSMORE, PAUL	DIETERICH-HUGHES,	DORSIE-FRANK, ALICIA	DUNN, BRIAN
DEPEW, ROBERT	SANDRA	DOUD, LISA	DUNN, EDWARD
DEPOLO, LAURA	DIETRICH, SHARON	DOUGLASS, MICHAEL	DUNN, JEANNE
DEPREE, DEAN	DIETRICH, SUSAN	DOUST, JAMES	DUNN, JUDITH
DEPRETTO, LUCIA	DIGNES, THOMAS	DOUVRI, MICHAEL	DUNNE, PAUL
DERAIMO, TINA	DIGRE, ANNETTE	DOVER, BEN	DUNOYER, ARNAUD
DERESPIRIS, CHRISTINA	DILAURO, STACEY	DOVGIN, RICHARD	DUON, NICK
DERONDE, HANK	DILLENCHNEIDER,	DOWELL, VIVIAN	DURGIN, MICHAEL
DEROOY, CONSTANCE	CINDY	DOWN, ARDEN	DUSANOVSKA, NATALIHA
DERVIN, JOHN	DILLEY, BERRY	DOWNEY, DEIRDRE	DUSEK, RUSS
DESECKI, NANCY	DILLMAN, CHRISTINE	DOWNEY, DEIRDRE	DUSON, BETTY
DESHLER, SUSAN	DILLMAN, JOSEPH	DOWNWARD, JAMES	DUTCHER, SANDRA
DESHOTEL, SHELLEY	DILLMAN, JOSEPH	DOYLE, PATRICIA	DUTRA, RC
DESIMONE, JOHN	DILLON, HOWARD	DOYLE, PATRICIA	DUVALL, BENJIE
DESJARLAIS, MARIE	DIMEO, ROCCO	DRABKIN, WILLIAM	DUVO, ANNE
DESMARAIS, LAURI	DIMICELI, CRYSTAL	DRAGON, DAVID	DVM, JULIA
DESMOND, JOHN	DINESCU, CARMEN	DRAKE, DEANA	DVORAK, BILL
DESMOND, KAREN	DINESCU, CARMEN	DRAKE, TRACY	DWELLEY, KRISTIN
DETMER, CAROL	DINGER, DANIEL	DRAUGHON, SHEILA	DWYER, AMY
DETORE, RENEE	DION, PATRICIA	DREIBELBIS, J	DWYER, VIRGINIA
DETTMANN, J	DIPALMA, CAROLINE	DRENNEN, KAREN	DYER, LIZ
DEVECCHI, LARA	DISCEPOLA, LOUIS	DRESNER, ANNA	DYER, MICAH
DEVENS, MONICA	DIXON, MARY	DRESSLER, PEGGY	DYER-BENNET, BROOKE
DEVILLE, LISA	DIZENZO, ALFONSO	DRESSLER, RALPH	DYKES, ELAINE
DEVILLE, TAZ	DOANE, ANNE	DREW, JANET	DYSTER, MARY
DEVINE, KARLA	DOANE, MARY	DREY, ROBERT	DZIEKAN, JENNIER
DEVINE, NEAL	DOBSON, DEBORAH	DREY, ROBERT	EABY, SCOTT
DEVINNEY, CLAUDIA	DOCTOR, KATHLEEN	DRIESSEN, LYNN	EADY, CAROLYN
DEVLAEMINCK,	DODD, ELIZABETH	DRISCOLL, MARIE	EAKLE, SUSAN
MICHELLE	DOERING, DAVID	DRISKELL, SHELLEY	EAMES, CHERYL
DEVOSS, CAROL	DOHERTY, BRIAN	DRIVER, LINDA	EANES, LORI
DEWHURST, MYRA	DOHERTY, KYLE	DROUGHT, CLIFF	EARLY, ERIC
DEWOLF, NATASHJA	DOHMAN, HELEN	DRUCKER, SUSAN	EASLEY, JUDAH
DEWOLFE, PAT	DOIRON, SHERRI	DRUJININA, SASHA	EASTMAN, LINDA
DEZENDORF, ANDREA	DOLESE, JENNIFER	DRWINGA, HELEN	EATON, CAITLIN
DEZOTELLE, LINDA	DOLINS, FRANCINE	DRYER, ELLEN	EATON, CHRIS
DHILLON, AMIR	DOLSON, PATRICIA	DUARTE, HUMBERTO	EATON, SARAH
DI PALMA, VITTORIA	DOMIN, CRAIG	DUBE, SHARON	EAVES, KELLY
DI ROCCO, JENNY	DOMINGUEZ, MARY	DUBENDORFF, DIANE	EBERHARD, SUZI
DI ROCCO, JENNY	DOMINGUEZ, YVETTE	DUBOIS, MARIT	EBERSHOFF-COLES,
DI STEFANO, JULIA	DOMKE, ELLEN	DUBRICK, MICHAEL	SUSAN
DIAMOND, STEPHEN	DON, SHARON	DUCKWORTH, GARY	ECHELBARGER, DENISE
DIAMOND, WILLIAM	DONAHUE, DAVID	DUDLEY, GREGORY	ECHO, JENNIE
DIANICH, MICHAEL	DONAHUE, HANNAH	DUDZINSKY, MEGAHN	ECKELMEYER, KARIN
DIAZ, DENISE	DONDERO, DARREN	DUELFER, JESSICA	ECKELMEYER, KARIN
DIAZ, FELIPE	DONEY, STACY	DUERKSEN, TRACY	ECKERT, BRIAN

ECKERT, JACQUELINE	ELLIOTT-CATTELL, JUNE	ERICKSON, STEVE	FARRAR, JULIA
ECKERT, JACQUELINE	ELLIS, BETH	ESKELSEN, HANNAH	FARRELL, KEVIN
ECKROTH, CYNTHIA	ELLIS, DEBBIE	ESOPI, DAVID	FARRELL, KRISTIN
ECKSTEIN, SUSAN	ELLIS, GLENN	ESPARZA, LAURA	FARRIN, MELODY
EDEN, CAROLYN	ELLIS, GRAHAM	ESPINO, TYLER	FARRIS, BOB
EDGEComb, LURLIE	ELLIS, HAROLD	ESPINOZA, BERNADETTE	FARVER, JOHN
EDMONDSON,	ELLIS, MAUREEN	ESPINOZA, YARALY	FARWELL, DAVID
DOMINIQUE	ELLISON, DAVID	ESPOSITO, DAN	FARWELL, LAURA
EDMONDSON, ERIC	ELLISON, GAY	ESPOSITO, LOUIS	FASS, ARLINE
EDMONDSON,	ELLISON, MARY	ESSMAN, JOHN	FAST, LINDA
JACQUELINE	ELM, CAROLE	ESTARRONA, MIKAEL	FASY, CATHERINE
EDMONDSON, NANCY	ELROD, TRUMAN	ESTEL, DONNA	FAUCHER, SELMA
EDWARDS, DENISE	ELSTON, CRYSTAL	ESTERLY, DEVIN	FAUCONNIER, JEAN-
EDWARDS, ELIZABETH	ELTZROTH, PATRICIA	ESTES, DOUGLAS	FRANCOIS
EDWARDS, EVERTON	EMBURY, PHILIP	ESTRADA, SILVIA	FAULKNER, MELANIE
EDWARDS, EVERTON	EMERICK, JANE	ETCHISON, CRAIG	FAVORITE, CHARLES
EDWARDS, GAIL	EMERLE-SIFUENTES,	ETGEN, BENJAMIN	FAWCETT, SUSAN
EDWARDS, JUDITH	JENNIFER	ETHERIDGE, AMANDA	FEAGIN, NORMA
EDWARDS, MARCY	EMERSON, ANNE	ETHERIDGE, AMANDA	FEDEL, SABRINA
EDWARDS, ROBERT	EMERSON, JAN	EUSTIS, JOHN	FEDYSKI, ADAM
EDWARDS, SANDRA	EMERSON, KIMBERLY	EVANS, NILDA	FEEHAN, CHRISTOPHER
EEG, PETER	EMERSON, LYNN	EVANS, NINA	FEEZOR, JAMES
EFIMOVA, VALERIYA	EMERY, HOWARD	EVANS, PAM	FEIDLER, KATHIE
EGAN, PETER	EMERY, VALERIE	EVANS, TERRY	FEIN, NEIL
EGGER, PATRICIA	EMERY-HENDRICK,	EVANS, TERRY	FELD, DIANA
EGGER, PATRICIA	HEATHER	EVANS, TERRY	FELD, DIANA
EGGERSGLUSS,	EMGE, JANICE	EVERETT, DANIEL	FELDMAN, TRACY
MICHELLE	EMMEL, ELIZABETH	EVERETT, JOHN	FELIZOLA, JAMES
EGGERTON, AURORA	EMMKE, KATHLEEN	EVERSOLE, APRIL	FELKER, MARK
EGGERTON, AURORA	EMRYS, MERLIN	EWERTS, SYLVIA	FELTON, STEPHANIE
EGGLESTON, PATRICK	EMSWILER, NOEL	EWING, ANN	FENN, LENORE
EGLESTON, PATRICE	ENCINAS, MELINDA	EWING, JAMES	FENTON, LYNDA
EHLER, NOAH	ENG, MARILYN	EWING, MICHAEL	FERGESON, CHERYL
EHRlich, GARTH	ENG, WELLA	EYSTER, CAROL	FERGESON, CHERYL
EICHER, ANNIE	ENGELLENNER, MOLLY	EZOE, MAGDALENA	FERGUSON, CHARLENE
EIDE, MARY	ENGER, ERIN	F, ANNETTE	FERGUSON, VIRGINIA
EIKENBARY, SUSAN	ENGLE, I.	FABULA, JORDAN	FERIOLI, GAYLE
EINHORN, ELISSA	ENGLER, ELLE	FACE, VALERIE	FERLAND, LINDA
EISENBEIS, ELIZABETH	ENGLERT, PHILIP	FAES, STEPHEN	FERMAN, PAM
EISENBERG, MICHAEL	ENSIGN, DEBORAH	FAHEY, MARYANN	FERN, DONNA
EISENBERG, PAUL	ENSTROM, PAULA	FAHRENHOLZ, JEFF	FERNANDES, LISA
EISENSTADT, KAREN	ENTIN, EILEEN	FAHRENWALD, GILL	FERNANDES, LISA
ELBRECHT, MELISSA	ENZI, HAP	FAIN, KAREN	FERNANDEZ, JOE
ELDER, MELISSA	EPPLE, BONNIE	FAIN, TERRY	FERNANDEZ, JUANA
ELDER, WILLIAM	EPPS, DONALD	FAIRCHILD, JAMIE	FERNER, JOHN
ELEFThERATOS, SARAH	EPPS, KATHY	FAIRCHILD, KIMETHA	FERRARA, JAMES
ELEY, PATRICIA	EPSTEIN, LEONARD	FAIROW, MICHELLE	FERREIRA, MARCUS
ELI, ELANA	EPSTEIN, NICK	FAKE, LAURA	FERRELL, GEORGE
ELIA, MARGUERITE	EQUIS, JON	FALCONER, MATTHEW	FERRETTI, PATRICIA
ELIASH, LINDA	ERARIO, MYRA	FALLETTA, NICHOLAS	FERRIO, CHRISTOPHER
ELIOPOULOS,	ERB, CHERYL	FALSKEN, JAMES	FERRIS, DAVID
JACQUELINE	ERBA, ANTONINO	FANRAK, MARTIN	FERRY, DANIEL
ELIOT, LAWRENCE	ERDMAN, ANTHONY	FANTLE, DENA	FERS, ALDA
ELKAN, HONALEE	ERDMANN, SHERRY	FANTRAZZO, BONNY	FETTING, JOANNE
ELKAN, HONALEE	ERICKSON, JAMES	FARELL, BART	FEUER, BARBARA
ELLER, CALEY	ERICKSON, JULIA	FARISH-HUNT, HOLLY	FEUER, SHARYN
ELLIOTT, LEONARD	ERICKSON, RICHARD	FARLEY, DONNA	FEURER, MARGARET
ELLIOTT, LOGAN	ERICKSON, SAMANTHA	FARMER, NANCY	FEYMA, NATHANIEL

FIALA, DAVID	FLAKE-BUNZ, COLETTE	FOSTER, LEAH	FRETHEM, GAIL
FIEDLER, DAVID	FLAMM, SARA	FOSTER, NANCY	FREUND, GEORGE
FIEDLER, ED	FLANAGAN, MARIANNE	FOSTER, PATRICIA	FREY, BRENDA
FIELD, ELIZABETH	FLANDERS-	FOSTER, TRACY	FREY, PATTI
FIELDEN, JESSICA	SUNDSTROM, AUDREY	FOTHERINGHAM, RYAN	FREYER, NANCY
FIELDEN, JESSICA	FLANNERY, EUGENE	FOURNIER, ERIC	FREYTES, SUSAN
FIELDEN, JESSICA	FLANNERY, MARCIA	FOUST, MYRNA	FRIAR, BETH
FIELDEN-JUSTICE, KIM	FLASHMAN, IRWIN	FOWLER, BEVERLY	FRIANO, JEAN
FIELDER, DR.	FLAWS, IAN	FOWLER, CHARLES	FRIDAY, JAMIE
FIELDS, JOHN	FLEETWOOD, PATRICIA	FOWLER, LINDA	FRIDAY, JAMIE
FIERRO, YVONNE	FLEISCHAKER, GAIL	FOWLER, MADONNA	FRIEDMAN, CAROLYN
FIERRO, YVONNE	FLEMING, BARBARA	FOWLER, NANCY	FRIEDMAN, JEANNE
FIGUEROA, DANIEL	FLEMING, DAVID	FOWLER, NANCY	FRIEDMAN, SHANI
FIGUEROA, DANIEL	FLEMING, JOHN	FOWLER, PRISCILLA	FRIEL, MICHAEL
FILIP, THOMAS	FLEPS, JULIE	FOWLER, SUSAN	FRIESEN, DEBBIE
FILIP, THOMAS	FLETCHER, CHARLES	FOX, BARBARA	FRIESEN, DEBBIE
FILLMORE, FREDERICK	FLETCHER, KAREN	FOX, DEBORAH	FRIESENHENGST,
FINAMORE, SCOTT	FLETCHER, PAM	FOX, GENE	RICHARD
FINAZZO, LAURA	FLETCHER, TODD	FOX, MARK	FRISINA, ANNA
FINE, CINDY	FLIGG, KATHERINE	FOX, PAMELA	FRISTOE, BARBARA
FINE, CINDY	FLOMERFELT, BOBBY	FOX, SANDRA	FRITZ, CRAIG
FINE, DONNA	FLOOD, KATHRYN	FOX, STEPHANIE	FRITZ, LOUISEANN
FINE, JOVITA	FLORA, CORNELIA	FOXTON, TREVANNE	FRIZZELL, ALICE
FINE, LENA	FLORA, DEREK	FOXTON, TREVANNE	FROEHLICH, NICOLETTE
FINKBEINER, WESLEY	FLORA, DEREK	FRALEIGH, KEVIN	FROELICH, CHARLES
FINKELSTEIN, LINDA	FLORES, ANDRES	FRANCIS, STUART	FRONSKE, DAVE
FINKLE, CHRISTINE	FLORES, ANTHONY	FRANCO, RITA	FROST, CHRIS
FINLEY, MAUREEN	FLORIO, DAWN	FRANCY, NANCY	FROST, GT
FINNEGAN, CYN	FLOWERS, J	FRANK, DAVE	FROST, MICHAEL
FINNEGAN, CYN	FLYNN, JOHN	FRANK, JEN	FRUSTERI, MARIANNE
FINNEGAN, PAMELA	FOEHL, DENISE	FRANK, MARION	FRUTKIN, ANN
FIORE, COURTNEY	FOGEL, BETH	FRANK, REBECCA	FRY, PEGGY
FISCHER, BOB	FOLEY, MICHAEL	FRANKLIN, KATHLEEN	FRY, SANDEE
FISCHER, ELAINE	FOLEY, SUSAN	FRANKLIN, MARSHAL	FRYER, ARLENE
FISCHER, JUNE	FOLGAR, ELAINE	FRANTZESKAKIS, LINOS	FRYMAN, NICHOLAS
FISH, LARRY	FONSECA, ELISABETH	FRANZ, PATRICIA	FUCHS, ESTER
FISH, LARRY	FONTANAZZA,	FRANZEN, MAGGIE	FUCHS, MARILOU
FISH, LARRY	CATHERINE	FRASER, MARK	FUGUET, KATHERINE
FISHER, GAIL	FONTENOT, MARYJO	FRASER, ROBERT	FUHRMANN, FRED
FISHER, JINI	FONTENOT, ROBERT	FRASIEUR, FOREST	FULCHER, DALTON
FISHER, JONATHAN	FOOT, SUSIE	FRAZIER, SARAH	FULLER, CHELSEA
FISHER, KRISTINA	FOOT, SUSIE	FRAZIER, VICKY	FULLER, IRVING
FISHER, LAURIE	FORD, ELLEN	FREDERICK, MELISSA	FULLERTON, LYNNE
FISHER, MELANIE	FORD, GAIL	FREDERICK, NICHOLAS	FURCHA, RAE
FISHER, TRUDY	FORD, LAURIE	FREDERICK, SHARON	FURLONG, ANDREA
FISHMAN, TED	FORD, MATTHEW	FREDETTE, RACHELLE	FURLONG, ANDREA
FISK, LISA	FORDERER, LYNNEA	FREE, CHERIE	FURLOW, WILLIAM
FISK, MICHELE	FORGAN, SANDRA	FREEMAN, ANNA	FURMAN, ELAINE
FISSINGER, JULIE	FORMAN, FAY	FREEMAN, BARBARA	FURNISH, SHEARLE
FITTIPALDI, SILVIO	FORSEN, HAL	FREEMAN, HERBERT	FURNISH, SHEARLE
FITZE, CHARLES	FOSCHI, PATRICIA	FREEMAN, VICTORIA	FURRY, RHONDA
FITZGERALD, REBECCA	FOSHEE, XIMENA	FREI, JENNY	FUTRELL, SHERRILL
FITZGIBBON, ALICIA	FOSKETT, KEVIN	FREIBERG, HARRY	G, S
FITZHUGH, DAVID	FOSS, MARYANN	FREIBERG, HARRY	G, SHAUN
FITZPATRICK, JOHN	FOSTER, ANNA	FREIRE, MICHAEL	G, STEVEN
FIX, MARIANNE	FOSTER, DAWN	FRENCH, NINA	GABBARD, BARBARA
FIX, MARIANNE	FOSTER, GENETTE	FRESE, LINDA	GABEHART, DONNA
FLAHART, PAT	FOSTER, LEAH	FRESE, LINDA	GABRIEL, BETTIE

GABRIELLE, ESTELLISE	GARRETT, CHERIE	GIBBS, JAMES	GLASSCOCK, IAN
GABRISKO, TRACIE	GARRIS, DAVID	GIBEAU, PETER	GLASSER, TANYA
GADLEY, VINOD	GARVIN, JENNY	GIBLIN, WARD	GLASSER, TANYA
GADZIALA, SUSAN	GARZA, MARISELA	GIBSON, LINDA	GLASSNER, SHARON
GAETA, JESSICA	GASCO, CHRISTINE	GIBSON, SCOTT	GLAVINA, VESNA
GAETA, JESSICA	GASH, ALFRED	GIBSON, SCOTT	GLAZER, MARY
GAGNON, BRIAN	GASKILL, GEORGE	GIBSON, VALERIE	GLEASON, DEBRA
GAIEFSKY, CHERYL	GASTON, DENIS	GIELLA, VICKI	GLEASON, KEITH
GAITAN, ALEXANDER	GATEWOOD-KEIM, JUDY	GIERKE, ALAN	GLICK, ART
GAITI, PHYLLIS	GATTA, JOHN	GIESER, JOHN	GLIDEWELL, DEBRA
GALAN, MARISSA	GATTON, MIKE	GIFFORD, JAMES	GLIER, INGEBOG
GALDO, QUERIDO	GAUDETTE, LYNN	GIFFORD, LISSA	GLINKA, KIM
GALDO, QUERIDO	GAUGER, JANE	GIGER, LESLEY	GLITZENSTEIN, CARL
GALIMITAKIS,	GAVIDIA, KAREN	GIGLIELLO, KEN	GLOVER, DANA
MARGUERITE	GAWINOWICZ, GLENN	GILBERT, CAMILLE	GLYNN, AILEEN
GALL, MARK	GAWNE, WILLIAM	GILBERT, JAMES	GLYNN, SUSAN
GALLANT, HELENA	GEHRI-BERGMAN,	GILBERT, KENNETH	GOASDOUE,
GALLANTE, FRANCES	SANDRA	GILBERT, LARRY	ALEXANDER
GALLEGOS, JOSE	GEIER, TERRY	GILBERT, PATRICIA	GOBLE, ANNA
GALLEGOS, JOSE	GEIL, JADIE	GILBERT, STEVE	GODDARD, ELIZABETH
GALLIAN, MELISSA	GEIST, SANDRA	GILCHRIST, ANGELA	GODEN, GAY
GALLOWAY, LYNN	GEISZLER, LISA	GILES, KAREN	GODES, ROBERT
GALLOWAY, WALT	GELARDO, CAMILLE	GILES, MICHELLE	GODICH, MARCIA
GALSTYAN, ANI	GELFAND, CAROL	GILILLAND, KEELY	GODIN, CELESTE
GALVIN, JAMES	GENCO, KEN	GILILLAND, KEELY	GOEL, SHARON
GAMACHE, BRENDA	GENDRON, BOB	GILILLAND, KEELY	GOETINCK, JEAN
GAMACHE, BRENDA	GENGO, LISA	GILLASPIE, RICHARD	GOETINCK, JEAN
GAMSON, MARY	GENNETTI, RICHARD	GILLESPIE, MARTHA	GOETSCHIUS, LASCINDA
GANIS, CHRISTINE	GENNETTI, RICHARD	GILLIGAN, ROSEMARIE	GOETTGE, STEPHANIE
GANJAMIE, BARBARA	GENOVESE, KRISTEN	GILLILAND, PATRICIA	GOETZ, MARY
GANMORYN, CROITIENE	GEORGE, CATHERINE	GILLIS, GREG	GOGERTY, SHARON
GANNON, MICHAEL	GEORGE, CRAIG	GILLSON, EILEENE	GOGULSKI, TODD
GARAFOLO, JOE	GEORGE, KIM	GILMORE, DANIEL	GOIN, CODY
GARB, FRAN	GEORGE, KIM	GINDELE, ABIGAIL	GOLD, MICHAEL
GARBER, CATHARINE	GERARDOT, TODD	GINDT, JENNIFER	GOLDBERG, DANIEL
GARBER, MARC	GERLACH, RANDY	GINGOLD, SARAH	GOLDBERG, ELLIE
GARBRICK, KATHE	GERMAN, JOSEPH	GINGRAS, BRIAN	GOLDEN, SUSAN
GARCIA, CAROLYN	GERMANE, JANET	GINN, AUDREY	GOLDIN, JESSE
GARCIA, FLOR	GERMANO, KATHERINE	GIORDANI, MARK	GOLDMAN, GEORGE
GARCIA, LUIS	GERMANO, KATHERINE	GIORDANI, MARK	GOLDMAN, KATHLEEN
GARCIA, MARIA	GERO, BERNADETTE	GIORGIO, NICOLA	GOLDMAN, LINDA
GARCIA, SANDRA	GERSHENSON, CARL	GIOVENGO, KEREN	GOLDNER, NANCY
GARCIA, SILVANA	GERSHON, VICTORIA	GIRARD, MARY	GOLDSMID, ANDREW
GARCIN, MARY	GERTIG, LINDA	GIRSCH, THOMAS	GOLDSTEIN, DAVID
GARDINER, ELIZABETH	GESSAMAN, DEBORAH	GIRSHICK, LORI	GOLDSTEIN, FREYA
GARDNER, SIDNEY	GESSAMAN, JAMES	GIRVIN, GEORGE	GOLDTHWAITE, CLAIRE
GARDNER, SUSAN	GESUE, ERIKA	GITTEL, KATHLEEN	GOLENA, VOLA
GARFINKEL, NINA	GETTS, DAN	GLADHART, AMALIA	GOMEZ, MARIA
GARG, APARNA	GEYER, RICK	GLAESKE, LYNNE	GOMPFF, SANDRA
GARG, APARNA	GHENT, BRADLEY	GLANBOCK, DANIEL	GONCAROV, SANDY
GARIBAY, JUAN	GIACCHI, SAL	GLANBOCK, DANIEL	GONDAR-BESSER, EMILY
GARMUS, DIANA	GIAMBERDINO,	GLANBOCK, DANIEL	GONZALEZ, ALEXISTORI
GARNHAM, ROBERT	MADONNA	GLANDON, CLARICE	GONZALEZ, ANTHONY
GAROFALO, STEPHANIE	GIBB, ROBERT	GLASER, DONNA	GONZALEZ, DANIEL
GARR, MARGARET	GIBBONS, BRIAN	GLASER, DONNA	GONZALEZ, ELIMARIS
GARRATT, D	GIBBONS, CATHERINE	GLASS, DONALD	GONZALEZ, GILBERT
GARRATT, LIZ	GIBBONS, SHELLEY	GLASS, LESLIE	GONZALEZ, PAOLA
GARRATT, LIZ	GIBBS, ANNA	GLASSCOCK, IAN	GONZALEZ, THERESA

GOODE, BETH	GRAHAM, JACKY	GREGORY, PAUL	GULLO, PAULA
GOODE, CHRIS	GRAHAM, KAREN	GREINKE, PAMYLLLE	GUMMEL, JANIS
GOODE, CHRIS	GRAHN, BETH	GREITZER, HELEN	GUNDERSON, CATHY
GOODING, LUNA	GRAMBAUER, MACAIRE	GREMORE, GRAHAM	GUNN, LAVONNE
GOODING, LUNA	GRAMS, D	GREWAL, RANJEET	GUNN, TONYA
GOODLANDER, LISA	GRANADO, ROBERT	GRIBOSKY, PHILIP	GUPTA, DAVE
GOODLOE, KAREN	GRANATO, LINDA	GRIER, JON	GURULE, JUDITH
GOODMAN, DAVID	GRANDE, MARIA	GRIESHABER, RAY	GUSTAFSON, MARCIA
GOODMAN, MARGARET	GRANT, APRIL	GRIEVES, KATHY	GUTERMAN, MARILYN
GOODNER, OMER	GRANT, ROB	GRIFFEE, JOYCE	GUTIERREZ, CATHY
GOODRICH, R.	GRANT, SUSAN	GRIFFIN, CHAS	GUTIERREZ, ISRAEL
GOODSON, ELIZABETH	GRANTHAM, ALAN	GRIFFIN, DENISE	GUTIERREZ, MARY
GOODSON, PAT	GRANTHAM, KATHLEEN	GRIFFIN, DENISE	GUY, STEVEN
GOODSPEED, HELEN	GRANUCCI, GIA	GRIFFIN, EVELYN	GUY, STEVEN
GOODWIN, SHAUN	GRASSE, NICOLLE	GRIFFIN, PATRICIA	GWYNN, MAUREEN
GOOR, ANITA	GRAVANCE, ROCHELLE	GRIFFITH, JOANN	GYLDEN, CYNTHIA
GOOR, ANITA	GRAVELLE, BILL	GRIFFITH, JOANN	GYURKO, DOROTHY
GORAN, SUSAN	GRAVES, AMY	GRIFFITH, JOHN	H, REEM
GORDON, AMANDA	GRAVES, CARYN	GRIFFITHS, RUTH	H., SKYE
GORDON, BILLY	GRAVES, HOLLY	GRILLO, CRYSTAL	H., SKYE
GORDON, DAVID	GRAVES, ROYAL	GRIMM, LINDA	HAAN, WENDY
GORDON, KAEDE	GRAVES, THOMAS	GRINNAN, ANTONIA	HAAS, DALE
GORDON, MARC	GRAVUNDER, PAUL	GRISWOLD, DEAN	HAAS, WILLIAM
GORDON, MARY	GRAY, ALEX	GROENENDAL, JAMES	HABERMAN,
GOSCILO, MARGARET	GRAY, ALTHEA	GROENEWEG, NORA	MADELAINE
GOSHORN, JOHN	GRAY, DAVID	GRONE, ALEXIS	HACK, TODD
GOSLANT, CAROL	GRAY, DEBRA	GROOM, CHRISTINA	HACKENBROCK, CHRIS
GOSLANT, CAROL	GRAY, ELISE	GROOM, JOAN	HACKER, TIM
GOSLANT, CAROL	GRAY, HORACE	GROOSMAN, BRITT	HACKETT, MARCIA
GOSLANT, CLARE	GRAY, MARGIE	GROSOWSKY, HEIDI	HACKNEY, JEAN
GOSS, PATSY	GRAY, R.	GROSS, BARBARA	HADDAD, NATALIE
GOSZTYLA, ALICE	GRAY-LION, ANNELISSA	GROSS, DAVID	HADDOCK, BRENDA
GOTTHOLD, JANE	GRAZIANI, MICHAEL	GROSS, DONALYN	HAFFER, SARAH
GOTLIEB, PETER	GRAZULIS, DAVID	GROSS, DONALYN	HAFFNER, TERRI
GOTTLIEB, MARY	GRECO, COLLEEN	GROSSMAN, JOAN	HAFTL, CHRISTINE
GOTTSCHALK, CYNDI	GRECO, EUGENE	GROSSMAN, KATHLEEN	HAGAR, ARTHUR
GOTTSCHALK, JO	GRECO, THERESA	GROTZKE, MARK	HAGEN, CLEO
GOUGE, GERALD	GREEK, STEVEN	GROUT, NANCY	HAGEN, KAY
GOULD, JANET	GREEN, CAMILLE	GROVE, BARBARA	HAGEN, SARAH
GOULD, LISA	GREEN, JEFF	GROVE, DEBRA	HAGEY, BRANDON
GOULD, MARIAN	GREEN, JOHN	GROVER, MICHELLE	HAGGERTY, PHYLLIS
GOULDEN, JOAN	GREEN, KRISTIN	GRUBB, REX	HAGOOD, TRICIA
GOULDEN, JOAN	GREEN, VICKI	GRUBER, KAREN	HAHN, HEDA
GOUPIL, JENNIFER	GREENBAUM, LISA	GRUEN, DAN	HAHN-RE, CAROLYN
GOVREAU, KATHY	GREENBERG, SUSAN	GRUNES, RODNEY	HAIM, CARLA
GOWAN, DAN	GREENER, JEREMY	GRUNLAND, JOAN	HALAY, ELAINE
GOWAN, DAN	GREENHILL, BARRY	GUARALDI, THOMAS	HALBERT, ELLEN
GOWDER, GREY	GREENHILL, BARRY	GUAREZ, STEVEN	HALBRITTER, KIM
GRABOW, COLE	GREEN-LAW, DONNA	GUARINO, LISA	HALDERSON, KAREN
GRACE, CINDEE	GREENLEY, MELISSA	GUBLER, LAWRENCE	HALE, CHRIS
GRACE, GEORGE	GREENSTEIN, TODD	GUDMUNDSON, LORI	HALE, JOEL
GRACHUS, C	GREENSTONE,	GUENTHER, CRAIG	HALEY, STACIA
GRAEBER, HEATHER	MATTHEW	GUESS, LEWIS	HALEY, STACIA
GRAETSMITH, DIANN	GREENWAY, MARY	GUEVARA, RICHARD	HALL, ANNE
GRAF, JACOB	GREER, BARBARA	GUFFEY, CAROL	HALL, BEATRICE
GRAHAM, ANN	GREER, JILL	GUIDEAU, KATE	HALL, CECIL
GRAHAM, DANIEL	GREGG, COLLEEN	GUIER, RICHARD	HALL, CHIP
GRAHAM, HOWARD	GREGORY, MARYANN	GUINThER, PENNY	HALL, JANICE

HALL, JANICE	HANSLER, JAMES	HARRY, DIANE	HAYDEN, DANIEL
HALL, JINA	HANSON, ART	HARSHBERGER, KELLY	HAYDEN, GARY
HALL, KELLEY	HANSON, HOLLY	HART, BENJAMIN	HAYDEN, MICHAEL
HALL, MARGIE	HANSON, JEAN	HART, BENJAMIN	HAYDON, NOAH
HALL, PATRICIA	HANSON, KATHY	HART, JEREMY	HAYES, CHRISTINE
HALL, SARAH	HANSON, MEGAN	HART, KAREN	HAYES, LELAND
HALL, SILVIA	HANTA, HASHI	HART, KATHY	HAYES, LYLE
HALLACY, JEANNE	HARBAUGH, MARY	HART, KRISTEN	HAYMAN, JON
HALLADAY-GLYNN, JACOB	HARDAWAY, DONALD	HART, SARA	HAYMOND, SARAH
HALLOCK, JANE	HARDEE, CHEYENNE	HART, WILLIAM	HAYNES, JEVERNA
HALLOCK, JANE	HARDEN, LEIGH	HARTEN, BRUCE	HAYNES, NANETTE
HALM, MICHAEL	HARDER, RONALD	HARTER, JAY	HAYS, LAUREL
HALPERIN, HAGIT	HARDOUF, H.	HARTIG, FRANK	HAYS, PETRA
HALPORN, CONSTANCE	HARDY, KAY	HARTLEY, DEBORAH	HAZELLEAF, TOM
HALVORSEN, VERLAINE	HARDY, LINDA	HARTMAN, BRENDA	HAZELTON, JUDITH
HAMILTON, ADAMA	HARDZIEJ, MARY	HARTMAN, NANCY	HAZLETT, MARSHA
HAMILTON, ADAMA	HARGRAVES, MARK	HARTSELL, BEKI	HAZZARD, SANDRA
HAMILTON, BRIAN	HARKINS, DEANNA	HARTZELL, SANDRA	HEAD, SHARON
HAMILTON, CHRISTOPHER	HARKNESS, JOHN	HARVEY, AILEEN	HEALINGLINE, HELGALEENA
HAMILTON, MARK	HARKOV, RONALD	HARVEY, JAZMINE	HEARN, DEANNA
HAMLIN, DELLA	HARLAND, DONALD	HARWELL, JANET	HEARN, JEFF
HAMM, BILLY	HARMON, AUDREY	HASBACH, CORINNA	HEASLET, LINDA
HAMPU, MICHAEL	HARMON, JACOB	HASEGAWA-AHRENDT, CARLA	HEASLET, LINDA
HAN, RICHARD	HARMON, JANET	HASKELL, ERIC	HEATH, LINDA
HAND, DAVID	HARNEDY, KACY	HASKINS, DAVID	HEATON, SAM
HAND, DAVID	HARPER, LESLIE	HASKOURI, SAL	HEAVYRUNNER, MIA
HAND, DAVID	HARR, SILVA	HASLAG, ROBERT	HEBERT, ALLENE
HAND, DEBRA	HARRINGTON, CATHERINE	HASLEM, MARK	HEBERT, JOAN
HAND, ELLEN	HARRINGTON, CELIE	HASSETT, GERALD.	HECHT, SUE
HAND, THOMAS	HARRIS, ANNE	HASTINGS, MELISSA	HECKEL, JOANNE
HANDA, SHARON	HARRIS, CHRISTOPHER	HASTON, JOANNA	HECTOR, JILL
HANDA, SHARON	HARRIS, CINDY	HATFIELD, PHYLLIS	HEDGES, KEN
HANDLEY, MARGARET	HARRIS, CORNELIUS	HATHAWAY, JEFF	HEEZEN, JOAN
HANDEAKER, HEIDI	HARRIS, JAKE	HATHAWAY, MELISSA	HEFFRON, JOSH
HANDY, RICHARD	HARRIS, JANE	HATHAWAY, SUSAN	HEFFRON, PAUL
HANER, HEIDI	HARRIS, JENNIFER	HATHAWAY, SUSAN	HEGER, KYLE
HANEY, SUSAN	HARRIS, KATHY	HATHORN-WILKINS, TRISTAN	HEGGE, STACY
HANKS, GARY	HARRIS, LAURIE	HATSIS, ELAINA	HEIDECKER, JOHN
HANLEY, VINCENT	HARRIS, LOIS	HATTEN, JAN	HEIDEMANN, GAILLE
HANMER, NOAH	HARRIS, LOUISE	HATTON, MARIE	HEIDEMANN, GAILLE
HANNA, KRISTI	HARRIS, MAUREEN	HATTON, MARIE	HEIL, BARBARA
HANNON, IAN	HARRIS, MISSY	HAUBER, BARCLAY	HEILIG, PATRICIA
HANNON, L	HARRIS, MISSY	HAUG, CATHERINE	HEIMAN, RONALD
HANNON, L	HARRIS, SHIRLEY	HAUG, CATHERINE	HEINE, LAURENCE
HANSEN, A.G.	HARRIS, SUSAN	HAUGABOOK, MICHAELA	HEINEN, KARLA
HANSEN, ANN	HARRIS, THERESA	HAUPT, PATRICIA	HEINZELMAN, STEPHEN
HANSEN, CHRISTINE	HARRIS, THERESA	HAUVER, SIAN	HEIRES, RITA
HANSEN, DAVID	HARRIS, VIRGINIA	HAWES, BETH	HEITMANN, PETER
HANSEN, JULIE	HARRISON, DE	HAWKINS, DAWN	HELD, JOHANNA
HANSEN, LUCY	HARRISON, FAY	HAWKINS, LEE	HELFRICH, PATRICIA
HANSEN, LUCY	HARRISON, HELEN	HAWKINS, SAVANNAH	HELLEN, SHELLEY
HANSEN, LUCY	HARRISON, JOSEPHINE	HAWKINS, SHARON	HELMAN, CONNIE
HANSEN, LYNDSEY	HARRISON, NATALIE	HAWKINS, SHEREEN	HELMS, RICHARD
HANSEN, PAULA	HARRISON, RANDY	HAWLEY, DANIEL	HELT, DIANE
HANSEN, TRACY	HARRISON, RODERICK	HAY, ALYS	HEMM, HALEY
HANSEN, WENDY	HARRISON, TAVISH	HAYASHI, STEVEN	HEMMY, VICTOR
HANSHAW, ASHLEY	HARROLD, CRYSTAL	HAYCOCK, THERESA	HEMZACEK, ELIZABETH

HEMZACEK, ELIZABETH	HICKS, ROBIN	HOFBAUR, BIRGET	HORNBUCKLE, JOVOHN
HENDERSON, EMMA	HICKS, RUTH	HOFF, DAVID	HORNECKER, NANCY
HENDERSON, MARTIN	HICKS, SHANNON	HOFFMAN, JANICE	HORNER, GRACE
HENDERSON, MICHAEL	HICKS-SEVERN, PERCY	HOFFMAN, JOHN	HORST, OREN
HENDERSON, SHANNON	HIERONYMUS, JAMES	HOFFMANN,	HORVITZ, RICHARD
HENDERSON-NIGRO,	HIGGINS, JOSEPH	CHRISTOPHER	HORWITZ, MARTIN
LUCINDA	HIGGINS, WILLIAM	HOFMANN, DANIEL	HOSIER, BARBARA
HENDRICK, MICHAEL	HIGLEY, LINDA	HOFMANN, MARY	HOSIER, ROBERT
HENDRICKS, SANDRA	HIGONNET, ETELLE	HOGAN, BARBARA	HOSTA, DENISE
HENKELS, MARGARET	HILDEBRAND,	HOGUE, JEFF	HOSTA, DENISE
HENNING, GRACE	CHARMAINE	HOHENSHOLT, FELICITY	HOSTA, DENISE
HENRY, AMY	HILDEBRAND, NATE	HOKE, ASHLEY	HOSTETTLER, JAIME
HENRY, CAROLE	HILGENDORFF, JUSTIN	HOLCOMBE, CASSIE	HOTTENSTEIN, TARA
HENRY, DOROTHY	HILL, BONNIE	HOLDEN, MEGAN	HOUCK, BRENDA
HENRY, GORDON	HILL, CHERI	HOLDER, DANIELLE	HOUDE, JOE
HENRY, MARGARET	HILL, JUDITH	HOLDER, SARAH	HOUGHAM, TOM
HENRY, ORA	HILL, LEIGH	HOLLAND, BRETT	HOUK, GERALD
HENRY, SHERMAN	HILL, LEIGH	HOLLAND, CAROL	HOULETTE, RYAN
HENSLEE, RALPH	HILL, MICHAEL	HOLLAND, KATE	HOUSE, ROGER
HENSLEY, BOBBIE	HILL, MICHAEL	HOLLAND, MARVIN	HOUSEL, STEPHEN
HENSON, JENNIFER	HILL, MICHAEL	HOLLANDER, CAROL	HOUSEL, STEPHEN
HENSON, LINDA	HILL, STEVE	HOLLINGER, ANN	HOUSEMAN, EMMA
HENZE, TANYA	HILL, STEVEN	HOLLINRAKE, MARK	HOUSER, BRIAN
HERAKOVICH, BOBBIE	HILLMAN, TAMI	HOLLIS, KIMBERLY	HOUSER, BRIAN
HERBOSO, LEIRE	HILTON, MARY	HOLLUMS, KIRBY	HOUSSART, EMILIE
HEREDERO, CARLOS	HILTON, MELISSA	HOLM, GARY	HOUSTLE, JOHN
HERMAN, TALIA	HINCKE, NICOLE	HOLM, MARY	HOUTER, GWEN
HERMANN, BIRGIT	HINDS, JUDY	HOLMAN, A	HOVEN, DEBRA
HERMIDA, CARMEN	HINER, LAURENCE	HOLMAN, CLARISSE	HOVEY, ROSEANNE
HERNANDEZ, CYNTHIA	HINGEL, RICHARD	HOLMBECK, J	HOWARD, ALICE
HERNDOBLER, BETH	HINTON, KARLA	HOLMBERG, KARLA	HOWARD, DAVE
HERO, ROBIN	HINZ, ANDREW	HOLMES, HOWARD	HOWARD, LINDA
HERRON, MARIE	HIRSCH, BARBARA	HOLMES, JENNIFER	HOWARD, NANCY
HERSCHLAG, HERBERT	HIRSCHBOECK,	HOLMES, KATHERINE	HOWARD, SHERRY
HERSCHLAG, HERBERT	VICTORIA	HOLMES, MARNI	HOWARD, SUSANNE
HERSHMAN, CONNIE	HIRST, DAVID	HOLMES, MATT	HOWDEN, MICHAEL
HERSZENSON, SIDNEY	HIRTH, SHARON	HOLMGREEN, GEORGE	HOWE, BARBARA
HERTEN, MARGARET	HIRTZEL, CHELSEA	HOLSON, H	HOWE, JANET
HERTHER, JAMES	HIVELY, DEAN	HOLT, DEBI	HOWIE, LINDA
HERTHER, JAMES	HLADKY, RICH	HOLTZMAN, EMMA	HOY, DAVID
HERZOG, TINA	HO, STEPHANIE	HOLTZMAN, JULIE	HOYNE, EUGENIA
HESS, DAWN	HOBBS, JANA	HOLZER, REBECCA	HSIA, CHRISTINE
HESS, HEIDI	HOBBS, RONALD	HOLZMAN, WENDY	HUBAR, SANDY
HESEL, BILL	HOCH, BARBARA	HOLZMANN-KROLICK,	HUBBARD, EDWARD
HESTER, MICHAEL	HOCHBERG, HARRIS	KIMBERLY	HUBBARD, EDWARD
HETHERINGTON, MARK	HOCKENBARY, CADIE	HONDO, MICHELE	HUBBARD, RON
HETZLER, THERESA	HODGES, CECILIA	HONIGSBLUM,	HUBBS-CHANG, NANCY
HEUCHAN, TONI	HODGES, ROXANNE	ALEXANDER	HUDSON, ALAN
HEWETT, ROSEMARY	HODGES, ROXANNE	HOOD, SUSAN	HUDSON, CARIE
HEWITT, ROXANNE	HODGES, SHERRI	HOOVER, JANE	HUDZINSKI, DAVID
HEY, LISA	HODGES, SHERRI	HOOVER, JANE	HUEBER, AMY
HEY, LISA	HODGES, SHERRI	HOOVER, WADE	HUELKE, ERNESTINE
HIAASEN, BARBARA	HODGES, SHERRI	HOPE, MARY	HUESTIS, KATHERINE
HIBBERT, KELLY	HODGES, SHERRI	HOPE, PHILLIP	HUFF, ERICH
HICKEY, KONSTANZE	HOEH, WALTER	HOPKINS, GLENN	HUFF, KRISTINE
HICKEY, KRISTEN	HOEPPNER, LAURA	HOPKINS, KATHEE	HUFF, NANCY
HICKS, JANET	HOEY, DANIEL	HOPPER, REBECCA	HUFFMAN, MELODIE
HICKS, JANINE	HOFBAUER, LINDA	HORDON, ROBIN	HUFT, FRED

HUGELMEYER, BRYCE	IKE, BARBARA	JANOWITZ-PRICE, BEVERLY	JOHNSON, DIANA
HUGHES, BARBARA	ILSEN, EVE	JANSEN, SCOTT	JOHNSON, HEIDI
HUGHES, JUDITH	IMMONEN, WILMA	JANSEN, SCOTT	JOHNSON, HEIDI
HUGHES, JUDY	INCZE, C.A.	JARBOE, JOLYNN	JOHNSON, JAMIE
HUGHES, KAREN	INDACO, BARRY	JARDINE, ROBERT	JOHNSON, JANN
HUGHES, MARY	INGENITO, DONNA	JARRELL, JASON	JOHNSON, JENIFER
HUGHES, MATTHEW	INMAN, NITA	JARRELL, JOE	JOHNSON, JOYCE
HUGHES, MATTHEW	INOUYE, BLAKE	JARUS, CHRISTINE	JOHNSON, KATHERINE
HUGHES, MICHELLE	INSKEEP, JAMES	JARVIS, ASTRID	JOHNSON, KATHLEEN
HUGHES, PAMELLA	INSURANCE, STATE	JASKOWITZ, RITA	JOHNSON, KATHLEEN
HUGHES, ROGER	INWALD, BARBARA	JASKOWITZ, RITA	JOHNSON, KATHRYN
HUI, ERIC	IOVINO, TERESA	JAVINSKY, ELIZABETH	JOHNSON, KATIE
HULICK, PATRICIA	IRONS, BRIDGET	JEAN-LOUIS, CHRISTOPHER	JOHNSON, KEITH
HULL, ACE	IRVIN, KIM	JEBENS, HAROLD	JOHNSON, LAUREN
HULL, GAIL	IRVIN, PATRICIA	JEFFERSON, DESTINY	JOHNSON, LIZA
HULL, RYAN	IRVINE, GAEL	JEHN, ROBERT	JOHNSON, LORRAINE
HUMANN, SUSAN	IRWIN, JULIE	JEMAL, MORRIS	JOHNSON, MARGARET
HUMANN, SUSAN	IS, WHAT	JENKIN, ROBERT	JOHNSON, MICHELE
HUMBERT, LEE	ISAACS, ERNEST	JENKINS, AMY	JOHNSON, MICHELE
HUMMEL, STEVEN	ISHIGO, HIROKO	JENKINS, CHAD	JOHNSON, NANCY
HUMPHREY, KATHY	ITANO, STEVE	JENKINS, DIANN	JOHNSON, NICHOLAS
HUMPHREY, MATTHEW	IWACHIW, JOHN	JENKINS, JEFFREY	JOHNSON, PATTI
HUMPHREY, S.	JABLONSKI, MONICA	JENKINS, MARK	JOHNSON, PAUL
HUMRICH, GILIA	JACHIMIAK, JAMES	JENNIFER, ANGONE	JOHNSON, RANDOLPH
HUNRICHS, PAUL	JACK, LISA	JENNINGS, BEVERLY	JOHNSON, RHONDA
HUNT, CYNDI	JACKMAN, PAULA	JENNINGS, SHELBY	JOHNSON, RICHARD
HUNT, STEPHEN	JACKSON, GINGER	JENSEN, AUTUMN	JOHNSON, SAMIE
HUNTER, DAWN	JACKSON, HELEN	JENSEN, BLAKE	JOHNSON, SARAH
HUNTER, DIANE	JACKSON, JAMIE	JENSEN, SUSAN	JOHNSON, SHAWN
HUNTER, JAN	JACKSON, KATHLEEN	JENSEN, SUSAN	JOHNSON, STEVE
HUNTLEY, LYNNE	JACKSON, KATHLEEN	JENTZSCH, JULIA	JOHNSON, STEVE
HUNWICK, BRIAN	JACKSON, PAULA	JEREZ, MARIBEL	JOHNSON, TERESA
HUPERT, CELESTE	JACKSON, RUTH	JESPERSEN, ERIC	JOHNSON, TINA
HURLEY, DAVE	JACOBOWITZ, HAROLD	JESSE, CHUCK	JOHNSTON, CLAIRE
HURLEY, KELLY	JACOBS, EMILY	JESSLER, DARYNNE	JOHNSTON, DARLENE
HURST, CINDY	JACOBS, LURA	JESSLER, DARYNNE	JOHNSTON, ELIZABETH.SARA
HURWITZ, JEFFREY	JACOBS, MARIANNE	JILF, LINDA	JOHNSTON, ILDA
HURWITZ, RICKI	JACOBS, SANDY	JIRANEK, PAMELA	JOHNSTON, MICHAEL
HUSAK, TODD	JACOBSEN, BETTY	JOEDEMAN, KAREE	JOHNSTON, PAMELA
HUSAR, JOANNE	JACOBSON, JESSICA	JOHANNEWES, ALICE	JOHNSTON, ROBERT
HUSSAIN, EMAN	JACOBSON, ROBERT	JOHANSEN, MARY	JOHNSTON, SUE
HUTCHESON, MADALENA	JACOBUS, JOLIE	JOHANSEN, CINDA	JOHNSTON-TAYLOR, LEXIN
HUTCHINSON, BARRY	JACQUES, KAREN	JOHANSEN, PENELOPE	JONES, AMELIA
HUTCHISON, DWIGHT	JAFEK, BEV	JOHN, CLAY	JONES, AMELIA
HUTTER, SCOTT	JAFFE, DAVID	JOHNS, BOB	JONES, ASHLEE
HUTTO-BEARE, DENISE	JAFFE, DAVID	JOHNS, JENNIE	JONES, BUZZ
HUTZEL, MARTIN	JAGER, CALVIN	JOHNSON, BARBARA	JONES, DUSTIN
HUTZEL, MARTIN	JAIN, KATHERINE	JOHNSON, BRENDA	JONES, ELIZABETH
HVOSLEF, ERIK	JAKARY, KATHY	JOHNSON, CAROL	JONES, EVEY
HVOSLEF, ERIK	JAMES, RICHARD	JOHNSON, CATHERINE	JONES, GRIFFITH
HYDEN, JACOB	JAMESON, ANNE	JOHNSON, CHAD	JONES, HOPE
HYLEMON, TONIA	JAMMAL, ANTHONY	JOHNSON, CURT	JONES, JAMES
HYLTON, WENDY	JAMMAL, ANTHONY	JOHNSON, DAVE	JONES, JANE
HYNAK, BARBARA	JANES, VERA	JOHNSON, DEANNA	JONES, KAREN
IANNIZZOTTO, DEBORAH	JANESKO, JUSTIN	JOHNSON, DELORES	JONES, KATHY
IDDINGS, PAUL	JANOURA, CHRISTINA		
	JANOWITZ-PRICE, BEVERLY		

JONES, KYLE	KALLIO, KAREN	KEARNS, KATHY	KHALIL, WAFI
JONES, MARY	KALRA, CAMELLIA	KEARNS, MEGAN	KHAN, SAEED
JONES, MARY	KALSCHUR, CAROL	KEEM, DONNA	KHAN, SARA
JONES, MARY	KALUZA, N	KEEN, STEPHEN	KIBA, AMY
JONES, MARY	KAMMERUD, LANCE	KEENAN, JAMES	KICE, KAREN
JONES, MICHELLE	KAMMERUD, LANCE	KEIL, KIRK	KIDD, OLIVIA
JONES, MICHELLE	KAMMERUD, LANCE	KEIM, JOHN	KIEC, NANCY
JONES, NORA	KAMPELMAN, HASSELL	KEINATH, MARILYN	KIEC, NANCY
JONES, SARAH	KANAAN, ALISTAIR	KEITH, ANN	KIEFER, CHRISTINE
JONES, SHANNON	KANATZER, MEREDITH	KEITHLER, MARY	KIEFER, MARION
JONES, SHELLY	KANE, BROOKE	KELEHER, NANCY	KIEFFER, RAMSAY
JONES, STEPHANIE	KANE, BROOKE	KELLAM, MARCIA	KIELY, MELANIE
JONES, STUART	KANE, CAITILIN	KELLER, JAKE	KIIRK, FAITH
JONES, SUSAN	KANE, CAROLINE	KELLERMAN, DEVIN	KILBOURNE, ROSANNE
JONES, SUSAN	KANE, CAROLINE	KELLEY, SUSAN	KILFOYLE, EMMA
JOO, TERESINA	KANE, JOLYNE	KELLMAN, LISA	KILLEEN, ROBERT
JORDAN, BETTY	KANG, IRENE	KELLOGG, NANCY	KILPATRICK, KAREN
JORDAN, DOROTHY	KANOFF, JULIE	KELLY, ANN	KILPATRICK, WILMA
JORDAN, LOIS	KAO, CONSTANCE	KELLY, KATHY	KIM, HYUN
JORDAN, PAM	KAPLAN, EUGENE	KELLY, SHARON	KIM, PAUL
JORGENSEN, JANETTE	KAPLAN, EUGENE	KELLY, T	KIM, SAUL
JORGENSEN, MARIANNE	KAPLAN, SAM	KEMPER, KATHLEEN	KIMBALL, YVETTE
JORISSEN, ROBERT	KAPOOR, RAJAT	KEMPF, BROOKE	KIMMEL, COURTNEY
JOSEPH, ELLIE	KARDELL, GREGORY	KENDRICK, ANN	KINCAID, ROBERT
JOYCE, CJ	KARLI, ROBERT	KENDRICK, JOE	KINDSCHY, CHERYL
JOYNER, JAMES	KARNS, LARRY	KENEIPP, TIM	KINDZIA, PAUL
JUAREZ, ADRIAN	KARPIAK, MARY	KENISON, THOMAS	KING, CHRIS
JUDGE, DANIEL	KARPICK, RON	KENNEDY, HELEN	KING, CHRISTINE
JUDGE, DREW	KARR, GAIL	KENNEDY, KAREN	KING, JOYCE
JUDGE, LAURA	KARTINEN, SCOTT	KENNEDY, SARA	KING, JULIE
JUDGE, PATRICK	KARWOSKI, ANTHONY	KENNEDY, SEAN	KING, JUSTINE
JUDGE, PATRICK	KASBARIAN, ANITA	KENNEY, MARTHA	KING, KARYN
JUDSON, LOU	KASDEN, ALLEN	KENNING, DOUGLAS	KING, KATHLEEN
JULIUSSON,	KASELLE, MARION	KENOYER, MELANIE	KING, KATHLEEN
MARGUERITE	KASPRZYK, DUANE	KENT, DIANE	KING, MARSHA
JUSKOWICH, NANCY	KASTNER, RUTH	KENT, GWENDOLYN	KING, MERRILL
JUSTICE, NIC	KASZYCA, MARY	KENT, SEAN	KING, NANCY
JUTRAS, JOHN	KATAUSKAS, CATHERINE	KENT-BERMAN,	KING, NANCY
K, BRAD	KATES, CORDELIA	MEREDITH	KING, REBECCA
K, J	KATO, AL	KENYON, DEBBIE	KING, SUE
K, MELISSA	KATO, RUKA	KEOWN, JOY	KING, SUSAN
K, SARAH	KATSOUROS, TRACEY	KERINS, MARY	KING-CHUPARKOFF,
KACEK, SCOTT	KATTAU, SARAH	KERN, CHRISTINE	CATHY
KACH, JAMES	KATTAU, SARAH	KERR, JESSICA	KINGERY, JOEL
KADAR, ZACHARY	KATTEN, DC	KERR, TARA	KINGSLEY, LISA
KAFFER, KATHRYN	KATZ, DANIEL	KERSHNER, CAMILLE	KINGSTAD, MARY
KAGGEN, MARILYN	KATZBAN, GERRY	KESTER, HEATHER	KINNICK, AMANDA
KAHAKALAU, NALEI	KAUFFMAN, MARYANN	KESTERSON, LAURIE	KINSEY, CANDICE
KAHIGIAN, PETER	KAUFMAN, JEFFREY	KESTREL, CINDI	KINSMAN, JUDY
KAHIGIAN, PETER	KAUFMAN, JEFFREY	KETNER, SUSANNE	KINTZ, ROBERT
KAILIHIWA, JULIANA	KAWSZAN, KAREN	KETTERING, CHARLES	KIPPEN, JIM
KAISER, KATHLEEN	KAY, COLIN	KETZENBARGER, GARY	KIRCHHOF, MARY
KAITLAINE, C	KAY, GREG	KETZ-ROBINSON,	KIRIATY, SUSANNE
KALBAG, ANIL	KAZANTZIS,	ELIZABETH	KIRK, KAREN
KALINA, SHIRLEY	XOCHIQUETZAL	KEUNEKE, BRUCE	KIRK, KARISHA
KALKA, PAUL	KAZDAN, PHYLLIS	KEY, KRISTY	KIRK, RODNEY
KALLENBACH, NEVILLE	KAZMIERSKI, JOEL	KEYS, CATHERINE	KIRKLIN, MILES
KALLENBORN, KORI	KEARNS, KATHY	KEYSER, DONALD	KIRKPATRICK, MARY

KIRPES, MARTHA	KNAUBER, NICOLE	KOTSIS, ELENI	KUCZYNSKI, EDWARD
KIRSCH, CAROLINE	KNAUF, DARLENE	KOTZ, STEVEN	KUDLATE, CHRISTINE
KIRSCH, STEPHEN	KNECHT, THOMAS	KOUBA, NADINE	KUGLICS, SANDI
KIRSCHBAUM, SARAN	KNICKERBOCKER,	KOUTSOUDAKIS,	KUHL, TAMMY
KIRWAN, JOHN	DEANNA	MICHAEL	KUHL, TAMMY
KISER, ANNA	KNIGHT, CAROLINE	KOVATIS, RON	KULA, PATRICIA
KISHEL, MARYLEE	KNIGHTLY, MARY	KOVSHUN, RITA	KULCHIN, KATHLEEN
KISSANE, KL	KNIOLEK, LINDA	KOVSHUN, RITA	KUMMER, MARVIN
KITE, RICHARD	KNITTEL, JONAH	KOVSHUN, RITA	KUNG, FAITH
KITE, RICHARD	KNOTT, TERRI	KOWITZ, TEAGAN	KUNKEL, DOROTHY
KITTREDGE, DAN	KNOWLES, LOTTI	KOZAK, BRANDON	KUNSCH, LISA
KJOS, RHONDA	KNOWLTON, ELIZABETH	KRAESZIG, MARY	KUPKE, MARK
KLAAS, JANELLE	KNOX, ELENA	KRAFT, MARIANNE	KURKJY, SANDRA
KLAFFKY, COURTNEY	KNOX, OLIVER	KRAMCHAK, GARRY	KURLAND, MIRIAM
KLAPPERICH, HUNTER	KNUDSON, ROGER	KRAMER, J.	KURTH, ROBI
KLEIMAN, AMELIA	KNUEVEN, JUDY	KRAMER, LAURA	KURTNICK, MARY
KLEIMAN, GEORGE	KNUTSEN, MAUREEN	KRAMER, REGAN	KUSHNER, ANNECORE
KLEIN, ERIKA	KOB, TRICIA	KRANYIK, ELIZABETH	KUTCHER, PETE
KLEIN, JAMES	KOBAYASHI, ANNE	KRASH, KALLYN	KUTZ, SUSAN
KLEIN, JAN	KOBlick, CHARANNA	KRASINSKI, PATRICIA	KUYKENDALL, CAROL
KLEIN, KELYN	KOBlick, CHARANNA	KRASSENSTEIN, DIANE	KUYPER, LEE
KLEIN, LEONORA	KOBRENSKI, RICHARD	KRAUSE, AL	KUZMA, DIANE
KLEIN, LINDA	KOCH, JULIA	KRAUSE, DAVID	KUZMAN, JILL-ASHLEY
KLEIN, LINDA	KOCH, PETER	KRAUSE, GLENDA	KVAAS, BOB
KLEIN, LINDA	KOEB, KEITH	KRAUSE, KATHERINE	KWAKENAT, PAULA
KLEIN, PHIL	KOEHLER, CHRISTINE	KRAUSE, LAURA	KYKER, EILEEN
KLEIN, RENEE	KOENIG, MARK	KRAVETZ, DARLA	L, A
KLEIN, SHIRLEY	KOESSEL, KARL	KRAVITZ, BARBRA	L, CARLA
KLEINBACH, MARY	KOFLER, MICHELLE	KRAWISZ, BRUCE	L, CARLA
KLEINLEIN, JEFF	KOGLER, RICHARD	KREBSBACH, TOM	L, L
KLEINSTEIN, RHODA	KOHN, DEBORAH	KREIDER, KEN	L, L
KLEMPIN, SERENA	KOKETT, KIMBERLY	KREMER, CARDIE	LA BURT, SUZANNE
KLENNER, KEVIN	KOLAKOSKI, DIANE	KREMZNER-HSING, TINA	LA CAILLE, LARRY
KLENNER, KEVIN	KOLB, EMILY	KREPCHIN, ILANA	LA CAILLE, LARRY
KLERER, LEONA	KOLB, EMILY	KRETER, MIRTELINA	LA FRINERE, ROCHELLE
KLETTER, AMY	KOLB, JUDY	KRIEG, LINDA	LABUDIE, RICHARD
KLICHE, DIANA	KOLESSAR, JOAN	KRIKAVA, MARTHA	LACAYO, JULIA
KLIGMAN, ADRIENNE	KONIGSBERG, NEIL	KRIKORIAN, LINNELL	LACIEN, MARGARET
KLIMO, SCOTT	KONOPACKI, GAIL	KRIKORIAN, LYNN	LACKOWITZ, DEBORAH
KLINE, LYNN	KOONAN, KAREN	KRIKORIAN, MICHAEL	LACY, MR.LYNNWARD
KLINE, PATRICE	KOONS, STEPHANIE	KRISS, EVAN	LADEN, SANDRA
KLINGE, DAVID	KOPCHINSKI, LESLIE	KRISTIN, TAYLOR	LAFLEUR, JENNA
KLINGENFUSS,	KORBAGE, AIHAM	KRITZMAN, PHILIP	LAFLEUR, TERESIA
MARTINA	KORFMACHER,	KRONE, ROBERT	LAFLOWER, DANELLE
KLINGENSMITH, DAVID	BLANCHE	KRONER, MATT	LAFOND, DAVID
KLINGMAN, BARBARA	KORITZ, MARK	KRONER, MATT	LAFOND, DAVID
KLITZKE, KITTY	KORNFELD, LAUREL	KRUCCOFF, RACHEL	LAFONTSEE, DANA
KLOB, BRIAN	KORNFELD, RICHARD	KRUEGER, RONALD	LAFORCE, MATTHEW
KLOB, BRIAN	KORNREICH, DAVID	KRUMPER, DUSTY	LAFRANCE, SUSAN
KLOCK, WILLIAM	KORS, JEANETTE	KRUPP, JONATHON	LAFRINERE, SHELBY
KLOPP, BASEY	KORTH, LUCY	KRUPPA, MURIEL	LAGASSE, JEFFREY
KLOPPEDAL, KAYLE	KORTSCH, KAREN	KRUSE, ASHLEY	LAGNADO, NESSIM
KLOSTERMAN, PETE	KOSEK, SHARON	KRUSE, BARBARA	LAGROU, DOROTHY
KLOTZ, REBECCA	KOSELKE, RICK	KRUSZEWSKI, MARIA	LAGUNAS, MIRIAM
KLOUZAL, LINDA	KOSLEN, MARC	KRUT, STEFAN	LAHEY, MICHAEL
KNABLE, ANGELA	KOSLEN, TERI	KRYGIER, LESLIE	LAIRD, SARAH
KNAPP, BONITA	KOSOWICZ, ALEKS	KUBRIN, FRANCINE	LAKE, KATHERINE
KNAPP, LEAH	KOSTER, TOM	KUCEWICZ, LEO	LAKE, REYES

LALOND, SHARON	LAUDERDALE, RICHARD	LEHMAN, BRENDA	LEVINE, MICHAEL
LAMB, BARBARA	LAUDERMAN, DAVID	LEHMAN, BRENDA	LEVINE, RHODA
LAMBERT, LAURA	LAUDERMAN, DAVID	LEHMAN, BRUCE	LEVINE, SUSAN
LAMBERT, LISA	LAUGHLIN, LIANA	LEHMAN, EUGENE	LEVINSOHN, KENDALL
LAMBERT, ROBYN	LAUGHLIN, SARAH	LEHMAN, NAOMI	LEVINSON, GILDA
LAMBERT, SHIRLEY	LAUPHEIMER, RON	LEIBOWITZ, KATHY	LEVITT, LACEY
LAMBERT, WENDY	LAURENCE, K.	LEIBOWITZ, SUSAN	LEVY, CLAIRE
LAMBERTH, MELISSA	LAVALLEY, SHERRY	LEICHT, BARBARA	LEVY, ELIZABETH
LAMBROS, KATHRYN	LAVENDER, BARBARA	LEIGH, SUZANNA	LEVY, NOEL
LAMERE, ALEXIS	LAVENDER, MARILYN	LEIGHTY, JACQUE	LEVY, ROBERT
LAMP, LINDA	LAVERY, THOMAS	LEIN, KRISTIN	LEWCZYK, ANDREW
LANDA, DAVID	LAVINDER, GARY	LEITER, HOWARD	LEWIS, BRENDA
LANDES, HALE	LAW, CHRIS	LEITNER, SHANNON	LEWIS, BRENDA
LANDRUM, CHERYL	LAWLER, NAN	LEITNER, SUZANNE	LEWIS, CAROL
LANDRY, PETER	LAWLESS, KATHLEEN	LELAND, LORA	LEWIS, DIANA
LANDSBERG, MARISA	LAWRENCE, ALAN	LEMASTERS, CHARIE	LEWIS, GEORGE
LANG, LYNN	LAWRENCE, JEANNINE	LEMBERG, THOMAS	LEWIS, GLORIA
LANGELIER, KAREN	LAWRENCE, PHIL	LEMON, MARY	LEWIS, KATHLEEN
LANGER, CASSANDRA	LAWRENCE, SARAH	LEMPERT, BOBBI	LEWIS, KRISTIN
LANGHAM, JERI	LAWSON, JEFFREY	LEMPERT, BOBBI	LEWIS, LINDA
LANGO, JOHN	LAYMAN, JUDITH	LENARD, DENA	LEWIS, LINDSEY
LANPHEAR, LESLIE	LAZAR, BARBARA	LENAVITT, STEVE	LEWIS, LISA
LANZL, CATHERINE	LAZAREK, JOHN	LENDE, ELIZABETH	LEWIS, NORA
LAPIERRE, CHANTEL	LAZIO, ROCHELLE	LENGEL, DENNIS	LEWIS, NORMAN
LAPOINTE, KENNETH	LAZUTKINA, ELENA	LENHARTH, SCOTT	LEWIS, PETER
LAPORTE, MICHELE	LAZZARA, FRAN	LENNON, MATTHEW	LEWIS, RUTH
LAPORTE, MICHELE	LE BEAU, JOSETTE	LENZ, SHANNON	LEWIS, SCOTT
LAPORTE, MICHELE	LE, JESSICA	LEOFANTI, ANNE	LEWIS, STEPHANIE
LAPPIN, MARIANNE	LEARN, NIKI	LEONARD, CLAIRE	LEWIS-DOUGHERTY, CATHY
LARGAY, JOHN	LEARY, JOANNA	LEONARD, DIANE	LHEUREUX, JOLE
LARIMI, HOOMAN	LEAVITT, DONNA	LEONARD, ISABEL	LIANG, CYRENE
LARKIN, CHRISSIE	LEAVITT, LARA	LEONARD, SARA	LIBBY, DOMINIC
LARKIN, OLIVIA	LEAVITT, SUZANNE	LEONARD, SARA	LICALSI, TERRY
LAROCCA, CHRISTINA	LEBRUN, KAREN	LEONG, TIM	LICHTER, RUSSELL
LAROUX, CHARLOTTE	LECHOLAT, MARTIN	LEPORE, PAULA	LIEBERMAN, EDWIN
LARSEEN, NANCY	LEDESMA, AUDREY	LEPPO, BOB	LIEBERMAN, JIM
LARSEN, JOANNE	LEDESMA, CAROL	LERCH, ROBERT	LIEBERMAN, LAURA
LARSEN, JOHN	LEDFORD, THOMAS	LERNER, LARRY	LIEBERMAN, REBECCA
LARSEN, KIMBERLY	LEE, ALEX	LESPERANCE, JOY	LIEBERT, VERONICA
LARSON, BARBARA	LEE, CAROL	LESTER, ARIA	LIEBERT, VERONICA
LARSON, DENE	LEE, DEBORAH	LESTER, ERIC	LIED, KAREN
LARSON, DIANA	LEE, DIANA	LETENDRE, ELSIE	LIGAMMARI, MARCIE
LARSON, ELAINE	LEE, DOUGLAS	LETENDRE, MICHAEL	LIKENS, JESSICA
LARSON, GAYLE	LEE, HARVEY	LETEY, ARDIS	LILITH, MS.
LARSON, JAMES	LEE, JESSICA	LETHERT, RITA	LILL, NANCY
LARSON, LINDA	LEE, JON	LEUNG, AMELIA	LILLIS, CAROL
LARSON, LORI	LEE, JON	LEUNG, JAMES	LIMOGES, ROBYNNE
LARUE, CYNTHIA	LEE, JUDY	LEVALLEY, SR.	LIN, CHINGYI
LARUE, ERIK	LEE, KATHLEEN	LEVEE, ANNETTE	LIN, GRACE
LARUE, PAMELA	LEE, MIA	LEVENTHAL, VALERIE	LINAM, STEPHANIE
LASHAWAY, LISA	LEECH, NANCY	LEVESQUE, MERRILEE	LINCOLN, DEB
LASKE, MARGARET	LEECH, NANCY	LEVIN, BETH	LINCOLN, LINDA
LASSANDRELLO, NOREEN	LEED, MARK	LEVIN, CAROL	LINDER, AMELIA
LASSOW, DINA	LEEHEY, MAUREEN	LEVIN, LARRY	LINDER, LC
LATCHU, SHERYL	LEE-ROSSON, ISABEL	LEVIN, SUSANNA	LINDSAY, LINDA
LATIMER, BRAD	LEFFORD, MAGGIE	LEVINE, ARTHUR	LINDSEY, JUNE
LAU, CHRISTINA	LEFLEUR, CATHERINE	LEVINE, CARLISLE	LINDSEY, TRISHA
	LEGGETT, ROBERT	LEVINE, GREGG	

LINN, KAREN	LONG, PAULA	LUCEY-ARNEBERG, JULIA	MACK, CARRIE
LINN, MARCELLA	LONG, REV.	LUCIANO, ANGELO	MACKAY, DONALD
LINN, MARY	LONG, ROBERT	LUCKY, RACHEL	MACKENZIE, CATHERINE
LINTON, GRETCHEN	LONG, SANDRA	LUDI, CELIA	MACKENZIE, JUDITH
LINTON, SANDRA	LONGACRE, DAVID	LUDKE, SUSAN	MACKENZIE, LINDA
LINZ, WILLIAM	LONGACRE, DAVID	LUDWIG, GEORGE	MACKILLOP, ROBIN
LIPCHAK, OSCAR	LONGANECKER, AMY	LUEDKE, MELVIN	MACKLE, SUSAN
LIPMAN, STEPHEN	LONGEVER, JORDAN	LUERAS, MICHAEL	MACKOY, KIMBERLY
LIPSKY, CAROL	LONGLEY, BRIAN	LUFF, BRADLEY	MADDEN, MICHAEL
LIPSON, JACQUELYN	LONGOBUCCO, DAVID	LUFT, ALICIA	MADHAV, KRISHNA
LIPTOW, JENNIFER	LONGOBUCCO, JANET	LUKAS, J	MADIGAN, SALLY
LIRA, STEFON	LONGYEAR, SHARON	LUKOWITZ, WENDY	MADOLE, CATHERINE
LIRA, STEFON	LOO, CHRIS	LULL, KAREN	MADRINICH, MOLLY
LISA, TRICIA	LOO, CHRIS	LULL, PATRICIA	MADSEN, JILL
LISCHAK, MARIA	LOOMBA, MARY	LUNA, DENNIS	MADSEN, JULIA
LISS, RAY	LOOMIS, MARGARET	LUNDEEN, WILLIAM	MAES, SUSAN
LISTER, TRAVIS	LOOMIS, SUSAN	LUNDELIUS, ERNEST	MAGEE, ELLEN
LISTER, TRAVIS	LOONEY, DEBORAH	LUNDGREN, MIKE	MAGEE, THERESA
LITTLE, ALAN	LOPER, KATHRYN	LUPENKO, ANDY	MAGIE, BAMBI
LITTLE, ALAN	LOPEZ, I	LUPENKO, ANDY	MAGRATH, PAT
LITTLE, SCOTT	LOPEZ, JOANN	LURIER, ANDREA	MAGRATH, PAT
LITTLEFIELD, KAREN	LOPORCHIO, LINDSAY	LUSK, TREVOR	MAHDER, DEBBIE
LIU, AMANDA	LORD, HERBERT	LUSTGARDEN, STEVE	MAHER, LAUREN
LIU, HANNAH	LOREN, DONNA	LUTHER, DORIS	MAHONEY, DENIS
LIVINGSTON, DEBORAH	LOREN, DONNA	LUX, PATRICIA	MAHONEY, JOSEPH
LLOYD, STEVE	LORENZ, CHRISTINE	LUX, THOMAS	MAHRT, JACK
LO, WERONIKA	LORIG, CONSTANCE	LYALL, ANDREW	MAIA, EMILY
LOBEL, COLLEEN	LORING, LAURA	LYERLY, LINDA	MAIO, HEATHER
LOCH, JENNIFER	LORING, LAURA	LYMAN, BETSY	MAKA, JOHN
LOCKARD, PAUL	LORWOOD, AMYLARK	LYMAN, TERESA	MAKI, SUSAN
LOCKE, DUSTY	LOSI, LORA	LYNCH, COURTNEY	MALCOLM, KAREN
LOCKE, KAREN	LOTT, JENNIFER	LYNCH, JOHN	MALDONADO, TERRI
LOCKE, KAREN	LOUD, DORIS	LYNCH, JOHN	MALEDON, MAUREEN
LOCKRIDGE, ROSS	LOURENCO, NATALIA	LYNCH, KATE	MALGET, GREG
LOCKWOOD, GEORGE	LOVE, MARY	LYNCH, MARIANNE	MALLER, JONATHAN
LOCKWOOD, KIM	LOVE, RODNEY	LYNGEN, PAMELA	MALLICK, RUMANA
LOEBL, ROBERT	LOVEJOY, BLAZE	LYNN, MICHAEL	MALLIN, ERIC
LOFSTEAD, ABIGAIL	LOVELAND, JIM	LYON, R.TERRY	MALLORY, LAUREN
LOFTIN, NANCY	LOVELL, ALLISON	M, AMY	MALONEY, BECKY
LOGAN, DONNA	LOWE, AMANDA	M, ELLEN	MALPICA, ERIK
LOGSDON, ADRIEN	LOWE, BETH	M, KAY	MALYUK, INNA
LOHNES, VIDA	LOWE, LINDA	M., HENRY	MALYUK, INNA
LOHR, KRISTA	LOWE, ROBERT	M.CARSTENSEN, GREGORY	MAN, CAVE
LOHR, MARILYN	LOWELL, JANET	MABON, NOAH	MANARD, MICHAEL
LOHRMANN, KARL	LOWELL, KIRA	MACAULAY, JANICE	MANCHESTER, BOB
LOHRMANN, KARL	LOWERY, JAMES	MACAULEY, WENDY	MANCHESTER, ROBERT
LOIACONO, LYNN	LOWERY, JAMES	MACCONAUGHA-SNYDER, MORGAN	MANCINI, JAY
LOIACONO, LYNN	LOWERY, JOANNE	MACDONALD, ANN	MANETTI, CHRISTINA
LOMAS, LESLIE	LOWREY, BRUCE	MACDONALD, MARK	MANN, JAMES
LOMBARDI, ROBERT	LOWRY, KRISTEN	MACDONALD, TINA	MANN, KATHRYN
LOMBARDO, FRANK	LOZON, KRISTINA	MACE, PAT	MANN, MARY
LOMON, DEIRDRE	LOZORAITIS, HELEN	MACGREGOR, KATRINA	MANNING, ALEXANDRA
LONCAR, JOANN	LU, WENCHI	MACGREGOR, SUSAN	MANNING, SUSAN
LONG, CLAIR	LUBIN, THALIA	MACHADO, ADRIANNA	MANOLIS, KATHY
LONG, HANNAH	LUCAS, BRIAN	MACIAS, T	MANSFIELD, JANICE
LONG, KATHRYN	LUCAS, STEVE	MACINNIS, LARRY	MANSFIELD, LINDA
LONG, LELAND	LUCERO, MARIE		MANUKYAN, KARINA
LONG, MARY			MAO, HELEN

MAPSTONE, SARAH	MARTIN, DREW	MAUPIN, JACOB	MCCLEARY, BOB
MARANO, GEORGE	MARTIN, GREGORY	MAURER, MARILYN	MCCLELLAN, SUSAN
MARANO, GEORGE	MARTIN, MELANIE	MAUS, STEFAN	MCCLLENACHAN, ANNE
MARASHINSKY, AMY	MARTIN, MELODIE	MAXEDON, EDWARD	MCCLLENACHAN, ANNE
MARAVILLA, VIRGINIA	MARTIN, MICHELE	MAXFIELD, CASEE	MCCLENDON, LINDA
MARCH, JANICE	MARTIN, PATRICK	MAXWELL, ELIZABETH	MCCLUNG, PAUL
MARCHANI, ANTHONY	MARTIN, ROBERT	MAXWELL, TATIANA	MCCLURE, ANDREA
MARCHETTI, ROBERT	MARTIN, ROBERTA	MAY, JEAN	MCCLURE, SUSAM
MARCILLE, CHRISTOPHER	MARTIN, ROBIN	MAY, JOE	MCCLURE, SUSAM
MARCUS, LEONARD	MARTINDALE, OLIVIA	MAY, JULIE	MCCLUSKEY, BAMBI
MARCUS, SYBIL	MARTINEZ, CAMILLE	MAY, MICHELE	MCCONAUGHY, JEFF
MARCUS, SYBIL	MARTINEZ, CATHERINE	MAYER, DAVID	MCCONNELL, JANICE
MAREEL, PAUL	MARTINEZ, FLORA	MAYER, JEANETTE	MCCORMICK, EDWARD
MARGOLIES, LYNNE	MARTINEZ, MARIO	MAYER, OSCAR	MCCORMICK, GENE
MARGULIS, ELISE	MARTINEZ, PATRICIA	MAYERI, BEVERLY	MCCORMICK, JEFF
MARIANO, JOANN	MARTINS, ISABEL	MAYES, JOHN	MCCORMICK, MICHAEL
MARICI, MATT	MARTLING, KENN	MAYFIELD, MARINE	MCCORMICK, NANCY
MARIK, RICHARD	MARX, NICKI	MAYNARD, KARA	MCCOSH, HOWARD
MARIN, MIKAYLA	MASCH, LORRAINE	MAYNARD, WILLIAM	MCCOU, DEBORA
MARINIER, ROBERT	MASCHKA, ELIZABETH	MAYNE, SUSAN	MCCOURT, SARAH
MARK, DARIAN	MASCHKE, PEG	MAYORAL, FERRANT	MCCOY, KIM
MARK, PETER	MASEK, MARGARET	MAZAR, LAURA	MCCOY, KIM
MARKHAM, JOHN	MASLOV, MARC	MAZARIEGOS, DAVID	MCCRACKEN, LORIE
MARKS, DIANE	MASON, CAROL	MAZEAUD, DOMINIQUE	MCCRADY, LEXA
MARKUSHEWSKI, EDWARD	MASON, DAWN	MAZIAS, MELISSA	MCCRARY, RICHARD
MARKUSHEWSKI, EDWARD	MASON, DIANE	MCALLISTER, RACHEL	MCCREA, MEGAN
MARKUSHEWSKI, EDWARD	MASON, KATHY	MCANULTY, RICHARD	MCCREARY, JAN
MARKUSHEWSKI, EDWARD	MASON, LISA	MCARTHUR, CHERIE	MCCRUMB, HANNELORE
MARKUSHEWSKI, EDWARD	MASSANARI, KATHLEEN	MCAVOY, SARAH	MCCULLOCH, JAMIE
MARKUSHEWSKI, EDWARD	MASSARO, JOHN	MCBETH, SYLVIA	MCCULLOUGH, MARY
MARKUSHEWSKI, EDWARD	MASSEY, CAROLYN	MCBRIDE, DEBBIE	MCCULLOUGH, NANCY
MARKWELL, LEAH	MASSEY, EILEEN	MCBRIDE, LEIGH	MCCULLOUGH, WILLIAM
MARONEY, FRAN	MAST, JOYCE	MCBRIDE, NANCY	MCCUNE, MICHAEL
MARPLE, ANTHONY	MAST, JOYCE	MCBRIDE, NANCY	MCCUNE, SYLVIA
MARQUARDT, NADINE	MASTALLI, PETER	MCCABE, ANN	MCCURRIE-GIBSON, MAUREEN
MARQUEZ, CONNIE	MASTER, GEORGE	MCCAMMON, JOHN	MCDANIEL, LES
MARR, BETTY	MASURA, MARTHA	MCCANN, ANNIE	MCDERMOTT, MARLEY
MARRERO, BEVERLY	MATASH, SCOTT	MCCANN, JAMES	MCDONALD, GEORGIA
MARRIOTT, JENNIFER	MATCHETTE, DF	MCCANNON, CARLA	MCDONALD, SHANE
MARRO, JOHN	MATES, SUSAN	MCCARDELL, ELIZABETH	MCDONNELL, ROBERT
MARRONE, CORINNE	MATHENY, ALBERT	MCCARTHY, BETSY	MCDONOUGH, JOHN
MARSH, DANIEL	MATHENY, ALBERT	MCCARTHY, C.	MCDONOUGH, REBECCA
MARSH, GREG	MATHEWS, BEVERLY	MCCARTHY, CYNTHIA	MCDONOUGH, JUDY
MARSHALL, CRYSTAL	MATHEWS, KATHLEEN	MCCARTHY, MARYJEAN	MCDONOUGH, ELIZABETH
MARSHALL, CRYSTAL	MATHIESEN, THERESA	MCCARTHY, MARYJEAN	MCDOWELL, KELLEY
MARSHALL, JEFFERY	MATHIESON, CLAIRE	MCCARTHY, SHIRLEY	MCFADDEN, RICHARD
MARSHALL, LAURINDA	MATNEY, CHERYL	MCCARTHY, WILLIAM	MCFARLAND, LYNN
MARSHALL, LIZ	MATT, HOLLY	MCCARTNEY, TERESA	MCFARLAND, MARY
MARSHALL, TONI	MATTESON, THOMAS	MCCASLIN, ELIZABETH	MCFERREN, MARY
MARSHALLGOODELL, BEVERLY	MATTHEW, ELAINE	MCCAUGHEY, SUSAN	MCGARY, CARA
MARSICO, WILLIAM	MATTHEWS, NAN	MCCAULEY, JAN	MCGEE, LACI
MARSON, LYNN	MATTHEWS, PHILLIP	MCCAULEY, JANE	MCGEE, SUSAN
MARTHA, BYERS	MATTHEWS, ROBERT	MCCAULEY, MARY	MCGILL, ANN
MARTIN, CHLOE	MATTHEWS, ROBERT	MCCAULEY, TERESA	MCGINN, JOHN
MARTIN, DIANE	MATTHEWS, SHERRY	MCCAW, JIM	
	MATTINGLY, GEORGIA	MCCAW, KAREN	
	MAUL, KIM	MCCHANCY, SHARON	
	MAUL, KIM	MCCLAIN, WILMA	

MCGINTY, ALISON	MEADOW, LIN	MESSINA, JEN	MILLER, CAROLINE
MCGOLDRICK, KERRI	MEALY, CYNTHIA	MESSING, MARK	MILLER, CHERYL
MCGOWAN, JOHN	MEALY, DAWN	MESSINGER, DAVI-MAY	MILLER, CHERYL
MCGOWAN, JULIE	MEAN, SABRINA	MESSURI, ETHEL	MILLER, CLAUDIA
MCGRATH, JOAN	MEANS, JANIE	MESTON, KRISTEN	MILLER, DAVID
MCGRATH, KAREN	MEDEIROS, CASSANDRA	MESTUZZI, ALFRED	MILLER, DEBRA
MCGUFFEY, LUCY	MEDINA, KATHLEEN	METILDI, JEANINE	MILLER, ELLEN
MCHENDRY, KATHLEEN	MEDINA, SARAH	METIS, SARAPHINE	MILLER, GREG
MCILHENNY, SYDNEY	MEDLAND, KIRK	METZGER, DEBRA	MILLER, JANE
MCILVAINE, IAN	MEDLEN, DESIRE	MEUSER, PAMELA	MILLER, JAY
MCINTYRE, KATHLEEN	MEDLIN, BARRY	MEYER, COLONEL	MILLER, KAREN
MCIVER, MAURICE	MEDRANO, CECILIA	MEYER, DENISE	MILLER, KATHLEEN
MCKEAN, JOHN	MEDRANO, DANIEL	MEYER, ERIC	MILLER, KELLIE
MCKEE, KRISTA	MEDZIAK, ANDREW	MEYER, LEEALLEN	MILLER, KELLY
MCKENDRY, JAMES	MEEHA, KE	MEYER, LEEALLEN	MILLER, LEE
MCKENNA, CAEPHREN	MEEHAN, KATHLEEN	MEYER, MELVA	MILLER, LESLEY
MCKENNA, JACQUELINE	MEER, CAROL	MEYER, ROBERT	MILLER, M
MCKENNA, JERRY	MEGUERDITCHIAN,	MEYER, SHELLY	MILLER, MARLENE
MCKENZIE, RACHELLE	HAROUT	MEYER, TARA	MILLER, MATTHEW
MCKINLEY, DIANNE	MEHLER, KIMBERLY	MEYER, TIMOTHY	MILLER, MELISSA
MCKINNEY, ALISA	MEHLHORN, MICHELLE	MEYERS, AMY	MILLER, MICHAEL
MCKINNEY, CHERYL	MEIER, RICHARD	MEYERS, C	MILLER, MICHAEL
MCKINNEY, NANCY	MEIJER, KRISTIN	MEYERS, MARY	MILLER, MICHAEL
MCKINNON, CATHERINE	MELBO, ANITA	MEYERS, SHARON	MILLER, NANCY
MCKNIGHT, PETER	MELI, MARY	MEZA-STEEL, ROSI	MILLER, PAMELA
MCLAUGHLIN, EDMUND	MELNICK, RUTH	MICALLEF, MAX	MILLER, RICHARD
MCLEOD, A.	MELTZER, ADA	MICHAEL, RICHARD	MILLER, ROBERT
MCLERNON, JESSICA	MEMMERT, JONATHAN	MICHAEL, ZIEGLER	MILLER, SAM
MCMAHON, DIANE	MENAKER, THOMAS	MICHALEK, DAVID	MILLER, SHEILA
MCMANNIS, MELISA	MENDENHALL,	MICHALIK, MICHAEL	MILLER, TRAVIS
MCMANUS, SHELLY	BARBARA	MICHAUD, TERRY	MILLER, VICTORIA
MCMMASTER, BELLE	MENDES, STACEY	MICHELSEN, LEE	MILLER, VICTORIA
MCMATH, CYNTHIA	MENDEZ, LAUREN	MICK, MARILYN	MILLIGAN, TODD
MCMILLAN, DOUGLAS	MENDEZ, VIRGINIA	MIELE, DANIELLE	MILLS, CAROL
MCMILLEN, BOB	MENDIETA, VINCE	MIENTUS, MARIAN	MILLS, ERIN
MCMULLEN, ANNETTE	MENDIETA, VINCE	MIERLOT, MONIQUE	MILLS, JACKIE
MCMULLEN, COLLEEN	MENDOZA, ANDREA	MIILLER, VICTOR	MILLS, RANDY
MCMULLEN, MARILYN	MENDOZA, LINDA	MIKHAIL, CAMDEN	MILNER, MARY
MCMURTRAY, JENNIFER	MENO, JULIETTE	MIKURIYA, MARY	MILROY, SSGT.
MCMURTRY, ANITA	MENON, SARAH	MILAM, SCOTT	MILSTEIN, KAREN
MCNAMARA, ANITA	MENSE, MARIA	MILANO, SAFFRA	MINAR, KATHRYN
MCNAMARA, KARLA	MENSING, PATRICIA	MILBURN, TRISDEN	MINAULT, PIERRE
MCNIEL, KIRK	MERCADO, JOYCE	MILBURN, TRISDEN	MINGLIS, ERICA
MCNITZKY, NINA	MERCIER, LYSSA	MILES, JULIE	MINGO, DIANA
MCPEAKE, ROSEMARIE	MERCKX, GUY	MILES, KAREN	MINISCALCO, EMMA
MCPHERSON, CINDY	MERCURIO, AVE	MILES, MONICA	MINK, DANIEL
MCQUAID, KATHLEEN	MERGES, MCKENZIE	MILETTA, LARA	MINNICH, CHRIS
MCQUITTY, MARK	MERIWETHER, WILLIAM	MILEWSKI, LINDA	MINNICH, PAUL
MCRAE, BETH	MERKEL, KARYNN	MILITELLO, CHERYL	MINNICK, MICHAEL
MCSWAIN, MICHAEL	MERLE, LYNN	MILKIE, RENEE	MINNIS, ANNETTE
MCVEAY, EMILY	MERLO, ALFONSO	MILKOWSKI, GEORGE	MINORE, DOMINICA
MCVEY, DENNIS	MERRIMAN, KERI	MILLAR, MARIA	MIRANDA, CLAUDIA
MCWILLIAMS, ARLEEN	MERRITT, ORRIN	MILLED, VICKY	MIRANDA, TYLER
MD, CONLETH	MERTIG, THEODORE	MILLER, APRIL	MISE, MARIE
MD, JENNIFER	MESNEY, BARBARA	MILLER, BARBARA	MISKELLY, JOHN
MD, ROBERT	MESSAMER, NICK	MILLER, BRAD	MISKELLY, JOHN
MD, TIMOTHY	MESSAROS, JEAN	MILLER, BRENDA	MISKOLCZY, BONNIE
MEAD, STEPHEN	MESSER, JOHN	MILLER, CANDACE	MITCHELL, ANITA

MITCHELL, CRYSTAL	MOORE, JOY	MORTON, DAVID	MUNSON, ROBERT
MITCHELL, JEAN	MOORE, JUDY	MOSCATT, CARLENE	MURAWSKI, HEATHER
MITCHELL, KAREN	MOORE, LINDSAY	MOSCHELLA, GEORGE	MURCHISON, KEN
MITCHELL, KATHERYNE	MOORE, NANCY	MOSCHPOULOS,	MURDOCH, SARAH
MITCHELL, MICHELLE	MOORE, ROSANNE	CHARITY	MURDOCK, LISA
MITCHELL, PATRICIA	MOORE, ROSANNE	MOSKAL, MARYANNA	MURPHY, BRIGID
MITCHELL, RUBY	MOORE, TROIS	MOSQUEDA, KYLIE	MURPHY, CYNTHIA
MITCHELL, STEPHEN	MOORE, VESNA	MOSS, BRAD	MURPHY, CYNTHIA
MITCHELL-SHIHABI,	MOORE, WALTER	MOSS, CAROL	MURPHY, GWEN
JESSICA	MOOT, KATHRYN	MOTT, KRISTIN	MURPHY, IRENE
MIZE, DIANNE	MORADO, CAROLYN	MOTT, MACEY	MURPHY, KATHLEEN
MIZERA, CHRISTOPHER	MORALES, MARISA	MOTT, MOLLY	MURPHY, LAURA
MIZERA, CHRISTOPHER	MORAN, HUGUETTE	MOTT, MOLLY	MURPHY, LIAM
MO, T	MORAN, KATHY	MOTTEN, ALEXANDER	MURPHY, WILLIAM
MO, T	MORAN, ROBERT	MOTZ, MARY	MURRAY, JOAN
MOBLEY, HENRY	MORAN, ROY	MOULESONG, JON	MURRAY, LINDA
MOCCIO, MICHAEL	MORASKI, KATHLEEN	MOUNTAIN, PAULINE	MURRAY, TIFFANY
MOCKOSHER,	MORAWSKI, STEPHEN	MOUREAU, ANN	MURRAY, TIFFANY
ELIZABETH	MORE, ROBERT	MOWERS, HAROLD	MURRAY, WILLIAM
MOCKUS, DEIMILE	MOREA, JENNIFER	MOY, HAO	MURRAY, WILLIAM
MOHNING, KATHLEEN	MOREL, WILL	MOYA, CAROLINA	MURRELL, CAMERON
MOHR, CHET	MORENO, CAROLINA	MOYER, DEBRA	MURROCK, ERIC
MOIX, JENNIFER	MORENO, CHRISTINE	MOZAFARI, MEHDI	MURSU, FRED
MOLDOVEANU, CAROL	MORENO, KIM	MUDD, BRENDA	MUSAL, JOSEPH
MOLENAAR, PETER	MORENO, MAYA	MUELLER, KARSTEN	MUSCAT, LAURIE
MOLLERSTEN, BJORN	MORFORD, KAREN	MUELLER, MARILYN	MUSCAT, SAARA
MOLLOY, MARK	MORGAN, CHRISTINE	MUELLER, MICHAEL	MUSCATO, MICHAEL
MOLLOY, MARK	MORGAN, JANINE	MUELLER-LAMORE,	MUSE, DYAN
MOLNER-VIEIRA, NANCY	MORGAN, LINDA	BRENDA	MUSELLA, EILEEN
MOLNER-VIEIRA, NANCY	MORGAN, RICHARD	MUELLNER, GEORGE	MUSGROVE, JEANNE
MOLOFSKY, MERLE	MORGAN, RICHARD	MUENCH, JAYME	MUSSER, WILLIAM
MONAHAN, JESSE	MORGAN, STANLEY	MUGGLESTONE,	MUTTER, MARIA
MONAHAN, KRISTIN	MORGAN, STARLA	LINDSAY	MUTZABAUGH,
MONAHAN, MARIE	MORITZ, ANDREW	MUHLHAUSEN, ROBERT	ROSANNA
MONDRAGON,	MORNEAU, PAT	MUJICA, BERNARDO	MUZZIN, RUTH
MICHELLE	MORNINGSTAR,	MUJICA, BERNARDO	MUZZIN, RUTH
MONGE, GABRIELA	SAMUEL	MUJICA, BERNARDO	MYERS, CAROL
MONIE, PETER	MORR, RACHEL	MULCARE, JAMES	MYERS, JANICE
MONK, CORINNE	MORRIS, CATHY	MULDER, JAMES	MYERS, LINDA
MONK, STEVE	MORRIS, CHRYS	MULDER, JAMES	MYERS, N
MONROE, JAMES	MORRIS, CYNTHIA	MULHALL, KATHLEEN	MYERS, RENEE
MONROE, RICHARD	MORRIS, DAVID	MULLEN, SALLY	MYLIUS, JERRY
MONROE, THOMAS	MORRIS, JEFF	MULLEN, TIMOTHY	MYRVAAGNES, ERIC
MONSON, TODD	MORRIS, KAREN	MULLER, ABBE	N, W
MONTAGUE, EDNA	MORRIS, MARY	MULLER, BAMBI	N, W
MONTALVO, HILDA	MORRIS, MELVIS	MULLER, JEFF	N., ELISABETH
MONT-ETON, MICHELE	MORRIS, OLIVIA	MULLER, LINDA	NADLER, H.
MONTGOMERY, ED	MORRIS, QUENTIN	MULLER, SHELDON	NADOR, SALLY
MONTI, SYLVIA	MORRIS, SUSAN	MULLER, SUSAN	NAGANO, ALISA
MONTONEN, JANE	MORRISON, CAROL	MULLIE, CHRISTINE	NAGEL, PAT
MOON, LAURI	MORRISON, ERICA	MULRY, THOMAS	NAGENGAST, JAMES
MOONEY, LINDA	MORRISON, SAM	MUMFORD, S	NAGY, MARILEE
MOORE, BEN	MORRISON-COHEN,	MUMFORD, S	NAGYFY, DESIREE
MOORE, BRIAN	DEBORAH	MUNDY, JAYE	NAHIGIAN, KENNETH
MOORE, DEAN	MORROW, KAREN	MUNDY, KEN	NAHILL, BRAD
MOORE, GILFORD	MORSETH, SUSAN	MUNOZ, GEORGE	NAIDICH, SANDRA
MOORE, JOELENE.	MORTIMER, KARL	MUNSON, CATHERINE	NAIDNUR, JOSEPH
MOORE, JOSEPH	MORTIMER, KRISTIN	MUNSON, ROBERT	NAIR, BONNIE

NAME, FIRST	NEWBERRY, MARTHA	NOGLE, LOWELL	O'BRIEN, DANIEL
NANJARI, PAULINE	NEWBY, CARILENE	NOLAN, CYNTHIA	O'BRIEN, MICHAEL
NASEER, BRIANA	NEWCOMER, CRYSTAL	NOLAN, FIONA	O'BRIEN, SHARON
NATVIG, JULIA	NEWICK, KURT	NOLAN, JACOB	OBRINGER, DIANE
NATZEL, SHARON	NEWMAN, KATHY	NOLE, ZEB	O'BYRNE, NANCY
NAUMANN, ADRIENNE	NEWMAN-OSMON,	NOONAN, NANCY	O'CONNELL, CHRIS
NAUMANN, ADRIENNE	JACOMINA	NORDAHL, RICHARD	O'CONNELL, MOLLY
NAVARRETE, EILEEN	NEWQUIST, ROBIN	NORDGREN, ERIK	OCONNOR, MARK
NAVARRO, SHERIE	NEWTON, CAROL	NORDHOF, PAMELA	O'CONNOR, BERNIE
NAVE, BRENDA	NEWTON, KRISTIN	NORDIN, LILLIAN	O'CONNOR, DEBORAH
NAVE, BRENDA	NEY, CHRISTINE	NORMAN, CAMILLE	O'CONNOR, DEBORAH
NAYMICK, RENEE	NEY, CHRISTINE	NORMAN, KEITH	O'CONNOR, JOHN
NEAL, JAMES	NEYLAND, LESLEY	NORRIS, OLIVIA	O'CONNOR, JULIA
NEAL, JEAN	NG, MARY	NORRIS, WILLIAM	O'CONNOR, ROY
NEAL, PHILLIP	NG, TIFFANY	NORWOOD, CATHERINE	O'CONNOR, TERRANCE
NEALE, JOANNE	NGHIEM, ELLIE	NOSSER, LINDA	ODA, JOHN
NEALY, DEBRA	NGO, JINN	NOTO, NONNA	O'DEA, BARBARAO
NEALY, DEBRA	NGO, THINH	NOTTINGHAM, PAT	O'DELL, SEAN
NECHOLS, JUDITH	NGUYEN, JACK	NOURSE, JEANNE	ODOM, JEANNE
NEDDERMAN, ERIKA	NICE, DAN	NOVACK, PENNY	ODONNELL, KAREN
NEDEFF, ELIZABETH	NICHANDROS, ERIC	NOVAK, MARK	O'DONNELL, ANY
NEDROW, KERRY	NICHOLAS, THOMAS	NOVAK, MARK	OELSNER, JIM
NEEL, ANN	NICHOLS, LAUREL	NOVKOV, RUSSELL	OESTERLE, JUDITH
NEELY, KATHLEEN	NICHOLS, LAWRENCE	NOWAK, BRUCE	OET, RAINIE
NEELY, LINDA	NICHOLS, RAY	NOWAK, DIANE	OETH, LINDA
NEEVEL, DAVID	NICHOLS, RHONDA	NOWAK, MARIETTE	OETJEN, DAVID
NEILL, MERRILY	NICHOLS, ROSEMARY	NOWELL, LEE	OFFENBACHER, JEAN
NEIMAN, HAIDEE	NICKEL, CATHLEEN	NOYES, DONNA	OGG, LESLIE
NEIMAN, JORDAN	NICKEL, GARY	NTI, VALENTINA	OGNJANOVIC,
NEIMAN, JORDAN	NICKEY, JOHN	NUNEZ, CARLOS	MICHELLE
NEKORANIK, SOPHIA	NICKEY, JOHN	NUNEZ, P	O'HAIRE-HILL, ANNE
NEKTALOV, ARNOLD	NICKODEMUS, JANE	NUNLIST, KATHY	OHLENDORF, RICHARD
NELLIS, ROBERT	NICKUM, JOAN	NYGARD, LEWIS	OHLENDORF, RICHARD
NELSEN, CATHIE	NICOL, SANDESH	NYKOL, CELIA	OHLENDORF, RICHARD
NELSON, AMY	NICOLA, LYNN	NYLEN, E.	OHLEYER, STUART
NELSON, BEVERLY	NIELSEN, WILLIAM	NYSTROM, RANELL	OHLSSON, DAWN
NELSON, GAIL	NIEMANN, STACY	O, N	OHM, P.
NELSON, GARY	NIEMEIR, NANCY	O, NANCY	OKONE, BRANDON
NELSON, HELEN	NIEMEIR, NANCY	O, NANCY	OLANDER, ROBIN
NELSON, LINDA	NIEMEIR, NANCY	O, NANCY	OLANSKY, AD
NELSON, MARGARET	NIEMEIR, NANCY	O, NANCY	O'LEARY, AMY
NELSON, MARIANNE	NIEMEIR, NANCY	OAKDEN, DEBRA	OLENJACK, MICHAEL
NELSON, MICHAEL	NIEMEIR, NANCY	OAKS, EMILY	OLFF, NINA
NELSON, PAMELA	NIENDORFF, GRETCHEN	OAKS, KAY	OLHEISER, MARY
NELSON, POLLY	NIESE, PATRICK	OBERDORF, ROBERT	OLIVA, EM
NEMETH, LISA	NIHSEN, DIXIE	OBERLIN, REBECCA	OLIVEIRA, MATTHEW
NEPERUD, JANNA	NIKOLOFF, SYDNEY	OBERMEIER, A.	OLIVE-MILLIGAN,
NERWICK, R.	NILSSEN, MRS.	O'BERRY, DONNA	KIMBERLY
NESHAM, MARY	NIMMO, JOHN	OBLINGER, DARLENE	OLIVER, ANN
NESS, GINA	NISH, ROBERT	OBR, BROOKS	OLIVER, ANN
NEUKIRCHER, LINDA	NISHMAN, ALAN	OBRIEN, GREG	OLIVER, JEANNIE
NEUS-BRADLEY,	NISSELSON, CATHERINE	OBRIEN, KATHY	OLMSTED, LILLIAN
CYNTHIA	NOBLITT, CHRISTINA	OBRIEN, SHIVON	OLOUGHLIN, LAURIE
NEVILLE, PAULA	NOBRIGA, ALMAR	OBRIEN, WILLIAM	O'LOUGHLIN, LESLIE
NEVINS, SUZANNE	NOESKE, KYLE	OBRIEN, WILLIAM	OLSGARD, CHRISTINE
NEWBERRY, CARLA	NOGGLE, JUDITH	OBRIEN, WILLIAM	OLSON, PAMELA
NEWBERRY, CARLA	NOGGLE, JUDITH	OBRIEN, YVETTE	OLSZEWSKI, RONALD
NEWBERRY, CARLA	NOGGLE, JUDITH	O'BRIEN, CARISSA	O'NEAL, MAUREEN

O'NEAL, TOM	PACKARD, EDWARD	PASSERO, DONNA	PEDROSA, MARC
O'NEIL, NICHOLE	PACKARD, REGINA	PATANKAR, CLAIRE	PEDUTO, JOSEPH
ONEILL, PATRICK	PACKER, RICHARD	PATE, JESSICA	PEEBLES, PAUL
O'NEILL, MARY	PACKMAN, ZOLA	PATEL, DEEP	PEEL, ALLISON
ONSEL, GREG	PAGAN, LESLIE	PATERN, RHONDA	PEEL, THOMAS
OO, PAUL	PAGE, JACQUELINE	PATERN, RHONDA	PEI, LIANE
OQUINN, ANA	PAGET, PETER	PATERNO, JOSHUA	PEINE, RICHARD
ORAHOOD, DAWN	PAIGE, MELISSA	PATERSON, CHRIS	PELLETIER, VALERIE
ORAM, NICKOLA	PAJOR, MATTHEW	PATNODE, DIANE	PELLIZZARI, FLAVIA
ORAMA, BRIAN	PALACIO, FRANCES	PATORAY, ARLENE	PELLMAN, JULIE
ORAMA, BRIAN	PALACIOS, EDISON	PATRA, LYNN	PELOSO, SEAN
OREMUS, CHRIS	PALM, LOWELL	PATRICK, JANICE	PELTON, DREW
ORJUELA, MILENA	PALMA-GLENNIE,	PATRICK, LEANNE	PEMBERTON, LINDA
ORNSTEIN, AVI	JANICE	PATRICK, SHANNON	PENA, DEANNA
ORR, MARY	PALMER, JANE	PATTEN, ROBIN	PENCE, JACKIE
ORR, SUSAN	PALMER, KEVIN	PATTERSON, A	PENDLETON, MIRIAM
ORRELL, SHARON	PALTIN, SHARON	PATTERSON, ANGIE	PENN, K
ORTIZ, JULIA	PALUMBO, VIRGINIA	PATTERSON, KATHERINE	PENNELL, SHERRY
ORTNER, JOHN	PANIAGUA, ROSIRIS	PATTERSON, KEVIN	PENNINGTON, ANITA
OSBORNE, ELLEN	PANNELL, KATHERINE	PATTERSON, MILES	PEPIN, DAN
OSBORNE, LOUIS	PANNELL, KATHERINE	PATTERSON, ROSALIND	PEPMEYER, BILLY
OSBORNE, LOUIS	PAPERMASTER,	PATTISON, MARY	PEREZ, ABIGAIL
OSF, BARBARA	CYNTHIA	PATTON, JAMES	PEREZ, LAURALEE
O'SHEA, CAROLYN	PAPILLON, CHANTAL	PATTON, LINDA	PERFREMENT, EILEEN
O'SHEA, CAROLYN	PAPP, KATHRYN	PAUL, JACK	PERFREMENT, EILEEN
O'SHEA, GABRIELLE	PARAKHEN, TYNE	PAUL, JOHN	PERKINS, JANE
OSLER, CAROL	PARCELL, PATRICIA	PAUL, LAVONNE	PERKINS, KATHERINE
OSMER, WILLIAM	PARCELLS, JULIE	PAULS, VIRGIL	PERKINS, LELA
OSOWSKI, MARYJO	PARDEE, NEAL	PAULSON, MELONY	PERKINS, MICHAEL
OSTEN, MIKAELA	PARDI, MARCO	PAULSON, MERVIN	PERL, RICHARD
OSTERHOUDT, DAVID	PARDI, MARCO	PAULSON, REBEKAH	PERLEE, GAIL
OSTFELD, NAOMI	PARENT, ELIZABETH	PAVCOVICH, MICHELLE	PERLMAN, JASON
OSTLER, THEO	PARENTE, DONNA	PAVLAK, ERIC	PERLMUTTER, MARTIN
OSTROW, HILARY	PARENTE, S	PAVLAK, ERIC	PERR, GRE
OSTROWSKI, MARY	PARHAR, PAWITER	PAWL, DANIELLA	PERRAS, BRANDON
OSTROWSKI, SHANNON	PARKER, HEATHER	PAWLOSKI, JUDI	PERRIEN, PAULETTE
OSTROY, THEA	PARKER, HEATHER	PAX, CHRISTINA	PERROTTA, DARLENE
OTT, GERI	PARKER, SARAH	PAXSON, E	PERRY, MARY
OTTEN, KAREN	PARKER, STEPHANIE	PAYNE, BERNADETTE	PERRY, STEVEN
OTTO, ELIZABETH	PARKER, TERRY	PAYNE, ELIZABETH	PERSON, BARBARA
OUELLETTE, MARCIA	PARKHURST, DAVID	PAYNE, GENEINE	PETER, JUDITH
OUNSWORTH,	PARKINS, APRIL	PAYNE, REX	PETERS, AMY
CHARLEEN	PARKINS, JANET	PEACHUM, JACK	PETERS, BARBARA
OURADNIK, LUKE	PARKS, ANYA	PEACOCK, KATHY	PETERS, BONNIE
OVERFELT, VICKI	PARKS, CRAIG	PEAKE, LORI	PETERS, BRITTANY
OVERFIELD, MARSHA	PARKS, DIANE	PEALER, RENATE	PETERS, CHARLES
OVERHOLT, DEBORAH	PARR, ALLISON	PEARLMAN, NANCY	PETERS, HEATHER
OVERTON, GLADYS	PARR, MICHELLE	PEARSON, ROXANNE	PETERS, HEATHER
OVIATT, STEPHEN	PARRA, DOLORES	PEARSON, SARAH	PETERS, KELLY
OWEN, LAWRENCE	PARSELL, SUE	PEARSON, TIA	PETERS, MICHELE
OWEN, LISA	PARSONS, JUDY	PEAVY, JERRY	PETERS, SARAH
OWENS, THERESA	PARSONS, MICHAEL	PECORE, RACHAEL	PETERS, SHERYL
OWNBEY, JOYCE	PARSONS, SUZANNE	PEDERSEN, HANNAH	PETERSEN, ALICE
OXMAN, SHAREN	PARSONSON, LINDA	PEDERSON, DONALD	PETERSEN, ROBERTA
P, RENA	PASCOE, SUSAN	PEDERSON,	PETERSON, ANNA
PACE, ROSEMARIE	PASKEWITZ, JOAN	MICHAELENE	PETERSON, ANNA
PACE-DUNCANSON,	PASKOWITZ, NANCY	PEDLER, STEPHANIE	PETERSON, BARBARA
BONNIE	PASSANTE, JOHN	PEDRO, LINDA	PETERSON, BARBARA

PETERSON, ERIC	PIERCE, STEPHANIE	POLSON, DONNA	PROFFITT, SUSAN
PETERSON, HOLLY	PIERRE, SYD	POLSTEIN, DAVID	PROFFITT, SUSAN
PETERSON, JOEL	PIERRE, SYD	PONISCIAK, JOSEPH	PROFIT, CAROL
PETERSON, KATHY	PIERRO, KATHRYN	POOLE, SUSY	PROSPERI, THOMAS
PETERSON, KIM	PIERRO-GREENE, KIM	POON, LESLIE	PROSTKO, LINDA
PETERSON, KYLE	PIERSON, CAROLYN	POPE, DIANA	PRUES, JIM
PETERSON, MARY	PIERSON, JILL	POPPI, KATHERINE	PRUITT, CAROLYN
PETERSON, MARY	PIERSON, JOHN	POPPE, GLEN	PRUSA, PATRICIA
PETERSON, TODD	PIERUCKI, GATHA	PORCELLI, MAUREEN	PRUSA, PATRICIA
PETERSON, TRACEY	PIGNATARO, EDWARD	PORCELLI, MAUREEN	PRYBYLSKI, JOHN
PETITT, DENIS	PIKALA, CHRISTINE	PORITZKY, ROBIN	PRYDE, SHARON
PETOSKEY, DORIS	PIKE, EVETTE	PORT, M	PRYHOROCKI, ROXANNE
PETRELLA, SAUNDRA	PIKOR, LOIS	PORTER, BARBARA	PSYK, CHRISTINE
PETRILLO, DIANE	PILKINTON, MARGARITA	PORTER, GARY	PUCHKOFF, ANNA
PETRONE, JIM	PINCKARD, CORY	PORTER, JOELLE	PUGLIESE, CELIA
PETTA, VINCENT	PINE, JOSLYN	PORTER, KEITH	PUGLIESE, CELIA
PETTIT, KIMBERLY	PINETTE, ALLISON	PORTER, KEVIN	PUGLISI, RICHARD
PETYERAK, STEVE	PINSKY, ELLEN	PORTER, SARA	PULSE, DIANE
PETZEL, CHERYL	PINSON, LUAN	PORTER, SHARON	PUMFREY, ROSS
PETZEL, CHERYL	PINTO, JULIANN	PORTER, SHARYN	PUNTASECCA, JUANITA
PETZEL, CHERYL	PINZON, JAVIER	PORTER, SUSAN	PURCELL, JEANNE
PEYTON, CONLEY	PIPAL, TOM	POSCH, ROBERT	PUSATERI, JENNIE
PEZROW, M	PIRE, PAT	POSNICK, MARILYN	PUSEL, JOYCE
PEZROW, M	PIRIE, CYNTHIA	POST, DIANE	PUTBRES, MICHAELA
PEZZICARA, AMY	PISANO, LISA	POTERASH, ADRIANA	PUTZ, MARILYN-FRED
PEZZILLO, DEBBIE	PISELLI, TONY	POTTER, KATHY	PYATT, SUSANNA
PFEIFER, NEZKA	PITNER, EMILY	POTTS, GAIL	PYLE, DAVID
PFEISTER, SHEILA	PITT, JON	POTTS, RICHARD	QUACKENBUSH, KAY
PFETTSCHER, SUSAN	PITTMAN, JEREMY	POTYONDY, MARION	QUERNER, KATHLEEN
PHALEN, JULIE	PIXLEY, ELIZABETH	POULSON, DOREEN	QUERZE, SUSAN
PHELPS, SHAWN	PLAISANCE, JEANNE	POULSON, JUDI	QUICK, JENNIFER
PHENIX, LISA	PLAMPIN, MICHELLE	POVILL, JON	QUIGLEY, GABRIELLE
PHILIPPS, CATHY	PLANCK, BETHANY	POW, KIM	QUILICHINI,
PHILLEO, DAVID	PLESSIS, MARTIN	POWELL, BAEDEN	MAGDALENA
PHILLIPS, BUSY	PLUCHINO, LISA	POWELL, M	QUILL, VIRGINIA
PHILLIPS, NANCY	PLUMB, SONJA	POWER, WANDA	QUILLEN, KAZUMI
PHILLIPS, NANCY	PLUMMER, DAVINA	POWERS, JANET	QUILLEN, KAZUMI
PHILLIPS, PATRICIA	PLUMMER, GEORGE	POWERS, LAURA	QUIMBY, MARY
PHILLIPS, TERESA	PODEWELL, ROGER	PRADA, FRANCESCA	QUINN, DANA
PHIPPS, JAMES	POGEL, G	PRAIRIE, ANNE	QUINN, HOLLY
PHOENIX, ANGELA	POIGNANT, ROBERT	PRASAD, UPENDRA	QUINONES, MAGALY
PIAGET, CLARE	POIRIER, JESS	PRELLWITZ, CARL	QUIRK, JOSEPH
PIASCIK, ELLEN	POKLEMB, JANE	PRESSLEY, JODY	R, KRIS
PICCA, MICHELLE	POKROPEK, CATHERINE	PRESTON, ELAINE	R, L
PICHEL, VANNA	POLENO, CAROL	PRESTON, THOMAS	R., WILLIAM
PICKENS, WALTER	POLIS, ROSE	PRETLOW, THERESA	RA, MANDIE
PICKER, SETH	POLISH, BRET	PRIAULX, YVONNE	RACE, OLIVIA
PICKERING, JENNIFER	POLITO, NANCY	PRICE, CHERI	RACETTE, MIKE
PICKETT, JENNIFER	POLL, KRISTINA	PRICE, HARRY	RACK, ROBERT
PICKETTS, SHERRA	POLLET, TRISTIN	PRICE, TERRI	RADABAUGH, CYNTHIA
PIECK, CATHARINE	POLLET, TRISTIN	PRIESTLEY, MEREDITH	RADDEN, RONALD
PIECK, CATHARINE	POLLEY, DANIEL	PRIGGINS, TAMMI	RADER, D.
PIECK, CATHARINE	POLLEY, DANIEL	PRINCE, ANDREA	RADER, PATTI
PIEKAREWICZ, BERTHA	POLLOCK, BROCK	PRINCE, JOSHUA	RADWANY, JULIA
PIELKE, JANET	POLLOCK, BROCK	PRINCE, NOELLE	RADZIETA, DENISE
PIERCE, CAILEIGH	POLLOCK, BRUCE	PRIOR, SUSAN	RAFFETTO, CHRISTINE
PIERCE, LYNN	POLOUS, JEAN	PROBASCO, ELAINE	RAHM, JULIA
PIERCE, SPENCE	POLSON, DONNA	PROENZA, ANTHONY	RAIBLE, ANNETTE

RAIN, SAPHIRA	REASER, EMILY	REYNOLDS, RONDA	RIVERA, SIERRA
RAINOSHEK, JEAN	REBACK, MARK	REZUTKO, PAT	RIVERS, MICHELLE
RAINOSHEK, JEAN	RECHT, KERRY	RHAZI, CAROLYN	RIZZI, TRICIA
RAINWATER, TERRY	RECINOS, GENEVIEVE	RHINE, JONATHAN	RN, BONITA
RAJAN,	RECINOS, GENEVIEVE	RHOADS, KIRK	RN, PHIL
KRISHNAMOHAN	REDDER, MANDY	RHODES, JANET	RO, KATZ
RAJARAM, VENKATA	REDENBAUGH, LINDA	RHODES, MARILYN	RO, NEIL
RAKOWSKI, NATALIE	REDISH, ELLEN	RICCARDI, STACEY	ROBBINS, ALISON
RALL, CAROL	REDMAN-FUREY,	RICCI, LAURA	ROBBINS, DAN
RAMAKER, JULIANNE	NANCY	RICCIARDI, ANTHONY	ROBBINS, PATIENCE
RAMBEL, ALAN	REED, JAMES	RICCOBENE, RACHAEL	ROBERTS, AMY
RAMBO-JONES, LYNN	REED, JUDITH	RICE, JILL	ROBERTS, ANNIE
RAMBOW, ROSEMARY	REED, JUDITH	RICE, JOHN	ROBERTS, BRUCE
RAMETTA, PATRICIA	REED, LIZ	RICE, JOHN	ROBERTS, CARLENE AND
RAMIREZ, JUDITH	REED, MICHAEL	RICE, MARY	CAM
RAMIREZ, MARY	REEL, BROOKE	RICHARD-AMATO,	ROBERTS, CARLYLE
RAMIREZ, MARY	REES, LES	PATRICIA	ROBERTS, HEATHER
RAMIREZ, MARY	REES, MELISSA	RICHARD-AMATO,	ROBERTS, HEATHER
RAMIREZ, MELINA	REESE, CATHLEEN	PATRICIA	ROBERTS, JIM
RAMOS, JUDITH	REESE, MYKEL	RICHARDS, GEOFFREY	ROBERTS, JIM
RAMOS, PATRICIA	REEVES, PEGGY	RICHARDSON, CAITLIN	ROBERTS, LES
RAMP, RUDY	REFSLAND, LUCIE	RICHARDSON, JAMES	ROBERTS, LINDA
RAMSEY, BRIAN	REHBERG, CINDY	RICHARDSON, TAMMY	ROBERTS, MERRILEE
RAMSEY, WALTER	REHFELDT, THOMAS	RICHARDSON, VALERIE	ROBERTS, MERRILEE
RANCATTI, JAN	REHM, PATRICIA	RICHIE, LAUREN	ROBERTS, MICHA
RANCATTI, JAN	REHN, DEBRA	RICKUS, JOHN	ROBERTS, MICHAEL
RANDA, JEFFREY	REIBMAN, PHILIP	RICKUS, JOHN	ROBERTS, PAUL
RANDALL, DORENE	REID, RUTH	RICHMOND, TERRI	ROBERTS, PAUL
RANDAZZO, PATRICIA	REILLY, THOMAS	RICHTER, RON	ROBERTS, TOM
RANGEL, GENA	REILLY, VINCENT	RIDGE, JEFFREY	ROBIE, CHRIS
RANSBERGER, VIRGIE	REINDERS, STEVE	RIDGEWAY, WILLIAM	ROBINSON, BOB
RANSBERGER, VIRGIE	REIS, JOURDAN	RIDGWAY, JOHN	ROBINSON, BOB
RANTALA, MACAILA	REISLAND, MELISSA	RIECKERMANN,	ROBINSON, BOB
RAO, AVANEESH	REISSMAN, DEBORAH	ELIZABETHE	ROBINSON, CHARLES
RAPER, CONNIE	REITER, DENNY	RIECKMANN, DAVID	ROBINSON, DENNIS
RAPOSO, CESAR	REJEBIAN, SONA	RIER, JENNIFER	ROBINSON, MALLORY
RAPP, KEVIN	REMILIEN, SANDRA	RIES, JULIE	ROBINSON, MARY
RASCHKE, GREG	REMMICH, MARGARET	RIGHT, JESSICA	ROBINSON, MEGAN
RASMUSSEN, SELENE	REMOLD, HEINZ	RIINA, BETHANN	ROBINSON, NANCY
RATLIFF, JOE	RENAUD, DONNA	RILEY, RUSSELL	ROBINSON, ROBBY
RATNER, JOSHUA	RENCH, KELLY	RIM, ALICE	ROBINSON, W.
RAUGHT, LISLE	RENNELS, DANIEL	RINEHART, KENNETH	ROBISON, CHERYL
RAUGHT, LISLE	RENWICK, BETH	RINGLER, TAMSIE	ROBISON, ISABEL
RAUSCHER, BRUCE	RESNICK, DOROTHY	RINKER, ROBERT	ROBISON, ISABEL
RAUSCHER, JANET	RESNICK, HARRIETTE	RIORDAN, ANNE	ROBISON, JILL
RAWLINGS, PETER	REVORD, MICHAEL	RIPARETTI-STEPHEN,	ROBY, CANDIS
RAY, DOUGLAS	REX, ELI	MELISSA	ROC, WES
RAY, DOUGLAS	REXFORD, MARY	RIPP, RUDOLPH	ROCCO, CHUCK
RAY, JOHN	REYNA, SUSAN	RIPPBERGER, ADA	ROCCO, EVELYN
RAY, LISSA	REYNOLDS, AINSLEY	RIPPBERGER, ADA	ROCHA, ANGIE
RAYMOND, CATHERINE	REYNOLDS, CAROL	RIPPE, SUSAN	ROCHA, CANDACE
REA, CYNTHIA	REYNOLDS, JESSICA	RIPPLINGER, HEATHER	ROCHA, CANDACE
READ, JON	REYNOLDS, KEN	RISBERG, JILLIAN	ROCHE, DIANE
READANCE, LISA	REYNOLDS, KEVIN	RIST, CAROL	ROCHESTER, INGRID
REAL, AMANDA	REYNOLDS, LISA-MAY	RISVOLD, CINDY	ROCK, BARBARA
REAM, LYNDA	REYNOLDS, LISA-MAY	RIVERA, CHRIS	ROCKEY, RACQUEL
REAM, SARA	REYNOLDS, LLOYD	RIVERA, JAVIER	ROCKLIN, DOROTHY
REAMOINN, LAOISE	REYNOLDS, MARC	RIVERA, JAVIER	ROCKS, BRENT

ROCKWELL, BRUCE	ROSE, ELANA	ROWELL, RON	RYAN, GERALD
ROCKWELL, CHERYL	ROSE, EMILY	ROWLAND, DEANNE	RYAN, GERALD
ROCQUEFRANK, JOLEEN	ROSE, JEANNE	ROWLAND, DEANNE	RYAN, GERALD
RODAR, JODI	ROSE, JEANNE	ROWLSON-HALL, ELLEN	RYAN, JUANLTA
RODDICK, MELINDA	ROSE, KELLY	ROY, GARY	RYAN, MARY
RODENBECK, RICHARD	ROSE, MARY	ROY, KAREN	RYAN, MEGAN
RODERER, SARA	ROSE, SIERRAH	ROYCE, MIKKI	RYCERZ, IA
RODGERS, ALLAN	ROSE, TOOCHIS	ROYCE, MIKKI	RYDER, JUDY
RODRIGUES, SHARON	ROSE, TOOCHIS	ROYER, SHARON	RYLAND, BRAXTON
RODRIGUEZ, ANA	ROSEMAN, ARO	ROYSTON, NICHOLE	S, ADI
RODRIGUEZ, JEAN	ROSEN, DAVID	ROZENBERG, JENIFER	S, ANJU
RODRIGUEZ, MONICA	ROSEN, KEN	RSM, SISTER	S, G
RODRIGUEZ, PATRICIA	ROSENBAUM, PHYLLIS	RUBERG, LIONEL	S, SABRINA
RODRIGUEZ, RAUL	ROSENBERG, SHEILA	RUBIN, ALLAN	S, STEVE
RODRIGUEZ, SUSAN	ROSENBLATT, JOEL	RUBIN, DAVID	S., LOIS
RODRIGUEZ, THERESA	ROSENBLUM, LYNN	RUBINO, KAREN	S.C., TERRY
ROEDER, DUSTIENE	ROSENFELD, DAVID	RUBINOW, STUART	SABATELLA, STEVEN
ROEHRIG, JO	ROSENFELD, LYNNE	RUBY, ALESIA	SABBARA, SERENA
ROELOF, JAY	ROSENKOTTER,	RUBY, CONSTANCE	SABOL, MARGARET
ROGERS, APRIL	BARBARA	RUCKMAN, HEATHER	SACCONI, DENISE
ROGERS, BARBARA	ROSMANN, DANIEL	RUDD, HELENA	SACHTER, JUDY
ROGERS, DAVID	ROSNER, KEVIN	RUDIN, HEATHER	SACKETT, JILLAN
ROGERS, KELLY	ROSS, ELLEN	RUDOLPH, JUDITH	SACKS, ARTHUR
ROGERS, MARGARET	ROSS, JANICE	RUDOLPH, MONICA	SACKS, J.B.
ROGERS, PEGGY	ROSS, ROSEMARY	RUDY, TIM	SADBERRY, KIMBERLY
ROGOFF, KATHLEEN	ROSS, STEVEN	RUE, ELIZABETH	SADEGHI, AFSHIN
ROHL, STEPHEN	ROSSETTI, PAMELA	RUES, ALICIA	SAFDIE, ELLIOT
ROLFES, KEVIN	ROSSI, BETTINA	RUGGIERO, LENORE	SAFER, DANIEL
ROLLINS, DEBRA	ROSSI, JOHN	RUIZ, ALEJANDRO	SAGE, DANIEL
ROLLINS, JESSICA	ROSSI, PATRICIA	RUIZ, JENNIFER	SAGER, BARB
ROLLINS, SUSAN	ROSSI, STACY	RUKIN, BONNIE	SAGER, TAMMY
ROLLINS, SUSAN	ROSSO, SARAH	RULE, JULIANN	SAGESER, BARBARA
ROLSTON, PATRICIA	ROTH, DAVID	RULLMANN, GALE	SAID, PETER
ROMANOWSKI, AMY	ROTH, MICHAEL	RUMPEL, SANDRA	SAIGN, GEOFFREY
ROMANOWSKI,	ROTH, SYLVIA	RUPP, ERIN	SAINI, ARUN
CHRISTOPHER	ROTHAUSER, S	RUPPEL, CHRISTIE	SAJA, JEAN
ROMERO, F.	ROTHCHILD, ERIC	RUSECKI, DAN	SALAMA, KAREN
ROMERO, VALERIE	ROTHER, ANN	RUSK, DANIEL	SALAMON, MARK
ROMERO, VERONICA	ROTHSTEIN, RICHARD	RUSS, SUE	SALAMON, MARK
ROMITO, ALEXANDRA	ROUB, TANYA	RUSSELL, JACK	SALAPATEK, EWA
ROMO, ROLAND	ROUB, TANYA	RUSSELL, MARY	SALAZAR, ALICIA
ROMONDO, DARCY	ROUCH, EMILY	RUSSELL, MONIQUE	SALAZAR, FRANCISCO
RONALD, RASCH	ROUNDS-ATKINSON,	RUSSO, LINDA	SALAZAR, WOLFGANG
ROONEY, FELICIA	VALERIE	RUSSO, PAUL	SALERNO, BAILEY
ROOS, REBECCA	ROUSEY, NEVADA	RUSSO, PAUL	SALGADO, DALIA
ROOT, ANNIE	ROUSSE, VALERIE	RUSSO, SUSAN	SALGADO, DALIA
ROOT, EDITH	ROVE, FRANCES	RUST, TRUDI	SALONE, MARGO
ROPICKI, JAMES	ROVINE, RACHEL	RUSTAD, JANIS	SALT, MAX
ROPKE, MELISSA	ROVNYAK, BRETT	RUSTERHOLZ, PAULA	SALTER, ANDREW
ROSA, KRISIA	ROWE, GARY	RUTKOWSKI, EDWARD	SALTER, ANDREW
ROSA, KRISIA	ROWE, IRENE	RUTKOWSKI, ROBERT	SALTER, ANDREW
ROSADO, VICTORIA	ROWE, LAURIE	RUTSCH, TOM	SALTSMAN, RICHARD
ROSALES, CHARI	ROWE, LINDA	RUTTENBURG, NANCY	SALUTRIC, MICHAEL
ROSALES, KATHREN	ROWE, LINDA	RYAN, ADA	SAMOY, JUSTIN REY
ROSARIO, CHRISTOPHER	ROWE, LORRAINE	RYAN, CAROLYN	SAMPOGNARO, KATHY
ROSARIO, CHRISTOPHER	ROWE, SARAH	RYAN, DIANE	SAMSON, DEB
ROSAS, HARRIET	ROWELL, JOHN	RYAN, EMMET	SAMUELS, STAN
ROSE, CAROL	ROWELL, JOHN	RYAN, ERICA	SANBORN, BRIA

SANCHEZ, ERIC	SCARIM, NICK	SCHNEIDER, DANIELLE	SEATON, CHRIS
SANCHEZ, ERIC	SCARRY, PATRICK	SCHNEIDER, GEORGE	SEAVER, CAROL
SANCHEZ, PATRICIA	SCENA, MARIAN	SCHNEIDER, MICHELLE	SECADA, YASMIN
SANDEE, ALAN	SCERBO, TONY	SCHNEIDER, THEODORE	SECORD, LAURA
SANDEEN, MIMI	SCHACHT, TIMOTHY	SCHNEIDERS, BARB	SEDALL, SABINE
SANDERS, CHRIS	SCHADE, CINDY	SCHNEIDERS, BARB	SEDON, DOUGLAS
SANDERS, GLENN	SCHADE, COREY	SCHNELLER, DOUGLAS	SEERY, ELIZABETH
SANDERS, GRACE	SCHADE, COREY	SCHNITZLER, BRITTANY	SEGEL, LENNY
SANDERS, KATHLEEN	SCHAETTLE, PETER	SCHOCK, THOMAS	SEGER, KIMBERLY
SANDERS, LAURA	SCHAFFER, DOUG	SCHOELKOPF,	SEGURA, TONY
SANDERSON, MICHELE	SCHAIRER, JANET	KATHERINE	SEIDENSTRICKER,
SANDERSON, MICHELE	SCHALEBEN, WILL	SCHOENBACHLER, LISA	RICHARD
SANDHU, MILAN	SCHALK, TRACY	SCHOLL-NIELSEN,	SELBY, LISA
SANDOVAL, ALEXA	SCHANK, ROBERT	INGEBORG	SELDIN, FRAN
SANDOVAL, KANE	SCHARF, JOEL	SCHOLNICK, DANIEL	SELDIN, FRAN
SANDUSKY, HANNAH	SCHASER, KAY	SCHOLTEN, SHARON	SELEY, MM
SANETRA, LISA	SCHAUER, RICHARD	SCHONBERGER, ERIC	SELIG, MARGIE
SANFORD, EMILY	SCHECHTER, ARIELLE	SCHRADER, TOM	SELIG, RENATA
SANFORD, JULIE	SHECK, NANCY	SCHREIBER, DAVID	SELL, ANGELA
SANHUBER, DALE	SCHEELS, ROLLAND	SCHREIER, SAUL	SELLERGREN, JOAN
SANTANIELLO, A.E.	SCHER, STEVEN	SCHREIER, SAUL	SELLERS, PHILLIP
SANTIAGO, WAIDALEE	SCHAINER, BRITTANY	SCHRIEBMAN, JUDY	SELLON, LOUISE
SANTISTEVAN, CERA	SHELL, CHARLOTTE	SCHROEDER, BRIANA	SELLON, LOUISE
SANTOS, FAYE	SHELLHORN, CAROLIN	SCHROEDER, MARY	SELTZ, PATTI
SANTY, MICHELLE	SCHERPENISSE, CAROL	SCHROPP, JOANN	SELZ, KATHLEEN
SARABIA, MICHAEL	SCHIAVONE, AMBER	SCHUETH, STEVE	SEMON, TIM
SARAVANJA, NATASHA	SCHILDER, ELEANOR	SCHUETH, STEVE	SENA, MARY
SARGENT, LAURIE	SCHILDWACHTER, JOAN	SCHUG, ADAM	SENDER, STUART
SARNACKI, MARK	SCHILDWACHTER, JOAN	SCHUG, JIM	SENEFF, CAROL
SARPOLIS, KATHY	SCHILL, CHARLES	SCHULMAN, SUSAN	SENTI, KATHERINE
SASAKI, JANET	SCHIMPF, RON	SCHULTE, CLAUDIA	SEPIELLI, RON
SASLOW, RONDI	SCHLACTER, JUD	SCHULTE, ROLF	SEGIENKO, PETER
SASS, SHERRY	SCHLAFF, HEATHER	SCHULTZ, ANNELIESE	SERIN, JOEL
SATTAR, ERUM	SCHLAM, STEVEN	SCHULTZ, ANNELIESE	SEROTINI, CAMILLE
SAUK, PAUL	SCHLESINGER, SYBIL	SCHULTZ, CINDY	SERVAIS-FORD, NANCY
SAUL, C	SCHLIESMANN, JULIE	SCHULTZ, DREW	SETARO, MICHELLE
SAULSBURY, CAROL	SCHLOSS-BIRKHOLZ,	SCHULTZ, LESLEY	SETARO, MICHELLE
SAUNDERS, BRITTON	GISELA	SCHULTZ, REBECCA	SEVERINO, SUSAN
SAUNDERS, KELLY	SCHLUEDERBERG,	SCHULTZ, REBECCA	SEVERO, ANTHONY
SAUNDERS, MICHAEL	SUSAN	SCHULTZE, PATTI	SEVERS, LAUREN
SAUNDERS, R	SCHLUEDERBERG,	SCHULZ, ELLEN	SEWALD, MICHELLE
SAUNDERSON,	SUSAN	SCHUMACHER, AMY	SEWRIGHT, KATHLEEN
JENNIFER	SCHLUTER, MARILYN	SCHUSTER, CALEB	SEXTON, RICHARD
SAUTER, JOHNNY	SCHMAUS, MICHAEL	SCHUTTERA, STEPHANIE	SHADLEY, JENNIFER
SAVAGE, EDWARD	SCHMIDT, GREGORY	SCHWAB, VICKI	SHAFFER, ANN
SAVAGE, MICHAEL	SCHMIDT, JOSEPH	SCHWALL, NANCY	SHAFFER, NICOLE
SAWDON, ROSEMARIE	SCHMIDT, KAREN	SCHWANZ, BILL	SHAFFER-O'CONNELL,
SAX, PAT	SCHMIDT, SUSAN	SCHWARTZ, BRANDON	MELISSA
SAXON, DIANA	SCHMIDTLEIN-	SCHWARTZMAN, HENRY	SHAFNACKER, L
SAYER, STANLEY	SPARLING, JANET	SCHWARZ, MIKE	SHAFTO, CAROLYN
SAYERS, LOIS	SCHMITT, LANA	SCHWENDEMAN, J.	SHAMROCK, STEVEN
SAYERS, LOIS	SCHMITT, TIM	SCOTT, BARBIE	SHAN, KORINNA
SAYERS, MEREDITH	SCHMITT, WALTER	SCOTT, MARY	SHAND, BONNIE
SCADINA, AMANDA	SCHMITTAUER, JOHN	SCOTT, RACHEL	SHANKEL, GEORGIA
SCAHILL, THOMAS	SCHMUKI, RANDY	SCOTT, SAM	SHANKEL, GEORGIA
SCALLON, KEN	SCHNABEL, ERIK	SEABROOK, CECILIA	SHAPIRO, ANDREA
SCANZILLO, FRANK	SCHNEEWIND, JON	SEAMAN, THOMAS	SHAPUTNIC, SKIP
SCARBOROUGH, ANN	SCHNEIDER, DAN	SEAPY, ROGER	SHARIFF, MAHA

SHARP, KATHRYN	SHORT, CAROL	SIVAN, VIDYA	SMITH, DIANA
SHARPE, CHARLES	SHORT, KIMBERLY	SIVAN, VIDYA	SMITH, DONNA
SHASKAN, GEOFFREY	SHORTLE, TRACY	SIVAN, VIDYA	SMITH, DONNA
SHATTUCK, LOIS	SHOWELL, SADA	SIVERTSEN, PAM	SMITH, DONNA
SHAUM, ADA	SHRODER, STEVEN	SIVESIND, TORUNN	SMITH, GIBSON
SHAW, DIANE	SHU, NANCY	SIZEMORE, D	SMITH, HELEN
SHAW, DONALD	SHUCKER, NATE	SIZER, EVELYN	SMITH, JEANNIE
SHAW, JESSE	SHUSTER, ELAINE	SKAL, STEVEN	SMITH, JENNIFER
SHAW, JIMMY	SHUTAY, JEANETTE	SKAL, STEVEN	SMITH, JENNIFER
SHAW, JOE	SHWERY, BONNIE	SKALIC, DITA	SMITH, JUDITH
SHAY, SYLVIA	SIAGKRIS, NINA	SKANDIS, CYNTHIA	SMITH, JULIE
SHAYA, REE	SIBLEY, CAROL	SKANTZE, VANESSA	SMITH, JUSTIN
SHAYNE, AL	SICAM, ROBERTO	SKEEL, LYNNE	SMITH, KATHERINE
SHEA, BRENDA	SID, A	SKETO, STEVE	SMITH, KENT
SHEAHAN, MAUREEN	SIEBER, DARCY	SKEWS, GEOFF	SMITH, LIANA
SHEETS, GABRIEL	SIECK, JOANN	SKIDMORE, MARION	SMITH, LORI
SHEETS, GABRIEL	SIEGEL, CHRISTA	SKILL, JACQUI	SMITH, MARGARET
SHEETS, SARAH	SIEGEL, SHEILA	SKIRBUNT-KOZABO,	SMITH, MARJORIE
SHEFT, CHRIS	SIENS, SUSAN	WILLIAM	SMITH, MARSHA
SHEIDLER, MICHAEL	SIEVERT, GUNNAR	SKIRBUNT-KOZABO,	SMITH, MARY
SHEIKH, CYNTHIA	SIEVERT, GUNNAR	WILLIAM	SMITH, MARY
SHELBY, BC	SIFTAR, ANNA	SKOKOWSKI, BARBARA	SMITH, MEGAN
SHELTON, DONNA	SILENO, MICHAEL	SKONBERG, LINDA	SMITH, MICHAEL
SHEPARD, PHILIP	SILLIMAN, SYLVIA	SKOP, DEBORAH	SMITH, MICHELE
SHEPARD, RICHARD	SILLO, DEBORAH	SKORHEIM, LINDA	SMITH, NATALIE
SHEPHERD, YOLANY	SILLS, CAROL	SKOW, MARTHA	SMITH, NEIL
SHER, DENA	SILVA, MELISSA	SKOWRON, KACPER	SMITH, PATRICIA
SHER, SHIRLEY	SILVER, GENIE	SKUP, PAUL	SMITH, PAUL
SHERBINA, SALLY	SILVER, RONALD	SKURKA, MAXINE	SMITH, PAUL
SHERIDAN, SHANE	SILVER, RONALD	SLATER, CALEB	SMITH, PRISCILLA
SHERIN, MIMI	SILVERMAN, MARC	SLATER, MAREN	SMITH, RONALD
SHERIN, MIMI	SILVERMAN, MARC	SLAYMAKER, SARA	SMITH, RONALD
SHERLOCK, DONNA	SILVERSTEIN, SASHA	SLEDD, SAMUEL	SMITH, ROSS
SHERMAN, BENNA	SILVERWOOD, GEORGE	SLEVA, CATHY	SMITH, SAGEN
SHERMAN, JENNIFER	SILVEY, CHRISTINE	SLOAN, WILL	SMITH, SHELLEY
SHERMAN, MARCIA	SIM, BARBARA	SLOCUM, JILL	SMITH, STEVEN
SHERMAN, MAURICE	SIMAS, KAREN	SLONAKER, LYNN	SMITH, SUSIE
SHERRER, KAYAN	SIMMONS, DENISE	SLOPER, JANELLE	SMITHFIELD, ROBERT
SHERSHUN, ERIKA	SIMMONS, JOHN	SLOWIK, DONNA	SMOCK, AMANDA
SHERWOOD, AMY	SIMMONS, JOYCE	SLUSAW, PENNY	SMYTH, LINDA
SHEWMON, KENNETH	SIMMONS, LORAIN	SLUSER, RON	SNAPP, SETH
SHIDLAUSKI, TAMARA	SIMON, GEORGE	SMALL, ADAM	SNAVELY, MARIE
SHIELD, KAT	SIMONDS, CLARE	SMALLWOOD, HOLLY	SNAVELY, MARIE
SHIELDS, JANICE	SIMONS, MICHAEL	SMALLWOOD-BELTRAN,	SNELL, LUISE
SHIFFRIN, JOYCE	SIMPSON, MARTI	SANDRA	SNELL, MAEGAN
SHINKLE, ADALINE	SIMS, ANNA	SMARR, JANET	SNELL, MAEGAN
SHIPLEY, PATTY	SINCLAIR, MELANIE	SMATHERS, LINDA	SNIDER, EZRA
SHIPPEE, BOB	SINGER, LINDA	SMEREGLIA, STEVEN	SNIDER, JORDAN
SHIRK, ARIEL	SINGH, OMAH	SMILEY, JOY	SNYDER, ANDREA
SHIRLEY, ANNA	SINGLEY, BRUCE	SMITH, ALLISON	SNYDER, BRAD
SHIRLEY, DAVE	SINGWI, VEENA	SMITH, AUSTIN	SNYDER, CATHERINE
SHIVAR, JEFFREY	SIPOS, STEVE	SMITH, BARB	SNYDER, CHERYL
SHIVELY, BARBARA	SIPRESS, MATTHEW	SMITH, BRADLEY	SNYDER, DAN
SHOALS, TIM	SIQUEIRA, LUIZ	SMITH, BRET	SNYDER, KATHLEEN
SHOBER, ELIZABETH	SIRANKO, KELLY	SMITH, CHRISTOPHER	SOBANSKI, SANDRA
SHOKA, BALELE	SIRULL, RICHARD	SMITH, DAVID	SOBANSKI, SANDY
SHOLTZ, LAURA	SITNICK, JOAN	SMITH, DEBRA	SOBANSKI, SANDY
SHORE, GWEN	SITOMER, JOAN	SMITH, DERRICK	SOBEL, ALLA

SOCKNESS, JAN	SPENCER, ALEX	STATLAND, JOYCE	STIMPSON, LISA
SODERBERG, LORI	SPENCER, BAILEY	STATLAND, JOYCE	STIMPSON, LISA
SOENKSEN, MARK	SPENCER, COREE	STAUB, SYLVIA	STIMSON,
SOHAN, PAM	SPENCER, JANICE	STAUGAS, JANICE	CHRISTOPHER
SOHL, ERICA	SPENCER, JULIE	STAVELY, JARY	STINSON, DOUGLAS
SOKOLOV, VLADIMIR	SPENCER, M.	STAWINOGA, GREG	STISCHOK, SHERRY
SOLA, ANA	SPENCER, TERRY	STAWINOGA, GREG	STITT, GRACE
SOLANKI, LORI	SPENCER, VALERIE	STCLAIR, RON	STOAKES, MIKE
SOLANO, RONALD	SPENDELOW, JEFFREY	STEELE, BILLY	STOAKES, MIKE
SOLEILLE, JEANNE	SPENGLER, JULIE	STEELE, ERIC	STOBRAVA, ANKE
SOLETZKY, ROBIN	SPERLING, DELLA	STEELE, JAN	STODT, ELIZABETH
SOLIS, SERGIO	SPESICK, ANNE	STEELE, KAREN	STOFF, LAURIE
SOLOMON, CHAR	SPEVAK, EDWARD	STEEN, LARRY	STOICK, MYRON
SOLOMON, JULIE	SPINKS, JOYCE	STEGER, KAREN	STOKER, EUGENIA
SOLOWAY, AMY	SPIRES, BOB	STEICHEN, DALE	STOKER, WESLEY
SOLTANI, ALIREZA	SPITZER, MARY	STEIN, ELLEN	STOLFI, JACKIE
SOLTIS, VICKI	SPOEHR, ERIN	STEINBERG, KARL	STOLLEY, LOREN
SOLUM, STACEY	SPOHN, PAUL	STEINER, NEAL	STOLPER, HARRIET
SOLY, KRISTINE	SPOON, LESLIE	STEININGER, LORENZ	STOLTZ, LESLIE
SOMERVILLE, LISA	SPRADLIN, KAREN	STEINKE, KRIS	STOLTZE, RICHARD
SOMMA, BARBARA	SPRAGUE, EDWARD	STEINMAYER, LILLIAN	STONE, H.
SOMMERFIELD,	SPRAY, ERIC	STEITZ, JIM	STONE, JAN
KATHARINE	SPRINGER, CYNTHIA	STEKLER, BETH	STONE, MARY
SONIN, JOHN	SPRINGER, KAREN	STELL, KATHERINE	STONE, PETER
SOOTHILL, KRISTEN	SPRUNG, MICHAEL	STELTER, JOAN	STONE, PETER
SOPHER, TERESA	SPRUNK, GARY	STENGER, EMLYN	STONE, SAM
SORBER, PETER	SPRY, RICHARD	STEPHANIE, DONALD	STONE, WILLIAM
SORENSEN, LENORE	ST.VINCENT, NICHOLAS	STEPHENS, KV	STONE, WILLIAM
SORIN, RACHEL	STACEY, LINDA	STEPHENS, NATALIE	STONEMAN, JANET
SORRELL, JOANN	STAFF, GEORGE	STEPHENS, RHYS	STONER, JAMES
SOSA, GABRIELA	STAFF, GEORGE	STEPHENS, TY	STOPA, MARTHA
SOUSA, VERONICA	STAFFORD, DIANA	STERN, RENEE	STOUT, BARBARA
SOUTHWARD, ROGER	STAGI, KATHLEEN	STERN, ROBERTA	STOUT, BENJAMIN
SOUTHWORTH,	STAHL, KURT	STERN, WILLIAM	STOUT, CAMILLE
KATHERINE	STAHL, MELISSA	STERTZ, ANGELA	STOUT, LINDA
SOUTHWORTH, TODD	STAHL, MELISSA	STETLER, DAVID	STOVER, DEE
SOUZA, MIKE	STAIR, SUSAN	STEVENS, CANDY	STOWELL, MICHAEL
SPAANS, DAVID	STAKUN, JUNE	STEVENS, LAURIE	STRAILEY, FAITH
SPADACCINI, ROSE	STALEY, WILLIAM	STEVENS, MARTHA	STRANCH, GRACE
SPADACCINI, ROSE	STALSWORTH, WAYNE	STEVENS, PAT	STRAND, LISA
SPAETH, JANE	STAMM, JOANNE	STEVENS, SUMMER	STRATTEN, ANN
SPAGNOLA, DEBRA	STANBOROUGH,	STEWART, EMILY	STRAUBINGER,
SPAIN, SHERI	JEANNE	STEWART, JACKIE	ANNETTE
SPANGLER, MELISSA	STANGA, LESLIE	STEWART, JOHN	STRAUS, LIZ
SPANN, BRIDGET	STANISTREET, CEDAR	STEWART, KENNETH	STRECKER, CYNTHIA
SPARKS, DONITA	STANLEY, EDH	STEWART, LAURA	STREET, MEGAN
SPARKS, DONITA	STANLEY, JENNY	STEWART, LINDA	STREET, MEGAN
SPARLIN, SHAUNA	STANLEY, MELISSA	STEWART, NANCY	STREIM, ILYSE
SPAULDING, D	STANSBURY, KAREN	STEWART, PATRICIA	STRICKER, MICHAEL
SPAULDING, NANCY	STANTON, MARY	STEWART, ROBERT	STRICKLAND, JIM
SPAYD, MARSHA	STANTON, ROBIN	STEWART, SARAH	STRICKLAND, TRACY
SPEAGLE, PAMELA	STAPLES, MARY	STEWART, SUSAN	STRINGER, KARI
SPEAR, CHRISTY	STAPLES, WILLIAM	STICKNEY, BEN	STRODTMAN, JUSTIN
SPEAR, CHRISTY	STARGROVE, MITCH	STICKNEY, KAREN	STROEX-CARR, SONNY
SPEARS, BAILEY	STARK, ROBERT	STIELSTRA, GAIL	STROMBERG, TERRI
SPEECE, TIM	STARK, STACIE	STIELSTRA, GAIL	STRONG, KENNY
SPENCE, DEETTE	STARR, AVERY	STIFF, GINA	STROUD, KATRINA
SPENCE, KATHY	STARR, PAMELA	STIMAC, NANCY	

STRUCKHOFF, MATTHEW	SUTERA, MICHAEL	TALLMAN, EM	TERHUNE, GREGORY
STRYHANYN, SARAH	SUTHERS, HANNAH	TALMI, DAN	TERHUNE, GREGORY
STUART, ANNIE	SUTTER, PAUL	TAMANO, AKIKO	TERLETZKY, DOREEN
STUART, HOLLY	SUTTON, ANNIE	TAMARGO, JORGE	TERRAZINO, KATE
STUART, MICHAEL	SUTTON, KATHERINE	TAMJIDI, FARNAZ	TERRY, CHERYL
STUART, SIGNE	SUTTON, RICK	TANGORRA, KARI	TERRY, KRISTY
STUART, SIGNE	SUWARA, MOLLY	TANN, ROSEMARY	TESSON, OWEN
STUART, SIGNE	SVENNING, MARY	TANNENBAUM, ABRAM	TESTAGUZZA, MARLENE
STUBER, DOROTHEE	SVENSON, LARK	TANTALA, RENEE	TESTIN, JULIE
STUCKWISCH, MARJORIE	SVENSON, LARK	TANYA, OAKS-BROOKS	TETONI, CHARLES
STUCKWISCH, MARJORIE	SVOBODA, SUSAN	TAO, AMY	TETTELBACH, STEPHEN
STUDT, TIMOTHY	SWABB, MOLLY	TARAS, MARC	TETTELBACH, STEPHEN
STUEHLER, HELEN	SWAIN, DEBRA	TARATULA, ALEC	THAI, STEVEN
STUKESBARY, CHRIS	SWAIN, RICHARD	TAROLLI, ML	THALER, GARY
STUMPF, BECCA	SWAN, ALICE	TARVER, LETITIA	THATCHER, AILEEN
STUMPF, TOM	SWAN, LINDSEY	TARVER, LETITIA	THE, ANGEL
STURM, SANDY	SWANK, CARRIE	TASH, DEBORAH	THEIS, ELLEN
STUTTS, BENJAMIN	SWANSON, J	TASTO, HENRY	THELANDER, MARGO
SUAREZ, JOE	SWARTZ, DEBORAH	TATE, CONNIE	THEOBALD, GERALDINE
SUAREZ, MELISSA	SWEATT, ROSEMARY	TAUCHMAN, LUANN	THIBODEAU, LISA
SUAREZ, MORAIMA	SWEATT, ROSEMARY	TAUDVIN, REBECCA	THIEL, MARY
SUCHOMIEL, MICHAEL	SWEENEY, DODIE	TAYLOR, ARLINE	THIEL, MARY
SUCKLAL, SIRINA	SWEENEY, DUSTIN	TAYLOR, BRENDA	THIGPEN, CHRIS
SUGARMAN, KATHY	SWEENEY, WILLIAM	TAYLOR, CAROLYN	THOLL, JONATHAN
SUGEIR, SHIHAB	SWEET, CHRISTINE	TAYLOR, DEBORAH	THOMAS, EARL
SUGERMAN, GABE	SWEETLAND, DAISY	TAYLOR, DONALD	THOMAS, GWEN
SUGNET, KENT	SWENSON, ANNIKA	TAYLOR, GUY	THOMAS, KEVIN
SUHICH, SARAH	SWENSON, INGRID	TAYLOR, KARLA	THOMAS, MICHELE
SUHICH, SARAH	SWENSON, INGRID	TAYLOR, LESLIE	THOMAS, PEGGY
SULKOSKE, JOANNE	SWENSON, JAMES	TAYLOR, MARK	THOMAS, RANDY
SULLIVAN, BRIAN	SWENSON, LAURIE	TAYLOR, MATTHEW	THOMAS, SHAKAYLA
SULLIVAN, CATHERINE	SWEPPENHEISER, TODD	TAYLOR, MERIDETH	THOMAS, SHAKAYLA
SULLIVAN, DIANE	SWERSEY, MARY	TAYLOR, ROBERT	THOMAS, TINA
SULLIVAN, DIANNE	SWIECICKI, ATAVA	TAYLOR, STEPHEN	THOMASON, CHERYL
SULLIVAN, EDWARD	SWIHART, JANET	TAYLOR, STEPHEN	THOMASON, CHERYL
SULLIVAN, ERIC	SWYGARD, DONALD	TAYLOR, THOMAS	THOMASON, REBECCA
SULLIVAN, JAMELLA	SYFU, BEN	TEAK, SANDY	THOMPSON, ALICIA
SULLIVAN, JAMES	SYKES, EDWARD	TEDESCO, TERRY	THOMPSON, BETSY
SULLIVAN, MARY	SYLVAN, SUSAN	TEDESCO, TERRY	THOMPSON, BRENDA
SULLIVAN, MARYANN	SYLVIA, MEAGAN	TEED, CORNELIA	THOMPSON, BRENT
SULLIVAN, MAUREEN	SYMEONOGLOU, RHEBA	TEEGARDIN, SUSAN	THOMPSON, DAVID
SULLIVAN, TERRY	SYMINGTON, JAMES	TEEL, SCOTT	THOMPSON, DAVID
SULLIVAN, THOMAS	SYRE, PETER	TEEPELL, SANDRA	THOMPSON, DON
SUMMERS, ISAAC	SYRE, PETER	TEEVAN, JOHN	THOMPSON, DOUG
SUMMERS, JESS	SZAMBELAK, SUE	TEFFER, JENNIFER	THOMPSON, JOHN
SUMMERS, PAULA	SZCZESNIAK, DENNIS	TEICHER, LAUREN	THOMPSON, JOHN
SUMPTER, MARTI	SZECH, VICKI	TEITELBAUM, JULIA	THOMPSON, JOHN
SUMRALL, AMBER	SZECSEI, MEGHAN	TELFAIR, RAY	THOMPSON, JOHN
SUNDSTROM, PENNY	SZETELA, DANIEL	TELFAIR, RAY	THOMPSON, JOHN
SUNSHINE, WENDY	SZUMLAS, NICK	TEMPLE, DEBRA	THOMPSON, JOHN
SUPER, CAROL	SZYMANOWSKI, PAUL	TEMPLE, EDWARD	THOMPSON, JOHN
SUPER, JANET	TAFURI, PETER	TEMPLETON, BONNIE	THOMPSON, JOHN
SURPRENANT, BETTY	TAINED, ROBERT	TENNANT, ALLIE	THOMPSON, JOHN
SURR, JOHN	TAKE, SHAYNA	TENNANT, CATHY	THOMPSON, JOHN
SUSAN, LANTOW	TAKEMORI, LINDA	TENNEY, JOANNE	THOMPSON, JOHN
	TALAGA, KEN	TENNYSON, ANNE	THOMPSON, JOHN
	TALANIAN, SANDRA	TERBUSH, PAMELA	THOMPSON, JOHN
	TALLEY, AUSTIN	TEREK, MARY	THOMPSON, JOHN

THOMPSON, JOSEPH	TOMASELLO, PELA	TROUTON, DANNIE	VALLEY, DANIEL
THOMPSON, KARL	TOMASIK, AMANDA	TROVILLION, DANIEL	VALSANGIACOMO,
THOMPSON, KARL	TOMS, RONNIE	TROYANOVICH, STEVE	FULVIO
THOMPSON, KATHLEEN	TOMSKY, ANDY	TRUELOVE, LAURA	VAN AKEN, RICHARD
THOMPSON, LINDA	TONNER, LORETTA	TRUJILLO, MONICA	VAN BLARGEN, JOE
THOMPSON, LINDA	TONNER, LORETTA	TRUJILLO, SEVERITA	VAN DEN HANDEL,
THOMPSON, LINDA	TOORKEY, MEHER	TRULUCK, JEN	CHERYL
THOMPSON, LINDA	TOOTHAKER, SAMUEL	TRUMAN, SANDRA	VAN DOORNE, VANESSA
THOMPSON,	TOPALIAN, MAGGIE	TRUONG, JUSTIN	VAN HAGEN, SANDRA
MARGARET	TOPP, KRISTA	TRYON, LAURA	VAN HAGEN, SANDRA
THOMPSON, MELODIE	TORRETTA, RON	TSCHANN, DENISE	VAN PELT, MAIA
THOMPSON, PATRICK	TOSTANOSKI, DEEDEE	TSHIBANGU, MANDY	VAN SLAMBROUCK,
THOMPSON, PRESTON	TOSTIE, BRANDEN	TUBER, JACK	SALLY
THOMPSON, RICK	TOSTIE, BRANDEN	TUCKER, CHUCK	VAN STEENBERGHE,
THOMPSON, ROB	TOSTIE, BRANDEN	TUCKER, MICHAEL	PAUL
THOMPSON, SARAH	TOTARO, ANTHONY	TUCKER, MITCHELL	VAN VALKENBURGH,
THOMPSON, TERRENCE	TOTARO, ANTHONY	TULLY, ELAINE	MARK
THOMSEN, BRETT	TOTH, MARCIA	TUNCAY, SENCER	VAN WAGNER,
THOMSEN, GREG	TOURVILLE, CARLA	TUPASI, ANTHONY	JENNIFER
THORBERRY, MEG	TOWER, IBROOK	TURCO, JILL	VANA, CHERYL
THORNBURY, A	TOWNILL, LINDA	TURLEY, ED	VANCURA, PAM
THORNTON, MARY	TOWNSEND, PETER	TURLEY, LEANN	VANDAVEER, VONDA
THORNTON, MARY	TOWNSHEND, ELISA	TURNER, CHRISTY	VANDENBROCK, WENDY
THORSEN, THERESA	TOWRY, PAULA	TURNER, DEBBIE	VANDERKOOI, LOIS
THROOP, EVAN	TOZIER, SUSAN	TURNER, JOHN	VANDERVEER, DAVID
THUESEN, JEREMIAS	TRAEGER, NANCY	TURNER, KATHY	VANDERWOUDE,
THUESEN, JEREMIAS	TRAHAN, JUDY	TURNER, KRISTI	DENISE
THUMMEL, HANS	TRAHAN, OUIDA	TURNER, LILY	VANDIVER, DIANE
THWEATT, SUSANNE	TRAHAN, OUIDA	TURNER, LILY	VANHOORN, BEREND
TIBBETTS, GRETA	TRAINA, MARGARET	TURPIN, JO	VANLANDINGHAM,
TIBERI, JUDY	TRAN, NANCY	TURRUBIATE, K	MIKE
TICKNOR, CHERIE	TRANIELLO, FRANCINE	TUSTIAN, BARBARA	VANN, NATALIA
TIDD, RICHARD	TRANIELLO, FRANCINE	TUTOR, TOM	VANSTRIEN, R
TIEFER, HILLARY	TRAPP, MIKE	TWARDY, RIVERLY	VANSTRIEN, R
TIGER, ROB	TRAPP, ONNOLEE	TWINING, DAVID	VANVLIET, NAGISA
TILLMAN, BARBARA	TRASATTI, DAVID	TWITMYER, JANE	VARNER, NATASHA
TILLMAN, PATRICIA	TRAVERS, GAIL	TYNDALL, CARL	VARON, SARA
TIMM, JILL	TRAVIS, MARIE	TYRELL, KAREN	VARTERESIAN, CARL
TINER, THERESA	TREICHLER, ROB	UCHIDA, GLEN	VASQUEZ, ILEANA
TINNEY, GLENNA	TREMBLEY, JULIEN	UCKO, AARON	VAUGHAN, IRIS
TIPRE, JOE	TRENT, MARILYN	UHER, KATHY	VAUGHAN, JAN
TIRNER, HOLLY	TREPANIER, HELEN	UHLER, BRENDA	VAUGHAN, STEVEN
TISCHLER, ALICE	TREVES, URSULA	ULIBARRI, KRISTIN	VAUGHN, CHRISTIE
TISCHLER, BARBARA	TREXLER, ALICE	ULIBARRI, KRISTIN	VAUGHN, JONATHAN
TISCHLER, MARK	TRIBBEY, CHARLES	ULLOA, AMELIA	VAZQUEZ, CRISTINA
TISHMAN, FERN	TRIBBLE, JEANNE	ULMER, ROBIN	VAZQUEZ, SONIA
TOBIN, DAN	TRIBBLE, JEANNE	ULTICAN, LANNA	VAZQUEZ-GITS, LIANA
TODARO, T	TRICE, BILLY	UNGARWULFF,	VEAZEY, LEAH
TODD, PATRICIA	TRIMBLE, MICHAEL	JENNIFER	VEE, ORDELL
TODD, SAMUEL	TRINH, CHRISTOPHER	UNGER, PAMELA	VEEK, MARIE
TODNEM, DAVID	TRIPLETT, INGRID	UPSON, MATTHEW	VELASQUEZ, JULIAN
TODNEM, DAVID	TRIPLETT, INGRID	URBANSKI, RITA	VELASQUEZ, KATY
TOKARSKY, SUZANNE	TRIPP, MARTIN	VAILLANCOURT,	VELASQUEZ, NICOLE
TOKER, LAUREN	TROEN, JONATHAN	MICHELE	VELEZ, FRANCISCO
TOLEFREE, ELDER	TROK, TOM	VALENCIA, SUZANNE	VELLA, JOSEPH
TOLIVER, TRICIA	TRONCELLITO, MARY	VALENZUELA, CAROLINA	VELLA, LEILANI
TOLLER, APRIL	TROTT, JOHN	VALITIS, SUZETTE	VENCILL, GARY
TOLLEY, SYLVIA	TROTT, KRISTINA	VALLA, SUSAN	VENNES, MARTHA

VERALDI, ANNE	VYAS, SHELLEY	WALLITT, ROBERTA	WATTERS, WHITNEY
VERDIN, STEPHANIE	W, ABBY	WALLS, MARY	WATTERS, WHITNEY
VERDIN, STEPHANIE	W, M	WALROD, BRAD	WATTERS, WHITNEY
VERGARA, CAROL	WACHHOLZ, JAN	WALSH, BARBARA	WATTLES, GARY
VERGILIA, NADINE	WACHTEL, FERN	WALSH, DENISE	WATTS, ANDY
VERMIGLIO, MARIA	WACO, LILY	WALSH, DONALD	WATTS, MEGHAN
VERMIGLIO, MARIA	WADDELL, MARY	WALSH, MARCE	WAYMON, TODD
VERNON, MARGARET	WADE, ANNIE	WALSH, MOLLY	WE, BARBARA
VERNON, MARGARET	WADE, VICTORIA	WALSH, NANCY	WEATHERLY, CARRIE
VERNON, MARGARET	WADSWORTH, ANDREW	WALSH, PEGGY	WEATHERWAX, NANCY
VESCIO, PAT	WADSWORTH, ANDREW	WALSH, STEVE	WEAVER, MICHAEL
VESPER, REBECCA	WAGGONER, NANCY	WALSH, SUSAN	WEBB, MAUREEN
VICK, PEGGY	WAGLE, MARY	WALSTRA, MAUREEN	WEBB, SHAWNCEY
VICKSTROM, BRITT	WAGNER, BRENDEN	WALTERS, BARBARA	WEBER, AHNNA
VICTOR, JENNIFER	WAGNER, CHARLES	WALTERS, CHRISTIE	WEBER, JEANINE
VICTORIA, ANNA	WAGNER, DJ	WALTERS, ERNIE	WEBER, JOHN
VICTORIA, ANNA	WAGNER, MARGARET	WALTERS, ERNIE	WEBER, KRISTINE
VIDAL, KEILAH	WAGNER, MARGARET	WALTERS, ERNIE	WEBSTER, CATHERINE
VIET, TARA	WAGNER, MICHAEL	WALTERS, JULIE	WECHSLER, SUSAN
VIGNASSA, DOREEN	WAINWRIGHT, PAUL	WALTERS, LAUREN	WEDDINGTON, TIM
VILCEK, DIANA	WAINWRIGHT, PAUL	WALTERS, SHILO	WEEKS, ARLENE
VILLA, CAROL	WAINWRIGHT, PAUL	WALTERS, SHILO	WEEKS, DANAAN
VILLAGOMEZ, MARTHA	WAINWRIGHT, PAUL	WALTON, JAMES	WEEKS, FRANCES
VILLASENOR, LEILANI	WAITE, CINDY	WALTON, KEVIN	WEEMS, SUSAN
VINCENT, BRUCE	WAITE, CINDY	WARBURTON, BOB	WEGREN, ADAM
VINSON, KATHRYN	WAITMAN, JOHN	WARD, DORIS	WEHBERG, SHELLEY
VIOLA, ROBERT	WAKEFIELD, HAROLD	WARD, MICHAEL	WEIDNER, RALPH
VIOLI, ANN	WAKEFIELD, VICTOR	WARD, ROSEMARY	WEIL, ROSEMARY
VIRAGH, BREA	WAKELEY, PENNY	WARD, TERRENCE	WEIL, SUSAN
VISNAW, STEVEN	WALD, SUSAN	WARD, THOMAS	WEINBERG, JESSICA
VIVODA, JERRY	WALDEN, DON	WARHOLA, SHENA	WEINER, PETER
VOEGELE, BRUCE	WALDMAN, DANA	WARNER, KATE	WEINER, ROBERT
VOEGELE, BRUCE	WALDRON, VIRGINIA	WARNER, KELLY	WEINTRAUB, DANA
VOELLER, PETER	WALESKI, R	WARNER, KELLY	WEIR, ELAINE
VOGT, SUSAN	WALKER, DAVID	WARNER, SALLY	WEIS, CYNTHIA
VOISE, ERIC	WALKER, HEATHER	WARNER, SAVANA	WEIS, ERIC
VOLK, SUZANNE	WALKER, HOLLY	WARNER, ZOE	WEIS, JUDITH
VOLKMAN, WENDY	WALKER, JULIE	WARREN, JOHN	WEISBERG, JACKIE
VOLPATTI, DAN	WALKER, KATE	WARREN, RONALD	WEISENBACH, DEANNE
VON BARTHELD,	WALKER, KELLY	WARRINGTON, JASON	WEISENBORN, HENRY
ANNIKA	WALKER, KENNETH	WARSHAUER, ELENA	WEISS, CAROL
VON CHRISTIERSON,	WALKER, LEEANN	WARSHAUER, ELENA	WEISS, DEAN
PETER	WALKER, NORA	WARWICK, CYNTHIA	WEISS, JUDITH
VON DRACHENFELS,	WALKER, SUSAN	WASHBURN, DANIEL	WEISS, STUART
NINA	WALKOWIAK, STEP	WASHINGTON, CHRIS	WEISSMAN, IRA
VOOS, IAN	WALL, PATRICIA	WASSERMAN, LINDA	WEISSMAN, STEPHEN
VORA, REVTI	WALLACE, CHRIS	WATERS, GERRY	WEISSMAN, STEPHEN
VORPAHL, NICHOLAS	WALLACE, KEN	WATHEN, JOSEPH	WEISSMAN, WARREN
VORTMAN, ROGER	WALLACE, NADINE	WATKINS, WILLIAM	WELCH, BARBARA
VOSS, MARY	WALLACE, NADINE	WATKINS, WILLIAM	WELCH, SYLVIA
VOSSLER, MARK	WALLACE, PAM	WATSON, CARRIE	WELDY, STEPHANY
VOTER, CITIZEN	WALLACE, PATRICK	WATSON, DEANDERA	WELKOWITZ, WILLIAM
VRABEL, KARRIE	WALLACE, PETER	WATSON, ELIZABETH	WELLER, BRONTE
VRAMBOUT, MARYSE	WALLACE, STEVEN	WATSON, JULIA	WELLS, GERI
VRANCART, CHARLOTTE	WALLER, DANIEL	WATSON, PAT	WELLS, LASHA
VR SHEK, CAROLE	WALLHERMFECHTEL,	WATSON, RITA	WELLS, LASHA
VUKELIC, KARRIE	JAMES	WATT, CINDY	WELLS, LASHA
VUOSO, TERESA	WALLIN, WILLIAM	WATTERS, WHITNEY	WELLS, LASHA

WELLS, LASHA	WHITE, MICHAEL	WILKINSON, DOROTHY	WILTON, LIZ
WELLS, LASHA	WHITE, RAMONA	WILKINSON, MISSOURI	WINE, JUDITH
WELLS, TIMOTHY	WHITE, REID	WILKISON, KAREN	WINGFIELD, PAM
WELSFORD, SUSAN	WHITE, REID	WILL, LEONA	WINKLE, CASSANDRA
WELSH-JOHNSON, MARINA	WHITEHAIR, BARBARA	WILLER, BETH	WINKLER, ANDRA
WELTE, SARAH	WHITEHAIR, BERT	WILLETS, LAURIE	WINKLER, DIANE
WELWOOD, LUANNE	WHITEHURST, LORAINÉ	WILLIAMS, ALAN	WINKLER, ROSEMARIE
WENDELKEN, JOHN	WHITEHURST, LORAINÉ	WILLIAMS, CATHERINE	WINKLER, ROSEMARIE
WENZEL, CHRISTOPHER	WHITESIDES, SHANTI	WILLIAMS, CHARLENE	WINNER, BARBARA
WERP, GINGER	WHITHAM, MARTHA	WILLIAMS, CHRISTINA	WINNER, THOMAS
WERRIS, JESSICA	WHITING, CAROLYN	WILLIAMS, CLYDE	WINNICK, KAREN
WERRIS, JESSICA	WHITING, GEOFF	WILLIAMS, DEBORAH	WINNICKI, KRISTINE
WERRIS, JESSICA	WHITING, GEOFF	WILLIAMS, DEMILO	WINNICKI, KRISTINE
WERTH, GABE	WHITLEY, DIANNA	WILLIAMS, DR.	WINOKER, SHELLEY
WERTHEIM, ELLEN	WHITLEY, LINDA	WILLIAMS, DYKE	WINTER, LEA
WERTZ, DEBORAH	WHITLEY, LINDA	WILLIAMS, ELIJAH	WINTERBOTTOM, CARLA
WERY, SUSAN	WHITLOW, KAREN	WILLIAMS, FREDDIE	WINTERS, ALYSON
WESNER, JOHN	WHITMAN, ERIC	WILLIAMS, GLEN	WINTON, JULIA
WEST, CARRIE	WHITSITT, CHAWN	WILLIAMS, GLORIA	WISE, KATHY
WEST, CORINNE	WHITTINGTON, JUDY	WILLIAMS, KATHERINE	WISEMAN, ANN
WEST, ERDMAN	WHITTLE, MARGARET	WILLIAMS, KATHERINE	WISEMAN, CHRISTINA
WEST, MYRNA	WHYMAN, BARBARA	WILLIAMS, KYENNE	WISSING, JOEL
WEST, RINDA	WICHAR, DEN	WILLIAMS, L.META	WITTHUHN, BETHANY
WESTBROOK, CABELL	WICK, KIM	WILLIAMS, MARY	WNUK, IZABELA
WESTCOTT, MARK	WICKHAM, EUGENE	WILLIAMS, MONIQUE	WOCHNER, PHILLIP
WESTERKAMP, NICHOLAUS	WIEGAND, SUZANNE	WILLIAMS, SHIRLEY	WODJENSKI, JOSEPH
WESTERLUND, TRINA	WIEGMANN, MIRA	WILLIAMS, TAFFY	WOEPEL, STACY
WESTLAKE, KIM	WIELAND, LOREN	WILLIAMS, TAMMY	WOHL, DOREEN
WESTMAN, DYAN	WIERNAN, KRISTIN	WILLIAMS, WENDY	WOLD, STEVE
WESTON, KAREN	WIERZBOWSKI, JUDITH	WILLIAMSON, DEB	WOLF, KAI
WESTON, MARSHA	WIESENTHAL-GOLD, RUTH	WILLIAMSON, LAUREN	WOLLIFORD, MARISSA
WETTERSTEN, JILL	WIESLER, DAVID	WILLIS, LUCY	WILLIS, PAUL
WETZEL, MARY	WIGGERS, STEWART	WILM, ML	WILSEY, FRANK
WEXLER, STEVE	WIGHTMAN, NANCY	WILSNACK, PETER	WILSON, ALLEN
WEYGANDT, CLARA	WIKTOR, LISA	WILSON, ARTHUR	WILSON, CHASE
WHARTON, BECKY	WILCOX, BARBARA	WILSON, CHASE	WILSON, DOUG
WHARTON, BECKY	WILCOX, DAVID	WILSON, DOUG	WILSON, JAN
WHEATON, AL	WILCOX, KIMERLY	WILSON, JANE	WILSON, JANE
WHEELER, DOROTHY	WILDER, MEGAN	WILSON, JANICE	WILSON, JONATHAN
WHEELER, MARIKO	WILDER, PAMELA	WILSON, JUDITH	WILSON, JUDITH
WHEELER, MARK	WILDES, DIANE	WILSON, KAREN	WILSON, KAREN
WHEELLOCK, JEAN	WILENS, MARTHA	WILSON, LIZ	WILSON, LORRAINE
WHEELWRIGHT, GEORGE	WILES, KRISTIN	WILSON, MELINDA	WILSON, MELINDA
WHEYS, TOM	WILEY, CAROL	WILSON, MERLIN	WILSON, PATRICIA
WHIFFEN, STEVE	WILEY, DEBORAH	WILSON, PATRICIA	WILSON, RICHARD
WHIPPLE, DAVE	WILEY, JANE	WILSON, RICHARD	WILSON, STEVE
WHIPPLE, LISA	WILEY, KIMBERLY	WILSON, STEVE	WILSON, THOMAS
WHIPPLE, LISA	WILHEL, JULIE	WILSON, THOMAS	WILSON, WAYNE
WHITACRE, GAIL	WILKE, WENDY	WILT, SONYA	
WHITACRE, JULIE	WILKERSON, ASHLEY		
WHITAKER, LYNN	WILKES, BRADLEY		
WHITE, DAVID	WILKES, SARA		
WHITE, DAVID	WILKES, SARA		
WHITE, JAY	WILKINN, SUE		
WHITE, MICHAEL	WILKINS, JACI		
	WILKINS, KEITH		
	WILKINSON, ANDRA		

WOOD, R
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 WOODALL, SANDRA
 WOODARD, JUD
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 WOODHULL, HOLLY
 WOODMAN, STEPHEN
 WOODROW, JEAN
 WOODS, ELIZABETH
 WOODS, FRAN
 WOODS, TANSY
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 WOODS, WILLIAM
 WOODWARD, NANCY
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 WOOLDRIDGE, MARY
 WOOLLCOTT, JOHANNA
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 WOOLPERT, STEVEN
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 WOOTAN, CATHY
 WOOTEN, DEBORAH
 WORCESTER, CHRIS
 WORLEY, DAVID
 WORTH, FREDERICK
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 WORTHEN, SIDNEY
 WORTHINGTON, DIANE
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 WRAIGHT, S
 WRIGHT, BOB
 WRIGHT, CAITLYN
 WRIGHT, DEBRA
 WRIGHT, GEORGINA
 WRIGHT, HARRIET
 WRIGHT, IRENE
 WRIGHT, JAN
 WRIGHT, JIM
 WRIGHT, KENNETH
 WRIGHT, KERRY
 WRIGHT, MICHELE
 WRIGHT, ROBIN
 WRIGHT, SANDIE
 WRIGHT, TRIGG
 WROBEL, ISABELLA
 WRONA, DIANE
 WUERKER, LISA
 WULF, MAUREEN
 WURST, WILLIAM
 WURTZ, STEVE
 WURTZ, WILLIAM
 WUSHENSKY, SHARON
 WUTHRICH, JASON
 WYATT, CHARLOTTE
 WYATT, JOHN

WYBERG, BRYAN
 WYLAND, DEBORAH
 WYNN, ANGELA
 WYNN, PATRICIA
 WYNN, JANET
 WYNN, JUDSON
 WYNN, JULIA
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 Y.BRAMWELL, GEORGE
 YAFFE, LINDA
 YAKOVLEVA, NATALIYA
 YAMACHIKA, IRENE
 YANUCK, SAMUEL
 YARBROUGH, TIFFANY
 YARDLEY, PATRICIA
 YAROSEVICH, JOSEPH
 YAROWSKY, ALLEN
 YATES, ALISON
 YATES, JAN
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 YEN, ANTHONY
 YEOMAN, LEIGH
 YERDEN, CAROL
 YOHE, BONNIE
 YOHO, BRAD
 YONEMOTO, JIMMIE
 YORK, PEGGY
 YOST, SALLY
 YOUD, MARK
 YOUNG, J.
 YOUNG, JAMELLE
 YOUNG, JAMELLE
 YOUNG, JEREMY
 YOUNG, JESSICA
 YOUNG, JYNEL
 YOUNG, KATIE
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 YOUNG, LOIS
 YOUNG, LOWELL
 YOUNG, SANDY
 YOUNG, TERESA
 YOUNGER, SANDRA
 YOUNG-HOLT, CAROL
 YOUNGQUIST-THUROW,
 MIRIAM
 YOUNGSON, LOUISE
 YOURA, MICHAEL
 YRASTORZA, TERESA
 YUAN, TERESA
 YUDELL, J
 YUINADA, MAKI
 YUSUF, ABDULKADIR
 Z, AMNA
 ZABOROVSKY, JULITA
 ZABROWSKI, JAYNE
 ZACHER, JO
 ZACK, MARY
 ZACK, MARY

ZADEH, EDWARD
 ZAFIRATOS, ALLISON
 ZAHRA, RAYMOND
 ZAHRADNIK, GREGORY
 ZAJAC, ANDREA
 ZAKAR, BARRY
 ZAMOR, B.
 ZAMORA, MARGARITA
 ZAMOS, JOHN
 ZANGARA, AMANDA
 ZARA, WENDY
 ZARRELL, VICKI
 ZASTROW, L.
 ZECHMEISTER, GISELA
 ZECHMEISTER, GISELA
 ZEEK, PENNY
 ZELAZNY, BERNIE
 ZELJAK, MARK
 ZEMER, KAITLYNNE
 ZEPEDA, ESTHER
 ZETTEL, STEPHEN
 ZIEMIAN, BARBARA
 ZIMMER, LOUISE
 ZIMMERMAN, ASHA
 ZIMMERMAN, FRANCES
 ZIMMERMAN, KAY
 ZIMMERMAN, LEDA
 ZIMMERMAN, ROBYN
 ZIMMERMAN, STEVEN
 ZINN, ANDREA
 ZINN, ERIC
 ZINTER, YVONNE
 ZIPP, PETRA
 ZOLLARS, TERESA
 ZON, CHRISTINE
 ZORC, SCOTT
 ZROBEK, ANN
 ZUCKER, THEO
 ZUCKERMAN, NAOMI
 ZUCKERMAN, NAOMI
 ZUCKERMAN, STACEY
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 ZYGO, BRIAN
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 BELLO, D
 BLAKELY, CARMEN
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 BLUST, BARRY
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CASTLE, WILLIAM
 CHRISTISON, YVONNE
 CORRIERE, CARYN
 FISCHER, ELAINE
 GENDVIL, DEREK
 HABECKER, SUE
 JACKSON, HANNAH
 KIRK, COREY
 LEVENTIS, ANGELA
 LITZINGER, RAYMOND
 MICHAEL, EDWARD
 MOORE, AMANDA
 NELSON, THOMAS
 PEIRCE, SUSAN
 PLANT, LEAH
 RHODES, ROBERT
 SNATIC, AARON
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 BARNES, KATIE
 BECHKO, CORINNA
 BILL, EILEEN
 BOERBOOM, REBEKAH
 BRANNEKY, JANIS
 BRYAN, PENNY
 BUMPUS, NANCY
 BURKE, DONNA
 BYERS, SHERRY
 CARALLA, ALYSSA
 CHO, TONY
 CLARK, JUANITA
 CLEWELL, GREGORY
 COHN, ROBERT
 COPPOLA, CAROLINE
 DAMARODAS, DONNA
 DEARMAN, JEFF
 DECKEL, KAREN
 DELUCA, NICHOLAS
 DENT, KIMBERLY
 DUNAEV, ALEXANDER
 EGGLESTON, ADRIAN
 ELLIOTT, MEREDITH
 ELLOIS, AUSTIN
 EUGENE, JUDY
 EVANS, PAMELA
 FACHET, PATRICK
 FADDEN, HEATHER
 FREDERICK, TERRYLYNN
 FULLER, AMANDA
 G, LINDSEY
 GREEN, JAMIE
 GUBLER, LAWRENCE

GUILLOT, BARRY
GUITREAU, HEIDI
HAMMOND, MONICA
HATCHETT, JAMES
HOLMAN, CLARISSE
HOPKINS, JEFF
HUSMANN, SABRINA
KAZAK, ILENE
KERMEEN, RENEE
KEYES, KELSEY
KIRSHON, BRYAN
KORMAN, SCOTT
KRUPIKA, KRIS
KUZNIAK, ISABELLA
L, ANN
LANDRY, MADELAINE
LEY, JULIANA
LONG, SEAN
M, KAY
MARKUSHEWSKI,
EDWARD
MARTENSON, JULIE

MCGILL, ANN
MCMAHON, ANAH
MEHBOD, DESIREE
MIHALOVICH, MICHELE
NACK, NISSA
NELSON, MARCIA
NOFTSIER, JACKLYN
ORME, KEVIN
OVI, DAHANA
PAGOLA RIVERS, LISA
PETERMAN, KAE
PORCELLO, JAMES
PUTAIN, PHILLIPPE
RHOADES, KIMBERLY
RISSELADA, HEATHER
RITTER, JENN
RIZZI, TRICIA
ROCHE, KATHLEEN
ROSENFELD, LYNNE
SCHWEER, STEFANIE
SHEA, CAROL
SHELLEY, PATRICIA

SPENCER, DIANA
STANTON, JOHN
STONER, CYNTHIA
THOMPSON, DAVID
TOHM, KRIS
UKOHA, GRACE
VALDEZ, BRENDA
VANN, NATALIA
VILES, AARON
VITTI, JOSEPH
WALLACE, SHARON
WELLS, LASHA
WIGHT, KATHLEEN
WINDUS, JARED
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DUONG, KONG
HUU, NINH
KONG, SENG
NHEM, SARADY
PEOU, SOKUNTHEA
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CAPLAN, BENJAMIN
MEADOWCROFT,
PATRICIA

Correspondence ID: 1

Commenter

test

Concern ID: 62426

Several commenters submitted test messages, well wishes and miscellaneous text.

Response ID: 15871

Acknowledged.

Correspondence ID:2

Ryland Auburn

Long overdue. After viewing the draft EIR, I am in favor of implementation of the Mid-Barataria Sediment Diversion project as proposed, post-haste! The positive benefits of the project far outweigh any potential negative impacts and will be a step in the right direction of restoring the natural habitat.

Concern ID: 63333

Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.

Response ID: 16289

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:4

Todd Matherne

I understand that CPRA has expended substantial sums on Coastal Restoration. Many projects have been worthwhile.

Sadly, the subject project provides essentially zero benefit to anything in the Barataria Basin south of Lafitte. The Lafitte ecosystem was minimally impacted by the Deepwater Horizon Spill (the 'Spill') when compared to other areas.

The MBSD design should be enhanced to provide regular water flows and sediment loading (via moveable slurry pipelines, or similar systems) to areas that can benefit most between Lafitte and Grand Isle. Otherwise substantially all of the marsh islands will vanish between Lafitte and Grand Isle. These marsh islands are eroding daily and serve as speed bumps for storms and provide habitat supporting Louisiana's commercial and recreational fishing and hunting activities.

Bay Jimmy, the Cat Islands near 4 Bayou Pass, Elephant Island & Dutch Island, both N of Grand Isle, Beauregard and Mendicant Island, among others, have been materially and adversely impacted directly by the Spill. Elephant and the Cat Islands are now 100% gone, like the 'Last Mastodons'. CPRA spent exactly ZERO attempting to restore these islands. Why is that? Instead CPRA has chosen inland projects that have had zero or minimal direct impacts from the Spill. These islands were previously safe refuge for various nesting birds and enhanced the marsh estuary with habitat for various juvenile fish species.

CPRA should also aggressively hold to account (with the help of the state AG and federal agencies), each E&P company who, though their failure to maintain coastal zone structures (dams, canals, levies, etc) has exacerbated the exponential erosion now suffered by the LA Coastal marsh. Not holding them to properly account is simply irresponsible. It is akin to a super-fund site with PRPs, or, for example, holding a landfill owner responsible for its failure to maintain its structures, including the leachate collection system that has failed for decades.

Offshore, for example, BSSE requires the E&P companies to return the ocean floor to the 'condition that existed prior to the commencement of operations'. Apply the same standard to the coastal zone.

Please consider the essence of the foregoing comments and a consider an appropriate re-alignment of CPRA priorities to use the Spill settlement funds to directly restore areas primarily impacted by the Spill. To use such funds for projects North of the impact zone seems to be outside of what is currently urgent and proper, despite the potential merits of such other projects.

Respectfully submitted.

Concern ID: 61991

CPRA has chosen an inland project in an area where there was zero or minimal direct impacts from the DWH oil spill. Consider an appropriate realignment of CPRA priorities to use DWH oil spill settlement funds to directly restore areas directly impacted by the spill, such as Bay Jimmy, the Cat Islands, Elephant Island, Dutch Island, Beauregard Island, and Mendicant Island. To use funds outside the impact zone seems outside of what is urgent and proper.

Response ID: 16017

Chapter 2, Section 2.4.1 in Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow of the Draft EIS described the screening analysis conducted to evaluate the alternatives based on geographic location. In addition, the EIS considered a barrier island alternative as a functional alternative to the proposed Project. While the EIS acknowledges that barrier islands play a critical role in reducing land loss, this alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives for details on why this barrier island alternative was eliminated from further analysis in the EIS.

The LA TIG identified the Barataria Basin in the SRP/EA #3 as the location for the proposed Project because within Louisiana, the Barataria Basin suffered the most severe and persistent oiling from the DWH oil spill. It is also an “area of critical need” due to its significant and continuing land loss. As part of the LA TIG’s restoration planning efforts, the Restoration Plan describes their coordination with other Gulf Restoration Programs to maximize the overall ecosystem impact of DWH NRDA restoration efforts through use of DWH oil spill funds (see Section 1.8 in SRP/EA #3).

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining marsh ecosystem in the Barataria Basin that more closely resembles historic conditions. This sustained marsh ecosystem is expected to benefit many fish and wildlife species in the basin south of Lafitte, including many of those negatively affected by the spill, such as red drum, largemouth bass, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species.

In addition, the LA TIG’s Restoration Plan indicates that these benefits would not only accrue throughout the Barataria Basin but, through the transport of marsh productivity, also in the offshore ecosystems of the northern Gulf of Mexico. As stated in the Restoration Plan, by reestablishing deltaic processes, the proposed MBSD Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

Concern ID: 62000

The proposed MBSD Project design should be enhanced to provide regular water flows and sediment loading (via moveable slurry pipelines, or similar systems) to areas that can benefit most between Lafitte and Grand Isle.

Response ID: 16016

Chapter 2, Section 2.3.6 in Step 1: Evaluation of Functional Alternatives of the Draft EIS evaluated an alternative that includes a sediment diversion with marsh creation. Refer to this section for additional details on why this alternative was eliminated from detailed analysis. It was determined that marsh creation activities have been and are likely to continue to be implemented in the basin and are reasonably foreseeable. Reasonably foreseeable marsh creation activities are considered in the cumulative impact sections of the EIS (see Chapter 4, Section 4.25 Cumulative Impacts).

If this comment is referring to piping sediment directly into the conveyance channel to maximize sediment/water ratio, such an alternative was determined not to be practical or feasible from a technical or economic standpoint. Utilizing the lateral bar adjacent to the diversion in the Mississippi River as a sediment source for the piped sediment would

decrease the efficiency of the diversion and availability of sediment. Piping sediment from a more distant source would not be cost efficient due to the distance and maintenance of the pipeline and could result in impact to navigation. Further, piping sediment directly into the conveyance channel could alter the movement of sediment within the channel, increasing maintenance costs. (See EIS Chapter 2, Section 2.4.4 in Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow and Appendix D2 Eliminated Alternatives Matrix.

The LA TIG notes that it has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Restoration Plan 3.3: Upper Barataria Large-Scale Marsh Creation Project). These activities would complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

Concern ID: 62318

CPRA, with assistance of Attorney General and federal agencies, should hold E&P companies accountable for failure to maintain coastal zone structures that has led to coastal marsh loss. Louisiana should hold profit making companies accountable for the damages they cause.

Response ID: 15772

The Draft EIS recognized causes and impacts of coastal land loss (see EIS Chapter 3, Section 3.6.2 Wetland Loss). The suggestions regarding accountability are outside the scope of this EIS.

Concern ID: 62803

The proposed Project provides essentially zero benefit to anything in the Barataria Basin south of Lafitte.

Response ID: 16377

There would be both adverse and beneficial impacts on the wider Barataria Basin, including beneficial impacts on areas south of Lafitte, Louisiana. These adverse and beneficial impacts are discussed throughout Chapter 4 Environmental Consequences. Although the EIS recognizes the specific adverse impacts in the Lafitte area from increased tidal flooding (see Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction), the benefits south of Lafitte include (but are not limited to) regional economic benefits from the job creation and expenditures associated with construction of the diversion (see Section 4.13.4 in Socioeconomics), as well as the maintenance or restoration of wetlands in the immediate outfall area (see Figures 4.6-9 through 4.6-14 in Wetland Resources and Waters of the U.S.), which would result in benefits to various aquatic species in the Barataria Basin (such as white shrimp, blue crab, and red drum; see Table 4.10-6 in Aquatic Resources). Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Correspondence ID:5

Matt D

Given the expected impacts to bottle nose dolphins and other animals and plants that are in barataria basin, do operation plans have input from experts about limiting year-to-year changes in salinity or other water quality parameters? Capping diversion peak flows, volumes, or nutrient loads over the first years of operation should be considered.

Concern ID: 61912

CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.

Response ID: 15999

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated

Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:6

Matt D

Is this project expected to create a new "dead zone" in the barataria basin similar to what happens at the mouth of the river? Will messaging about the project's impacts highlight that some of the adverse effects can be sourced to the nitrogen and phosphorus from farming practices upstream in the Mississippi River basin?

Concern ID: 61812

Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic "dead zone" in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.

Response ID: 16425

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf

through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:7

Eric Johnson

Personally, I am very much in favor of restoring natural sediment deposition and river flows to the bayous in and around the Mississippi River delta. These are crucial ecosystems for local fisheries, they sequester carbon, and they help buffer the mainland against storm surges.

That said, I would also like to see these precious areas better protected from nutrient runoff - - some from as far away as the northern Midwest - - that cause the 'dead zone' where the Mississippi enters the Gulf of Mexico.

Growers in the Midwest need solutions to their crop fertility needs that do not require as much nitrogen and phosphorus fertilizer. They can do this in part by planting cover crops, improving soil porosity, and bolstering the soil microbiome. We badly need reform of the crop insurance program to allow for cover crops on most acreages for most crops. Let growers who want to use these strategies use them.

Concern ID: 61812

Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.

Response ID: 16425

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

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[zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.\)](#)

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proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62316

Growers in the Midwest need solutions to their crop fertility needs that do not require as much nitrogen and phosphorus fertilizer.

Response ID: 15770

Comment noted, but is outside the scope of this EIS. This EIS is focused on CPRA's proposed Mid-Barataria Sediment Diversion Project. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta in Louisiana.

Concern ID: 63340

The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.

Response ID: 16298

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

Correspondence ID:9

RESTORE

Michael Tritico

I cannot open the Appendix that contains previously-submitted comments: Scoping Report-Appendix C. I would like to see what people who attended the meetings thought. Could you please send me that Appendix via email? Thank you, Michael Tritico 03/08/2021

Concern ID: 62317**Commenter was unable to access online document****Response ID: 15771**

Commenter was contacted and notified that online link to the appendix requested was corrected.

Correspondence ID:10

RESTORE

Michael Triticco

I have not been able to determine how significant will be the alteration of velocity of the Mississippi River upstream of the diversion. I have tried to figure that out from the Appendices E and F. Although I suspect that the alteration in forcness upstream would not be enough to set up some kind of erosion or collapse of a levee with consequent sudden inundation of neighborhoods, it is a question that crossed my mind. What do you think? Please respond to me at my email. Thank you, Michael Triticco 03/08/2021.

Concern ID: 61830

The commenter stated that information regarding how the proposed Project would impact the velocity of the Mississippi River upstream of the proposed diversion is not clear in Appendix E (Delft3D Basinwide Modeling) and Appendix F (MBSD Design Information).

Response ID: 16477

The Project's impacts on the velocity of the Mississippi River upstream of the diversion intake was considered in the Draft EIS in Appendix E (Delft3D Basinwide Modeling Appendix), Attachment B (Velocity Contour Maps and Velocity Direction Figures), Figures VEL 1 - VEL 6 (No Action Alternative) and Figures VEL 25 - VEL 30 (Applicant's Preferred Alternative). These figures display no discernable differences in velocity contours in the Mississippi River upstream of the proposed diversion structure. In Chapter 4 of the Draft EIS, Section 4.4 (Surface Water and Coastal Processes), Figure 4.4-37 shows that cross-channel velocities immediately adjacent to the diversion structure would increase by up to 0.3 m/sec (1 foot per second) and by less than 0.03 m/sec (0.1 foot per second) a short distance away. Although these model data are not high-resolution, the USACE concludes that river velocities upstream of the diversion would change by less than 1 foot per second. For greater clarity, a sentence summarizing this has been added to the Final EIS in Section 4.4.4.2.3.2 Applicant's Preferred Alternative in Surface Water and Coastal Processes and in Appendix E, Section 7.2 Water Velocity Outputs.

Concern ID: 62223

The alteration of Mississippi River flows and/or MRL could cause erosion or collapse of the MRL and result in catastrophic flooding.

Response ID: 15749

Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408), referred to as Section 408, authorizes the Secretary of the Army, through the Chief of Engineers, to grant permission for the alteration, occupation, or use of a USACE Civil Works project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. Because the proposed Project has the potential to directly and/or indirectly impact the Mississippi River Levee, New Orleans to Venice Levee, and the Mississippi River Navigation Channel, which are USACE Civil Works projects, CPRA has requested Section 408 permission to construct and operate the Project. The USACE 408 Review process includes a review of the technical adequacy of the Project design, including all appropriate

technical analyses, including geotechnical, structural, hydraulic and hydrologic, construction, safety and operations and maintenance requirements. A Section 408 permission would not be granted unless the proposed modifications to the civil works projects would not limit the ability of the USACE Project to function as authorized and would not compromise or change any authorized Project conditions or purposes. The USACE Section 408 review is ongoing and the findings of this review will be disclosed in the Record of Decision.

Correspondence ID:11

Ellsworth Pilie, Jr.

Were models run to determine where the heavy (sands) material will settle out with regards to distances from the structure? Will this require dredging to remove the sand? Are pump station(s) included in the outfall channel levees? What elevation will the guide levees be constructed to and how many lifts will be required? Is the design grade for the guide levees for hurricane surge or project flood stage on the Mississippi River?

Ellsworth J. Pilie, Jr., P.E.

Retired Civil Engineer

U.S. Army Corps of Engineers, New Orleans District

Concern ID: 61781

The commenter questioned whether modeling was conducted for the Draft EIS to determine where sand would settle in the basin, whether it would settle out near the diversion channel, and whether dredging would be required to remove the sand. Another commenter questioned whether water from the bottom of the river, where sediments are coarser, would be diverted to the basin.

Response ID: 16411

The issues raised by the commenter were considered in the Draft EIS. The Delft3D Basinwide Modeling conducted by the Water Institute of the Gulf for CPRA for the EIS distinguishes the types of sediment that would be deposited in the basin. Yes, sands were included in the modeling. Table 5.2-1 in Appendix E Delft3D Modeling of the EIS lists the sediment classes included in the model. The model's physics-based computations showed that the coarser sands would settle out before the finer classes, as the commenter suggests. The model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed (without a need to move it by dredging and placement). CPRA plans to dredge specific areas within the proposed Project limits and within Barataria Basin as needed to operate and maintain the proposed Project, as described in Section 3.2 of EIS Appendix F MBSD Design Information and in EIS Appendix R2 Monitoring and Adaptive Management (MAM) Plan. Likewise, dredging of navigation channels would be assessed and managed through CPRA's MAM Plan (Appendix R2 to the EIS). Dredging in the Barataria Basin is expected to maintain certain dredged navigation channels but not the emerging deltaic front. However, the MAM Plan (Appendix R2) does include consideration of additional measures should they be necessary.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are

identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61911

Commenter inquired about design and operational features of the proposed MBSD Project including pump station(s) and elevation and design grade of the guide levees.

Response ID: 15998

Chapter 2, Section 2.8.1.1 in Action Alternatives Carried Forward for Detailed Analysis of the Final EIS includes a description of the proposed MBSD Project including Project design features, which has been updated based on 60 percent designs since the Draft EIS. Also refer to the Design Documentation Report in Appendix F1 of the Final EIS for additional information regarding the proposed Project design.

Correspondence ID:13

Timothy Bond

Please proceed with this project.

Concern ID: 63332**A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:16

Southern University

Walter Mercado

Have a good day

Concern ID: 62426

Several commenters submitted test messages, well wishes and miscellaneous text.

Response ID: 15871

Acknowledged.

Correspondence ID:19

Charles Vincent

Good evening. This is professor Charles Vincent of Southern University Baton Rouge where I work. I was just wondering if there was going to be any kind of colorful history done prior to this proposed diversion on the African American community that may have existed there, or if impact on the African American community. If so, I'm interested in assisting with the research of that because of my past relationship with the Corps of Engineers and Bonnet Carre Spillway. My number is [REDACTED]. I tried your emails, but I'm unable to go online. My system will not pull that out. I will call next week during your business hours and hope that I can speak to someone, but you have my number. Please get back in touch with me. Thank you. Bye.

Concern ID: 61926

Commenter inquires if there will there be any kind of history done on the African American community that may have existed there prior to the proposed Project, or if there are any impacts on the African American community.

Response ID: 16271

The Draft EIS (Chapter 2 of Appendix H1, Socioeconomics Technical Report) included information about the history of communities in the affected area, with attention to the Black and African American populations of those communities. The Draft EIS Chapter 4, Section 4.15 Environmental Justice also described potential impacts on low-income and minority populations from construction and operation of the proposed Project. In the Final EIS, Section 4.15.5.1 in Environmental Justice has been added to provide a summary of impacts on the majority-Black community of Ironton, which is the closest community to the diversion, to assist understanding the projected impacts of the proposed Project on that community.

Correspondence ID:22

Jon Goldberg

comments

Concern ID: 62426

Several commenters submitted test messages, well wishes and miscellaneous text.

Response ID: 15871

Acknowledged.

Correspondence ID:25

B&J Fisheries, LLC

Long' Nguyen

Shrimping is my livelihood and I am the sole source of income for my family. The implementation of the MBSD project will cause a significant decrease in my annual income. While the proposed mitigation measures listed in the Plan address some of fishermen grievances, they still won't address the loss of income issue to make commercial shrimper fishermen/women whole. I think the appropriate stakeholders (CPRA, the State) should develop a formula to use when calculating how much to compensate fishermen for lost income to pay in the form of a check at the end of each shrimping season.

Concern ID: 63131

Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.

Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.

Response ID: 16515

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)

- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:26

Hoang Nguyen

I am a commercial fisherman that harvests shrimp. The proposed draft mitigation measures to help commercial fishermen (shrimpers) listed in the Plan are fair to me. If I can't get funding for the refrigeration program, then I would apply for funding to upgrade my gears.

Concern ID: 63133**Commenters support the proposed mitigation measures for the commercial fishing industry.****Response ID: 16517**

The comments received in support of the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that

USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:27

Louisiana Sportsman's Coalition

Oray Savoie

I support the diversion. I don't care about these guide fisherman. They are short sighted and only care about today. The oysters will be further south and the white shrimp will love it. The bass will love it as well. It is only nature doing it's thing. This is what we need!

Concern ID: 62700

The oysters would move further south and the white shrimp and bass would benefit from the freshwater diversion.

Response ID: 16078

The commenter correctly notes the potential for oysters to use more southern areas of Barataria Bay, and the proposed Project benefits to white shrimp and bass, as described in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the Draft EIS. This benefit, among others, was also described in Chapter 3, Section 3.2.1.6 in OPA Evaluation of the Alternatives of the LA TIG's Draft Restoration Plan.

Concern ID: 63332

A large number of commenters expressed general support for the proposed Project.

Response ID: 16288

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:28

Kenneth Ragas

The science behind the diversions is flawed. The model validation process was based on data from the West Bay Diversion. That project isn't a valid comparison due to the fact that the footprint of the project received several dredgings from the Mississippi River which distorts the actual performance of the diversion. There are no other comparable sources of data from projects now on record.

Also the project will not provide the necessary storm surge protection in a timely manner and will decimate the salt/fresh ecosystem which abounds with flora/fauna. The negative socioeconomic consequences will devastate Southeast Louisiana.

Concern ID: 61829

The Delft3D Basinwide Modeling conducted for the Draft EIS is flawed because its validation process was based on the West Bay Sediment Diversion, which is not a valid comparison because the footprint of that project received several lifts via sediment dredged and pumped from the Mississippi River, which would not occur for the proposed MBSD Project.

Response ID: 16476

Validating the Delft3D Basinwide Model to a large sediment diversion in the Barataria Basin would have been ideal; however, there are no other large-scale sediment diversions on the landscape at this time. Because the other existing diversions (Davis Pond and Caernarvon Diversions) are freshwater diversions designed to extract water from the top of the river and discharge primarily water, not sediment, they are not applicable for validating the Delft3D Model for the MBSD Project. The West Bay Sediment Diversion, in contrast, is useful for validating the physical processes of erosion and deposition of sediment because although some dredging occurs for that project, it, like the proposed MBSD Project, is a sediment diversion that extracts sediment from deeper in the river. The modelers used standard professional practice by validating the Delft3D Basinwide Model (a well-proved, public-domain, physics-based model) with the West Bay Sediment Diversion to properly reproduce the primary physical processes of sediment erosion and deposition. In that manner, the modelers were able to examine how diversion flows would affect the process of sediment erosion and deposition separate from dredged material disposal.

As part of developing the Draft EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

Concern ID: 62009

The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.

Response ID: 16207

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of

Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the

future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62221

The Project would not provide substantial protection from hurricanes or storm surge, nor would storm surge protection be provided in a timely manner. The area most likely to experience some increase in protection would be subject to increased water levels from diversion operations. The current diversion Project needs to be reengineered to create meaningful storm surge protection. The Project is a misuse of funds based on what the diversion would do versus what it purports to do, in part due to the Mississippi River not having enough sediment to build substantial land.

Response ID: 15756

While the proposed Project would impact storm surge, the purpose and need of the Project is not storm surge protection. As described in the Draft EIS in Chapter 1, Section 1.4 Purpose and Need, the purpose of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill by reestablishing deltaic processes. However, as described in the Draft EIS in Chapter 4, Section 4.20.4 Public Health and Safety, the Project would have the ancillary benefit of storm damage risk reduction on communities north of the diversion due to the creation and maintenance of wetland habitat within the delta formation area; the increase in topography and land acreage would induce greater hydraulic friction and resistance, reducing the inland extent of storm surge and limiting wave heights in some communities north of the diversion, as compared to the No Action Alternative. The EIS acknowledges that storm surge and wave height reduction benefits for some communities north of the diversion would not be instantaneous, but that these benefits would increase over time as more land is created and maintained within the delta formation area. The EIS also acknowledges that some of the same communities that would experience storm surge reduction benefits, such as Lafitte, would experience an increase in non-storm inundation frequency due to increased water levels from diversion operations. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height.

The EIS recognizes the role of sediment load in land building. The river still carries a massive sediment load, but not as massive as it historically carried. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in Section 3.4.2.5 Sediment Transport. The Delft3D Basinwide Model used Mississippi River sediment loads when computing the sediment load that would be delivered

to the Barataria Basin. This is described in detail in the EIS, Appendix E Delft3D Modeling, Section 5.2.2.

Concern ID: 62690

The proposed Project would destroy the ecosystem and its flora and fauna, including oyster, shrimp, crabs, fish, sea turtles, and dolphins.

Response ID: 16073

As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated to those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts on the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. For example, the decrease in salinity that would occur upon initial operation of the proposed Project would result in major adverse impacts on various species (oysters, brown shrimp, bottlenose dolphins) over a relatively short period of time; however, the accumulating fresh water and sediments would create or maintain wetlands over long-term or permanent basis (that is, extending through the remainder of the 50-year period of analysis) which would benefit other commercially or recreationally important aquatic species such as white shrimp, blue crab, and Gulf menhaden, and would increase storm protection for communities north of the immediate outfall area; the Delft3D Basinwide Model projects these benefits to increase over time and to be greatest in the 2060s (see Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S., 4.10.4.5 in Aquatic Resources, 4.11.5.2 in Marine Mammals, and 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). As discussed in Section 4.12.2.2 Sea Turtles, the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp's ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts, if shrimp and shrimp fishers move from mid-basin locations to locations lower in the basin or in nearshore/offshore waters (where more sea turtles would be present). However, NMFS has determined that these impacts would not jeopardize the continued existence of sea turtles (see Appendix O4 NMFS Biological Opinion of the Final EIS).

The USACE and the LA TIG are evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would

result in collateral injury to species that depend on the current higher-salinity conditions in the basin. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin. The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. The LA TIG's Restoration Plan indicates that by reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustees' Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

The CPRA has revised its Mitigation and Stewardship Plan and Monitoring and Adaptive Management (MAM) Plan in response to public concerns about these impacts. See Appendices R1 and R2 to the Final EIS for more information.

Correspondence ID:29

Hoang Nguyen

I am a Vietnamese commercial fisherman and I'm a client at a nonprofit in Gretna, LA that provides business services to commercial fishermen. There I can receive assistance in Vietnamese. One of the ladies read the proposed mitigation plans to help us after the diversion is in operation and I actually think they are good plans.

Concern ID: 63151**Some commenters stated general support and appreciation for the mitigation plan.****Response ID: 16555**

Comments offering general support and appreciation for the Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:30

Kevin Khorum

I am a commercial fisherman that harvests shrimp out of Buras, LA. I'm getting older and won't be able to fish much longer so I'd rather transition out of the industry altogether. I would need money to start a new business, a donut shop, and I'd like it to be out of state because I don't want to stay in Buras any longer especially if my community is going to be subjected to nuisance flooding. I would also need assistance with selling my boat.

Concern ID: 63134

Commenters suggested that job training would not be helpful for older workers or for those facing language or technological barriers. Direct payments should be considered for these fisherman that cannot change careers easily.

Response ID: 16518

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp, in Chapter 4, Section 4.14 (Commercial Fisheries). In response to public comments and resource agency input about proposed mitigation and stewardship measures, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The revised mitigation and stewardship measures allocate approximately \$54 million to commercial fisheries, which supplement other restoration actions and programs being funded by the LA TIG and by the State through LDWF. This includes \$2 million for Workforce/Business training which can be used for older workers facing language or technical assistance barriers (see Appendix R1 to the Final EIS). Additionally, if the MBSD Project is permitted by the USACE and funded by the LA TIG, it would take approximately 5 years to complete construction of the Project and to begin operations. This relatively long period would provide affected senior fishers with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan to transition out of the fishing industry. The final fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS

Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:31

Shannon Gross

This diversion project will negatively impact our seafood industry. Please DREDGE, stop the Diversion Project!

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation

(dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62071

The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.

Response ID: 16241

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)

- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:33

Kimme Serigne

To whom this may concern!

I kimmie serigne a life long resident of st bernard parish, living and providing for my family as a commercial fisherman for over 35yrs have seen what we once had before the inception of the fresh water diversion in the carnarvon area. allowing fresh water to inondate our marsh is not the answer, just look at what land we had in carnarvon diveron area before hurricane Katrina and after. We all know sediment is needed to rebuild our coast but allowing polluted river water into the area is only going to cause much harm the area, and thats not to mention putting an economic burden on our local commercial and sport fisherman and related businesses .

Concern ID: 61819

Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.

Response ID: 16429

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

Concern ID: 62071

The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.

Response ID: 16241

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No

Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be

listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62077

The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

Response ID: 16242

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRAs has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRAs has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)

- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63016

The Carnarvon Diversion (and other diversions, such as the Naomi Siphon) did not build marsh but rather caused damage to the existing marsh, such as through the introduction of freshwater invasive plant species that clog available waterways, suffocating natural marsh grass, restricting water flow.

Response ID: 16029

A summary of select natural and man-made diversions in southeastern Louisiana, including the Caernarvon Diversion and Naomi Siphon, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and discuss their recorded impacts on the natural environment. This summary, which includes a discussion on changes to marsh extent and the presence of invasive plants, is available in Appendix U of the Final EIS.

Correspondence ID:34

Jason Lowrance

This large scale river diversion will be the death of our estuary. It's already been proven by scientific research that it will do more harm than good. This is a terrible idea and will kill our marsh and fisheries. Small more controlled diversions. Keep on dredging and pumping. You have all the spoil you need in the river to rebuild. Damn shame the spoil from the river was dumped in deep water the past how many years. We could have been re building all this time. NO Mid Breton diversion.

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRa and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62320**The commenter is opposed to Mid-Breton Sediment Diversion****Response ID: 15774**

The focus of this EIS is the proposed Mid-Barataria Sediment Diversion. The impacts of the proposed Mid-Breton Sediment Diversion are considered in this EIS as part of the cumulative impacts analysis, which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). Additionally, there would be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion when the USACE releases the Draft EIS for that proposed project.

Concern ID: 62777**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).****Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the

Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62780

Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.

Response ID: 16362

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15

CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Correspondence ID:35

Johnathan Camnetar

The spillway is gonna destroy more than it will create. The best thing would be to pump spoils to build land.

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation

(dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62780

Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.

Response ID: 16362

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID: 36

University of South Florida

Steven Murawski

The Mid-Barataria Bay sediment Diversion is an ambitious project to divert sediment and fresh water from the lower Mississippi River main stem into the surrounding marshlands with the intent to stem wetlands losses due to land subsidence and sea level rise. The project duration is 50 years.

According to Appendix N of the EIS document, the analysis of impacts of the project uses the Delft3D model to consider the following existing diversions and river inputs when evaluating the cumulative effects of the MBBSD: Davis Pond, Bonnet Carre Spillway, Caernarvon Freshwater Diversion, Mardi Gras Pass, the West Point A La Hache Siphon and various passes in the Birdfoot Delta. However, according to Louisiana's Coastal Master Plan, an additional seven river diversions are planned for the lower Mississippi River region, including: Lower Breton Diversion (50,000 cfs), Central Wetlands Diversion (5,000 cfs), East Maurepas Diversion (2,000 cfs), Manchac Landbridge Diversion (2,000 cfs), Union Freshwater Diversion (25,000 cfs), Mid-Breton Sound Diversion (35,000 cfs), Mid-Barataria Diversion (75,000 cfs).

Together these additional diversions will add a maximum of 194,000 cfs to existing diversions. This is approximately 10x the maximum freshwater flow that occurred when the Davis Pond and Caernarvon Diversions were opened in 2010 to forestall the Deepwater Horizon oil spill. The research published by my colleagues and me looking at the trawl survey data from these regions pre- and post-Deepwater Horizon indicates a significant regime shift in the fish and mega-invertebrate community that was associated with reduced salinity and lower water turbidity, beginning in 2010 (Murawski et al. 2021).

According to the EIS, the USACE public interest review and EPA's CWA (Clean Water Act) 404(b)(1) guidelines currently require evaluation of cumulative effects which include both current operational projects and those that are reasonably foreseeable. Clearly the MBBSD project is the first of seven additional projects planned. It is unconscionable that cumulative effects analyses do not include these other diversions as well. I recommend that such modeling and impact analyses on biota be conducted before proceeding with this project.

Reference:

Murawski SA, Kilborn JP, Bejarano AC, Chagaris D, Donaldson D, Hernandez FJ Jr, MacDonald TC, Newton C, Peebles E and Robinson KL (2021) A Synthesis of Deepwater Horizon Impacts on Coastal and Nearshore Living Marine Resources. *Front. Mar. Sci.* 7:594862. doi: 10.3389/fmars.2020.594862

Concern ID: 61847

The commenter requested that the Draft EIS include analyses of several river diversions that are included in CPRA's Master Plan that would have impacts on proposed Project-area resources associated with reduced salinity and lower water turbidity, including the Lower Breton Diversion (50,000 cfs), Central Wetlands Diversion (5,000 cfs), East Maurepas Diversion (2,000 cfs), Manchac Landbridge Diversion (2,000 cfs), Union Freshwater Diversion (25,000 cfs), Mid-Breton Sound Diversion (35,000 cfs), and Mid-Barataria Diversion (75,000 cfs).

Response ID: 16461

Although the Lower Breton Diversion (50,000 cfs), Central Wetlands Diversion (5,000 cfs), Manchac Landbridge Diversion (2,000 cfs), and Union Freshwater Diversion (25,000 cfs) are included in CPRA's 2017 Master Plan, they are not included in the cumulative impacts analysis of the EIS because they do not meet the definition of reasonably foreseeable as defined and agreed to by the consulting agencies in Section 4.25.1 Methodology for Assessing Cumulative Impacts. This section states, "Projects that would require a Department of the Army permit application, including but not limited to projects proposed for the Project area in CPRA's 2017 Coastal Master Plan, were considered reasonably foreseeable if a permit application had been submitted to the USACE by May 2020." Additionally, as further stated in that section, the cumulative impacts analysis was restricted to projects and actions that would contribute impacts on resources within the same geographic area as the Mid-Barataria Sediment Diversion Project. That geographic area is illustrated in Chapter 3, Section 3.1.1 Project Area.

The proposed Maurepas Diversion is being studied by USACE and a Draft EIS for that project will be published in 2022. Due to its small scale (2,000 cfs) and its location outside of the Mid-Barataria Sediment Diversion Project area of impact, anticipated cumulative effects with that diversion in place would be negligible.

Concern ID: 62319

The Mid-Barataria Bay Sediment Diversion is an ambitious Project to divert sediment and fresh water from the Lower Mississippi River main stem into the surrounding marshlands, and Project duration is 50 years.

Response ID: 15773

Comment noted. The commenter is correct regarding the intent of the proposed Project, as was described in the Draft EIS Chapter 1 Introduction and Purpose and Need. The period of analysis for analyzing impacts of the proposed Project is 50 years. If implemented, Project operation is anticipated to extend beyond 50 years.

Concern ID: 67232

The opening of the Davis Pond and Caernarvon diversions to combat effects of the DWH oil spill has had significant impacts on the fish and mega-invertebrate community associated with reduced salinity and lower water turbidity.

Response ID: 16952

The impacts that the DWH oil spill had on fish and mega-invertebrates in the Barataria Basin, and the drivers of those impacts, were considered in the Draft EIS. These impacts are discussed throughout Chapter 3 Affected Environment, including time series representations of LDWF fisheries independent data for key species that cover the period of the DWH oil spill.

As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Project is to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned

coastal restoration efforts. This EIS serves as the environmental review required by NEPA to inform the LA TIG's OPA decision regarding funding the construction of the proposed MBSD Project using damages paid by BP following the DWH oil spill (see Section 1.6.1 The OPA and DWH NRDA Decisions of the EIS).

Correspondence ID:37

Danny Tran

I am a crabber from Larose, LA. I had someone help me read and understand the proposed mitigation measures in the draft plan and noticed that there wasn't much to help crabbers. The freshwater will kill crabs for about four months, but they will come back yes but we will still need help during those four months. On a good month I can make about \$6,000, but without those crabs for those few months I will have suffered a tremendous loss of income. I'd like to see something in the plan that will compensate us crabbers for our monetary losses every season until we retire. I would even be ok with being compensated at least half of what I could make during the times when the crabs wouldn't be there.

Concern ID: 63136**Commenters were concerned that proposed mitigation does not include measures for crab fishermen.****Response ID: 16520**

As noted in Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, impacts on blue crab from the Project are anticipated to be neutral to beneficial. In addition, as stated in Section 4.14 Commercial Fisheries impacts on the blue crab fishery are anticipated to be negligible to minor beneficial. This determination considers potential impacts on blue crab abundance as well as the anticipated response from the commercial fishing industry. In response to public comments, CPRA has included \$1 million in funding for a crab marketing and outreach program and improvements to crab fishing gear as part of the Final Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:38

Shane Aycock

Hi, I live in Woodpark subdivision and in my opinion due to a lack of coastline and south winds during the warmer months the tidal flow has become higher . With the diversion running also making the water higher, our streets and yards will be flooded quite often. What is going to be done to mitigate this obvious problem that we will have once the flow starts ?

Thanks, Shane Aycock [REDACTED]

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Correspondence ID:39

Charlie Munro

No hard science to prove the diversions work. And plenty of science to prove they don't. I'm against the Diversion.

Concern ID: 62782**A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62784**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.****Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

Correspondence ID:40

Theodore Mackenroth

I have a home on Martin Lane. This is not my primary resident. I am a part time commercial fishermen. So I stay here more then 50% of the time. I also don't have homestead exception here so that means I pay full property tax. I have home and flood insurance. Our flood elevation was just raised from 11' to 13'. Because of this I am now below the flood level.

The new diversion is predicted to raise our tide level by 1/2'to 1'. Martin Lane averages about 2.5' above sea level. I have documents that show how many times the road has been flooded for the last three years. 2018 51 times, 2019 77 times, and 2020 66 times. If the diversion raises our tide then I will see more flooding. Wednesday the 17 2020 the tide was at 2.8' from a south wind. This a normal and happens a lot.

I am not the only one on this lane that will have the same problem. There are 95 homes on the lane. Some are above the new flood elevation but many are not. One thing we all have in common is Martin Lane and getting to our homes. Many times I had to leave my car on the levee and walk to my home.

WILL THERE BE MONIES AVAILABLE TO RAISE THE ROAD, HOME AND PROPERTIES?
I worked hard to keep this up and stay out of water.

If diversions works and builds land what will happen to our main bayou? If they silt in will you come back and dredge them out?

Are you planning to narrow 4 bayou pass and bay long pass to slow the tide water down?
This is causing the most erosion problem.

Since I was a little boy my father always talked about a storm coming up Barataria Bay. How bad will it be for the Parish. With 4 bayou and bay long passes as big as there are it is getting worst. Less chances of stopping a storm. The diversion will open a canal to Barataria Bay before it builds land. In the long run it may help but until then are you going to dredge more?

They closed the Mr. Go because the storm flooded New Orleans by backing up. What is going to happen to Plaquemines Parish after the diversion is in? Will the water back up and flood everyone below the diversion? Will you close it after the first flood if we live thru it?

I am also worried about the wildlife and fishing. This is going to be a huge impact on our area. I enjoy salt water fishing but I think this will kill most of that. I know some species will survive better but we will lose a lot. Will we gain more then we lose?

I believe in progress but at what cost? I know we need to build land but will you destroy more then you help. I maybe a little selfish but I am 66 years old and hope you don't take away my last few years of enjoyment.

thanks for now

Concern ID: 62224

Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.

Response ID: 15757

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or

adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62225

Plaquemines Parish could experience flooding from the diversion similar to flooding due to the Mississippi River Gulf Outlet. Commenter asked if the diversion would be closed if it causes such flooding.

Response ID: 15758

As described in Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction levees against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events. Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts potentially caused by the operation of the diversion.

CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project

servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62322

Commenter asserts that more land needs to be built, but the Project may do more harm than good.

Response ID: 15775

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The purpose and need of the proposed Project is to restore injuries caused by the DWH oil spill by reestablishing deltaic processes, to ultimately restore habitat and ecosystem services injured by the DWH oil spill. The EIS recognizes that in fulfilling this purpose and need, the proposed Project would have both beneficial and adverse impacts on several resources. See Section 2.9 in Chapter 2 for a summary of the projected effects of the Project.

Title 15 CFR §990.54 of the NRDA regulations outlines the criteria against which reasonable alternatives are evaluated to select the LA TIG's Preferred Alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative would prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the LA TIG must evaluate each alternative under multiple factors, and select a Preferred Alternative to meet the outlined restoration objectives.

The LA TIG, in identifying the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 Identification of a Preferred Alternative, 3.2.1.5 Alternative 1 - Avoids Collateral Injury, and 3.2.2.5 Alternatives 2-6 - Avoids Collateral Injury of the LA TIG's Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystem that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

Concern ID: 62701

The commenter expressed concern regarding impacts on fishing and questions if a net gain or loss of survival would occur if the increased survival of certain fish species due to the freshwater input were compared to the decreased survival of others.

Response ID: 16079

As described throughout Chapter 4, Section 4.10 Aquatic Resources of the EIS, operation of the proposed Project would affect fish species in the Barataria Basin in both beneficial and adverse ways, with the overall impacts to a given species being dependent on that species' habitat preferences and tolerances. The proposed Project is not anticipated to result in the loss of individual species throughout the Barataria Basin, but rather would cause a shift in the species assemblages to account for the modified habitat present in the basin. For example, species with higher-salinity requirements that are currently present (for example, brown shrimp, oysters) would remain during operation of the proposed Project but would likely move

further south to account for changing salinities (see Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS).

As discussed in Sections 4.16.5.1 and 4.16.5.2 in Recreation and Tourism, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts to these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. Section 4.16.5.2.3 Recreational Fishing of the Final EIS has been updated to acknowledge that some recreational fishers may need to modify their traditional fishing locations to target specific species that may modify habitat use (either temporarily or permanently) based on changing salinities.

Concern ID: 62896

Some wildlife species would have higher survival, but the survival of others would decrease. Commenter expressed concern regarding impacts on wildlife and questioned if there would be more gains than losses.

Response ID: 16194

As described in Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS, wildlife would experience both adverse and beneficial impacts during proposed Project construction and operations, with specific impacts depending on the individual life history and tolerances of a given species. The proposed Project is not anticipated to result in the loss of individual species throughout the Barataria Basin, but rather would cause a shift in the species assemblages to account for the modified habitat present in the basin. For example, species with higher-salinity requirements that are currently present would remain during operation of the proposed Project, but would likely move further south to account for changing salinities. These potential impacts of the proposed Project on various species and wildlife groups are analyzed and described in detail in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat, 4.10 Aquatic Resources, 4.11 Marine Mammals, and 4.12 Threatened and Endangered Species in the EIS.

As discussed in Sections 4.16.5.1 and 4.16.5.2 in Recreation and Tourism, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts to these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. Section 4.16.5.2.3 Recreational Fishing of the Final EIS has been updated to acknowledge that some recreational fishers may need to modify their traditional fishing

locations to target specific species that may modify habitat use (either temporarily or permanently) based on changing salinities.

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the

Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or

adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62968

If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).

Response ID: 16642

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:41

Siekleng Kiek

I am a commercial fisherwoman harvesting brown and white shrimp out of Buras, LA. When the diversion comes, I still want to harvest shrimp but I would need financial assistance with starting an alternative business to work during the times the white shrimp season is closed since that would be the only time that I could harvest shrimp. The white shrimp season is typically from August to December and that's not enough time to make a decent living salary, so that's why I would need another business. I'd like financial assistance with starting an Airbnb-type business. Of course I would also need business training in the type of business. And to alleviate the stressors of opening a new business, I'd like the government to purchase the land and possibly construct a home to rent out for the Airbnb business to support eco-tourism in the area. I envision people coming down there for recreational fishing, to attend festivals, etc. What I'd also like is financial assistance with constructing a new home that is fortified to withstand stronger hurricanes.

Concern ID: 63131

Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.

Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.

Response ID: 16515

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:42

Stephen White

Good day,

Thank you for your time. This plea comes from a place of passion tempered with practical solution(s) regarding a March 10, 2021 NOLA.com article(Environment) To build wetlands, Louisiana's largest sediment diversion would shock seafood communities.

If the author's facts are correct, the basin alone has lost 430 sq miles over the last century. This plan is, " a key piece of Louisiana's 50-year, \$50 billion effort to save the southern third of the state... The Mid-Bataria project estimated at \$2 billion would rebuild and nourish 27 square miles over 24 years, backers say."

This laughable ruse equates to nearly \$75,000,000 per mile.

I am not in the seafood industry. I am not a government employee or consultant for oil/gas or any environmental (pro/con) agency. I am a dad, and a school principal who deeply cares about Louisiana the environment. This proposal reeks of "classic" Louisiana bureaucratic nepotism.

If given the opportunity, I KNOW, I could accomplish this goal at a fraction of the cost and time. Furthermore, I am confident this can be done without negative environmental impacts.

Where do I go from here? The dramatic loss of estuaries as hurricane buffers, home to unique cultural and economic identities for generations is undeniable. The opportunity to act now is now.

Repeated thanks, Stephen White [REDACTED]

Concern ID: 66342**The cost of the diversion is not justified and the project is questionable.****Response ID: 16772**

The NEPA regulations do not require a cost-benefit analysis for the EIS unless such an analysis is relevant to an agency's decision. USACE generally assumes that a permit applicant has made its own economic evaluation regarding the costs of a proposed project. However, as part of its public interest review, USACE will weigh the harms that would be caused by the Project against its potential benefits.

In the LA TIG's Restoration Plan, the LA TIG considers the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54.

Concern ID: 62323**There has to be a different way to do it that does not have negative environmental impacts, at a fraction of the cost and time.****Response ID: 15956**

The EIS recognizes that the proposed Project would have both beneficial and adverse impacts on several resources. See Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative for a summary of the projected effects of the proposed Project. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public

interest review, which weighs the probable harms of the proposed action against its potential benefits.

The alternatives evaluated in the EIS were based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2, an alternatives screening process was conducted where screening criteria were identified and a wide range of alternatives were evaluated including other available coastal restoration tools and methods. The screening criteria included key concepts from the purpose and need including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan.

The Project-specific purpose and need built on analyses in the LA TIG's SRP/EA #3, including its initial screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin.

After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018, page 3-32) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in this Restoration Plan. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

Correspondence ID:43

Walter Lark

Certainly, many folks are having the same sinking feeling as I am having today as I write this. My way of life for decades will be forever affected by the influx of freshwater due to the Mid Barataria Diversion, I was taught to fish, crab, shrimp, and live off of the water as a way of life from my father and grandfather and have taught my sons to do the same, as well as thousands of adults like me.

More importantly, I have made a substantial investment in my retirement and the dreams to teach my grandchildren which are invested in the home at [REDACTED] in the Happy Jack community.

It is my understanding that not only will my future enjoyment of the saltwater marsh be greatly affected by the rising water but the tremendous influx of river water will cause additional flooding. It's amazing that man just will continuously make poor decisions regarding our coastal areas.

The place that I have continuously improved for many years to provide a happy and satisfying retirement will basically be destroyed by the diversion.

It is my calculated estimate that after several years the diversion project will be a failure and man once again will have another knee-jerk reaction to fix the failure.

What happens to the saltwater grasses that now protect us to some extent have a foot or more of fresh water on top of it. They die then we have no marsh, and on and on.

Buy my camp and I will go and enjoy another activity during retirement and beyond.

Thanks for the memories.

Jim Lark

Concern ID: 61905

Commenters expressed that residents' way of life including living off of and recreating in the water would be impacted by an influx of fresh water due to the MBSD Project.

Response ID: 16235

The issues raised by the commenters were considered in the Draft EIS. As described in the Existing Conditions in Chapter 3, Section 3.16 Recreation and Tourism, as well as Appendix H1 Socioeconomics Technical Report, the Draft EIS acknowledges the importance of recreational use in the region, describing many types of outdoor recreational activities, including fishing, hunting, boating, wildlife viewing, and general shoreline use, among others. The EIS further acknowledges that extensive estuarine and freshwater wetlands provide habitat for many kinds of fish, birds, reptiles, and mammals that are an integral component of recreation in the region. The evaluation of environmental changes in the basin under the No Action Alternative shows that the abundance of target recreational species, including spotted seatrout and red drum, would decline over time. Access to recreational boating sites would also increase from negligible impacts in the early decades to major, adverse impacts in the later decades, leading to decreases in recreational use in the southern portions of the basin even without the Project. Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe how changes in the amount of fresh water due to the MBSD Project would impact recreation and tourism. As noted, there would be adverse impacts on-site

accessibility, recreational boating, and boat-based recreational fishing due to tidal flooding, sedimentation, and invasive plants. There would be adverse impacts on recreational fishing for spotted seatrout and beneficial impacts on recreational fishing for red drum.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62226

The diversion would destroy the property in which commenters have made substantial investment.

Response ID: 15750

Draft EIS Chapter 4 Section 4.13.5.3 in Socioeconomics discussed impacts of the proposed Project on property values. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitude. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The

Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62659

The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.

Response ID: 16632

The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 63027

Saltwater grasses and marsh would die when exposed to (or inundated by) fresh water, and would cease protecting the public.

Response ID: 16035

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledges that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations; those impacts would be offset by later marsh building in the area. While saline and brackish species are associated with salinity ranges of greater than 18 ppt and between 18 and 5 ppt, respectively (see Chapter 3, Section 3.6.1.2 in Estuarine Wetlands of the EIS), brackish marsh can fluctuate from fresh to saline conditions depending on tidal movement, and species such as *Spartina alterniflora* are common in both salt and brackish marsh (Connor and Day 1987). Salt is a stressor affecting osmosis and cell structure. Plants occurring in saline and brackish marshes have developed adaptations to either exclude uptake or excrete salt; however even salt marsh species grow better at lower salinities (Mitsch and Gosselink 2000; Teal et al. 2012). Therefore, salt and brackish marsh vegetation would not be subjected to direct mortality due to the lower salinity of transported water. Chapter 3, Section 3.6.2.1 of the EIS was revised to include additional information regarding the salinity tolerance of brackish and salt marsh vegetation.

Concern ID: 63092

Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, “real estate plan” for impacted communities was not available.

Response ID: 16511

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA’s initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA’s Mitigation and Stewardship Plan are not included in CPRA’s DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners’ properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner’s property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA’s Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final

Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:44

John Gasquet

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

RE: Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2 and Environmental Impact Statement

Good Afternoon,

We live at the Lake Hermitage Community, if this is build our access road and property will be under water numerous times during the year. We will have to have our dock and slab under our house raised due to increase water levels. Also our road west bayou lane will also have to be raised including but not limited to the main blacktop Lake Hermitage Road for our property to be access.

Emergency services will be unable provide us with any service during increase tides. Unless road ways are raised.

Our Federal Government just build us a new blacktop road (5 million), New Fire House (3.5million) and a new bridge (1.5 million) all will be lost.

Also communities of Lafitte, Myrtle Grove, Woodpark, Suzzie Bayou, Deer Range, Grand Bayou and Happy Jack will be effected the same.

Our salt water marsh will be destroyed along with oyster, shrimp, crabs, fish, endangered sea turtles and bottlenose dolphins will die. Recent, scientific study, said up to a third of bottlenose dolphins will die. The red tide in the Gulf of Mexico will double triple in size who knows and this will kill more sea life for years to come.

If and when this project is completed our home will not be live able. Does the U.S. Army Corps of Engineers have plans to purchase our property because we will have to relocate or raise docks, slab under house and road ways?

This 1.4 billion dollars being spend building such a small amount of land in thirty years with no hurricane protection, or buffers at such a great cost is foolish and waste of BPs monies. Monies would be better spend dredging the river (which needs to dredged to 50 feet) and pumping sand, building land and buffers to stop incoming hurricanes tidal surges.

Possible to build 100,000 acres of land and tidal surge buffers with 1.4 Billion Dollars. This would lower hurricane storm surge 5 feet or more from southern most Plaquemines Parish to New Orleans. Thus save our endangered sea turtles, seafood and the bottlenose dolphins.

This will go down in history as one of biggest environment disaster of our life time and waste of money. Kill 34% of our bottlenose dolphins, endangered sea turtles, oysters, shrimp and crabs.

We have one time to get it right. Never again will our state have the monies to build this much land at no cost to the taxpayers and save our coast.

We also have two cemeteries that will be under water, one at Lake Hermitage and other at Deer Range, Louisiana. The deceased will not rest in peace.

Sincerely,

John Bruce Gasquet

[REDACTED]

[REDACTED]

[REDACTED]

Concern ID: 61812

Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.

Response ID: 16425

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA’s Mississippi River/Gulf of Mexico Hypoxia Task Force “Hypoxia 101” webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-hf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project

operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62220

The Project would inundate access roads and properties, some of which are newly built infrastructure projects.

Response ID: 15755

Draft EIS Chapter 4, Section 4.13.5.1 (Socioeconomics, Economy, Employment, Business, and Industrial Activity, Flooding and Storm Hazards) and 4.20.4.2 Public Health and Safety, Operational Impacts, Floodplains and Tidal Flooding discussed the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, potentially caused by the operation of the diversion. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and/or other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62227

The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.

Response ID: 15820

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially

affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent

anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62493

The proposed Project operations will flood two cemeteries in the towns of Lake Hermitage and Deer Range, Louisiana.

Response ID: 16451

The potential flooding impacts raised by the commenters were considered in the Draft EIS. According to the Louisiana State Historic Preservation Office (LA SHPO) database, the Lake Hermitage cemetery is identified as the Bieber Cemetery and the Deer Range Cemetery in Suzy Bayou is identified as the Deer Range Cemetery. As compared to the No Action Alternative, operation of the proposed Project would increase tidal flooding and storm surge in communities outside of federal levees within 20 miles of the outfall area, including the towns of Lake Hermitage and Suzie Bayou South (Deer Range) in which these cemeteries are located. Such events may result in sediment deposition (burial) and/or erosion of soils at each of these cemeteries. Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes and Section 4.13.3.1 in Socioeconomics detail these impacts.

Concern ID: 62690

The proposed Project would destroy the ecosystem and its flora and fauna, including oyster, shrimp, crabs, fish, sea turtles, and dolphins.

Response ID: 16073

As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated to those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts on the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. For example, the decrease in salinity that

would occur upon initial operation of the proposed Project would result in major adverse impacts on various species (oysters, brown shrimp, bottlenose dolphins) over a relatively short period of time; however, the accumulating fresh water and sediments would create or maintain wetlands over long-term or permanent basis (that is, extending through the remainder of the 50-year period of analysis) which would benefit other commercially or recreationally important aquatic species such as white shrimp, blue crab, and Gulf menhaden, and would increase storm protection for communities north of the immediate outfall area; the Delft3D Basinwide Model projects these benefits to increase over time and to be greatest in the 2060s (see Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S., 4.10.4.5 in Aquatic Resources, 4.11.5.2 in Marine Mammals, and 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). As discussed in Section 4.12.2.2 Sea Turtles, the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp's ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts, if shrimp and shrimp fishers move from mid-basin locations to locations lower in the basin or in nearshore/offshore waters (where more sea turtles would be present). However, NMFS has determined that these impacts would not jeopardize the continued existence of sea turtles (see Appendix O4 NMFS Biological Opinion of the Final EIS).

The USACE and the LA TIG are evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions in the basin. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin. The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only

accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. The LA TIG's Restoration Plan indicates that by reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustees' Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

The CPRA has revised its Mitigation and Stewardship Plan and Monitoring and Adaptive Management (MAM) Plan in response to public concerns about these impacts. See Appendices R1 and R2 to the Final EIS for more information.

Concern ID: 62783

Commenters noted that the cost of designing and building the proposed MBSD Project is too high for the small amount of land anticipated to be built.

Response ID: 16365

The commenter's opposition to the cost of the proposed Project is noted. Under NEPA, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that the permit applicant has conducted its own economic evaluation of a proposed project. Consequently, a cost-benefit analysis is not relevant to USACE's permitting decisions. As part of evaluating the proposed Project, the LA TIG considered the costs associated with developing, constructing, and managing the Applicant's Preferred Alternative consistent with the Restoration Plan alternatives evaluation criteria in 15 CFR §990.54. This discussion is in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project

effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62986

The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.

National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>

Response ID: 16701

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational

users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included

in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63096

Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).

Response ID: 16699

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the

funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63110

The commenters are concerned with the impacts that this proposed Project would have on threatened and endangered species in the area and indicated that there are

likely to be minor to moderate adverse effects for the Kemp's ridley, loggerhead and green sea turtles, and the pallid sturgeon in the area.

Response ID: 16253

The adverse effects on these species from the proposed Project were further evaluated by the USFWS (pallid sturgeon) and the NMFS (sea turtles in Barataria Basin waters) in their Biological Opinions; the respective Biological Opinions have been included in Appendices O3 and O4 of the Final EIS. Both agencies have determined that the construction and operation of the proposed Project would not be likely to jeopardize the continued existence of these species. NMFS has authorized a take of up to 783 Kemp's ridley, loggerhead, and green sea turtles (total) per year (including up to 57 mortalities per year). The USFWS has authorized the loss (by death or serious injury) of 48 pallid sturgeon per year.

Correspondence ID: 45

Theodore Mackenroth

Lets get to the bottom line of this diversion. They are only building this diversion to save NEW ORLEANS from being water front property, to line the pockets of the politicians with money, to give away has much money in an attempt to show you care, destroy the seafood industry in our area, and destroy more land then you will build in my life time.

If you were concerned about saving the land, then why haven't you narrowed Bay Long and 4 Bayou Pass? If you slow the tide down then you save land. This would help more then a diversion that will destroy land. You could build islands in Barataria Bay and Bay Long to divert the tide and slow it down. You could dredge the main bayou to close off the water that cut across the bayous and have tides going back down main bayous like it did years ago. Close the pipe lines that the oil industry cut thru all of the marsh. There are a lot of different projects that could be done before you put this diversion in and destroy land.

Don't understand how everyone who lives, works, and enjoys this area is telling you not to do the diversion doesn't have more say so then someone behind a desk. Don't care how many engineers you have unless they lived this life they have no idea what is going on. Models don't cover everything. What may work on paper doesn't always work in real life. Weather is a real factor in all of this and you can not predict that.

You had a great model to look at. Mr. Go It was great for shipping and some fishing. Took out acres of cypress and marsh where people used to make a living in. Then a storm comes thru and you spend million to close a mistake after it flooded New Orleans. Didn't care about St. Bernard or Plaquemines JUST NEW ORLEANS..

Well what do you think is going to happen with this diversion. You are going to blow a hole all the way from Myrtel Grove thru Barataria into the gulf. You claim that we will have protection from storms with the new levees but what will stop a surge of water from a storm? Just like Mr. Go we will be flooded. If we are lucky the storm surge won't take out your structure on the river and send the river in a new direction.

For the people that make a living out here. You say that you have money to help them. We don't want hand outs or charity. We want out lively hoods in tact so we can live and enjoy our heritage. We are proud people. We want to fend for our selves. Not government buy outs.

With the diversion you claim our water will rise. We are already fighting high water. We spend a lot of money to raise our lands to stay a head of the water. Are you planning to help us raise our land and homes to beat the rising water that you will cause? A statement I keep hearing is that there are only a few homes that have homestead exemption in our area. This is bullshit. I am a part time commercial crabber. I live here on Martin Lane over 50% of my time. My wife lives at our other home which has homestead exemption. There are many of us that have 2 homes. We have to claim homestead exemption at our primary home. Because we don't claim exemption at our second home we pay full property value. Which means we pay more in taxes. Why doesn't this mean anything to you? We invested a lot of money in our homes and should deserve the help that everyone gets to elevate our homes. Especially since you are going to raise the water elevation and flood us more.

How can you sleep at night and believe the bullshit that you are handing us. The facts are not there. You can make up anything to make it look good. Knowing that you are going to destroy

are seafood industry. Look at the East bank of Plaquemines. There was a great oyster industry. Where is it now?

I understand you are planning a big diversion on the east bank. You would build another big diversion before you have proof that this one will work? Again you don't care what happen to us or Plaquemines Parish. It's all about NEW ORLEANS.

Everyone has heard that you have plans to stop spending money in Plaquemines if we don't agree on the diversion. This is normally considered blackmail. However I understand if the government does this, it doesn't fit the description of blackmail.

I hope I am dead before a storm destroys our area because this diversion. I just hope my family lives thru it. Would like to see my grand kids and great grand kids enjoy the life I have had living here. I could go on and on about this but the chances of anyone listening to this is slim to none. You have probably quit reading this letter before you got to this point. If you haven't then I hope you think about all this that you will destroy.

This project is like the Belle Chasse Bridge. We don't have a choice about it. We may need one but there should have been many projects done before the new bridge. During construction of the bridge it will destroy Plaquemines. The only difference is that we may see benefit from bridge in my life time. Can not say that about the diversion.

Concern ID: 61703

Locals who live and work in the affected area and would be adversely impacted by the proposed Project are disregarded by decision makers for the Project.

Response ID: 15733

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project. For a summary of public outreach efforts related to the Draft EIS refer to Chapter 7 Public Involvement of the Final EIS and for restoration planning see Section 1.8 of the LA TIG's Final Restoration Plan.

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area over the past several years. In addition, since the release of the Draft EIS, CPRA has engaged the public through numerous meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61753

Commenter is concerned that the government would stop spending money in Plaquemines Parish if the parish doesn't support the proposed Project.

Response ID: 15889

USACE is neither a proponent nor an opponent of the proposed MBSD Project. USACE's ongoing and future work in Plaquemines Parish has no connection to this Section 10/404/408 permit review.

CPRA and LA TIG decisions regarding funding for restoration projects, including in Plaquemines Parish, would be handled separately from the decisions related to the proposed MBSD Project. The LA TIG has previously funded restoration projects in Plaquemines Parish through the Natural Resource Damage restoration planning process, and would consider future projects based on the same OPA NRDA criteria that has been used in the past. CPRA's Coastal Master Plan includes both ecosystem restoration and flood protection projects in Plaquemines Parish.

Concern ID: 61754

Commenter expressed the view that decision makers prioritize the proposed Project benefits for New Orleans and disregard how the Project would impact Plaquemines Parish residents.

Response ID: 15890

As discussed throughout Chapter 4 Environmental Consequences of the EIS, operation of the proposed Project would have various beneficial (and adverse) impacts throughout the

Barataria Basin that would not be restricted to those experienced by the greater New Orleans area. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. Further, based on the evaluation in the EIS and its OPA evaluation, the LA TIG considers the impacts of the proposed Project, both beneficial and negative to both the environment and the community, including Plaquemines Parish.

Concern ID: 61885

Consider the alternative of reducing the size of Bay Long Pass and 4 Bayou Pass to slow the tide water and save land instead of implementing the proposed MBSD Project.

Response ID: 15981

This alternative as presented, specifically reducing or narrowing the passes, would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

Concern ID: 67234

Part of the purpose of the diversion is to spend money on the problem of the sinking coast and to line the pockets of politicians.

Response ID: 16954

The purpose of the proposed Project is discussed in Chapter 1, Section 1.4 Purpose and Need of the EIS. As stated in Chapter 4, Section 4.13 Socioeconomics, total construction expenditures (spending) during construction of the proposed Project were estimated in the Draft EIS to be \$1.309 billion under the Applicant's Preferred Alternative, of which 17 percent would be spent during the design phase, and 83 percent would be spent during the construction phase (2020 dollars) and would take approximately 5 years. These costs are subject to adjustment prior to the start of construction if the Project is permitted and funded. The spending that construction would generate is anticipated to benefit the region and the area. Assuming design and construction occur over a 10-year period, the proposed Project, including indirect and induced impacts, would support employment that would be equivalent to 29 percent of the workforce in Plaquemines Parish. However, although a portion of expenditures and employment would occur in the parish, much of the spending and employment supported by the proposed Project is anticipated to be distributed throughout the Project area. Regardless, the employment and expenditures on the proposed Project would be substantial and represent a major benefit.

Concern ID: 62009

The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.

Response ID: 16207

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow

on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62071

The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.

Response ID: 16241

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-

based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62225

Plaquemines Parish could experience flooding from the diversion similar to flooding due to the Mississippi River Gulf Outlet. Commenter asked if the diversion would be closed if it causes such flooding.

Response ID: 15758

As described in Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction levees against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events. Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts potentially caused by the operation of the diversion.

CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water

levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62311

Weather is a major factor in how the diversion impacts communities, and the weather cannot be predicted.

Response ID: 15817

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties were incorporated into the EIS impact conclusions and are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the model outputs projecting the changes that would occur for the No Action Alternative.

Concern ID: 62793

The proposed Project is only being built to save New Orleans from being waterfront property.

Response ID: 16374

The commenter's opposition to the proposed Project is noted. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the proposed Project is to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. As discussed throughout Chapter 4 Environmental Consequences of the EIS, operation of the proposed Project would have various beneficial (and adverse) impacts throughout the Barataria Basin that would not be restricted to those experienced by the greater New Orleans area. Fifty years after the start of operations, the proposed Project is projected to have built or maintained 20.9 square miles of land in the vicinity of Myrtle Grove and Ironton. Communities to the north of that area are projected to benefit from reduced hurricane and storm surge. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove

Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department

of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64184

Commenter is concerned with the planning and construction of another big diversion on the east bank of the Mississippi River before there is proof that the proposed MBSD Project would work.

Response ID: 16401

The concern regarding the future success of the proposed Project is noted. The likelihood of success of the proposed Project was discussed in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the LA TIG's Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) address the likelihood of success of the proposed Project and other action alternatives considered by the LA TIG in its Restoration Plan. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating a diversion in the vicinity of the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the LA TIG's Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS). The Mid-Breton Sediment Diversion Project is not the focus of this EIS; however, the potential cumulative impacts of the two diversions are addressed in Chapter 4, Section 4.25 Cumulative Impacts of the EIS and no related edits to the Final EIS have been made.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in

the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:46

John Mudge

I am writing to voice my concern and disapproval of the MBSD being proposed in Plaquemines Parish, La. I am a property owner - [REDACTED]. We have owned a fishing camp there since 1981. We have had many family gatherings there enjoying the surrounding wetlands, bays and waterways. We have made hundreds of fishing trips and have enjoyed the fish caught with our family and friends. We are not commercial fishers, just private property owners.

We are opposed to this project for many reasons, but primarily on the effects that it will have on our local recreational & commercial fishing. We have many friends who make a living on the area waters who would lose their livelihood with the destruction of this diversion. Most are still trying to overcome the effects of the oil spill many years ago. Many have lost businesses and even more have had to leave the parish. Adding the diversion would literally wipe out the way of living here for so many.

Also, the effects on the primary road leading to my camp would be detrimental to our enjoyment and access to our property. It is unfair for the federal government to make these changes without regard to the resident being affected. Who will restore our road when it is washed away from High tides? Who will restore our docks when they are under water and washed away. How will we access our camp when it is surrounded by water? Who will compensate me for the lost value of my waterfront property?

Believe me we are aware of the land loss happening from coastal erosion. However, there has to be another way to mitigate this loss without destroying people's lives, and property going forward. These are concerns that MUST be looked at BEFORE going forward with this project. Please consider the livelihood of people and the property this will destroy.

Sincerely, John & Susan Mudge

Concern ID: 61905

Commenters expressed that residents' way of life including living off of and recreating in the water would be impacted by an influx of fresh water due to the MBSD Project.

Response ID: 16235

The issues raised by the commenters were considered in the Draft EIS. As described in the Existing Conditions in Chapter 3, Section 3.16 Recreation and Tourism, as well as Appendix H1 Socioeconomics Technical Report, the Draft EIS acknowledges the importance of recreational use in the region, describing many types of outdoor recreational activities, including fishing, hunting, boating, wildlife viewing, and general shoreline use, among others. The EIS further acknowledges that extensive estuarine and freshwater wetlands provide habitat for many kinds of fish, birds, reptiles, and mammals that are an integral component of recreation in the region. The evaluation of environmental changes in the basin under the No Action Alternative shows that the abundance of target recreational species, including spotted seatrout and red drum, would decline over time. Access to recreational boating sites would also increase from negligible impacts in the early decades to major, adverse impacts in the later decades, leading to decreases in recreational use in the southern portions of the basin even without the Project. Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe how changes in the amount of fresh water due to the MBSD Project would impact recreation and tourism. As noted, there would be adverse impacts on-site

accessibility, recreational boating, and boat-based recreational fishing due to tidal flooding, sedimentation, and invasive plants. There would be adverse impacts on recreational fishing for spotted seatrout and beneficial impacts on recreational fishing for red drum.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62009

The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.

Response ID: 16207

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the

bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions,

would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62077

The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

Response ID: 16242

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these

servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:47

Randall Rush

To Whom it May Concern,

Please take notice that this proposed Diversion project in lower Plaquemines Parish planned in the near future has some good planned ideas for saving the coastal areas of Southeast Louisiana, but doesn't appear to account for the major disruption that will impact the local communities that rely on fisheries for making a living along with all of the support companies and individual's that will be impacted down the food chain.

I have owned property in this area for over 30 years and before that I recreationally fished for Crabs, Shrimp and all of the local fish with my Father since the early 1970's while I was only 7 years old.

I have watched the enormous amount of land wash away and have also watched the mining and drilling operations being performed for over 50 years with no real regulatory agencies taking action to provide for the replacement of land that has caused the land to sink and wash away. Due to the many years of operations from these activities, this in a huge part is why the land has sunk and washed away. If the companies that participated in these activities would have been forced to replace land as it performed their operations the land mass would be in much better shape today and not require so much of a drastic, damaging process of that with the proposed Diversion. I would hope that if this were known about these operations 40 to 60 years ago that somewhere during this time frame the proper regulatory agencies would have taken action to try and slow this land from sinking and washing away by using the same pumping process that should be continued now in lieu of the Diversion, but increasing it by at least 10 fold.

I bring this up to propose not only continuing the pumping of the sand from under the waters to place the land back in place, but to also increase this process by ten fold to make the impact more immediate and a much more definitive outcome than the proposed Diversion. This would immediately impact the livelihood of so many people in a positive manner. If the funds were appropriated in the proper manner this could create land in a more immediate process unlike the proposed Diversion that would only possibly work over a 50 - 100 year time span and could possibly be destroyed by yearly Hurricanes damaging the Diversion process along with extending the whole process by many years without any certain outcome as pumping to make land masses would.

In closing I really doubt that anyone will listen to our words or thought's on this matter, but in our local community we are hoping that we can at least see funding to raise our only Road that gives us access to over 100 properties. We request for this operation provide funding for the raising of our land and houses since the projected higher water level's created by the Diversion will certainly impact our community. With the higher water levels without funding to raise the land we will also realize a drastic drop of property values and see our Flood and Homeowners Insurance increase to levels that we will not be able to afford.

Thanking you in advance for your attention and thoughts regarding this matter.

Sincerely,

Randall C Rush

Concern ID: 61727

One major cause for the loss of wetlands over the last 50 or 60 years is mining and drilling operations that were not required by regulatory agencies to replace the marsh loss they caused. So money from the oil and gas industries should be allocated for continued restoration efforts.

Response ID: 16027

The impacts of the oil and gas industry on wetland loss in the Barataria Basin were described in the Draft EIS. This EIS serves as the environmental review required by NEPA to inform USACE's decisions on the Section 10/404 permit and Section 408 permission and the LA TIG's OPA decision regarding funding the construction of the proposed MBSD Project via damages paid by BP following the DWH oil spill (see Section 1.6.1 The OPA and DWH NRDA Decisions of the EIS). USACE requires compensatory mitigation in the form of replacement habitat for its Section 10/404 permits (including those involving oil and gas exploration and production) that will result in wetland losses.

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the

Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62077

The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

Response ID: 16242

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS

acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:48

Michael (Mike) Ford

I have been a camp/second home owner in Happy Jack La. for 20 years. Let me first say I appreciate the opportunity to comment although it seems minds are made up and this is just a feel good thing on your part.

First I am against the Mid Barataria Diversion because I believe more harm than good will come of it although I believe something needs to be done about our coast. In this day with all the technology there has to be a way to build marsh and not hurt our seafood and fish population.

Second since this appears to be a done deal, you must raise our roads so we can get to our homes / camps. Martin Lane is the road I am on but there are many that will be effected.

My final concern is the sediment causing the main waterways to be too shallow to pass through with our boats to get to any place left that I might catch a fish

Please consider us little people in making your dicisions

Mike Ford

Concern ID: 62010

Sediment transported by the diversion into the basin would cause the main waterways to have increased shoaling, become too shallow to pass through, and would require dredging in order to access personal properties. This plan should address the potential loss of access for homes, camps, and businesses due to the increased shoaling.

Response ID: 16208

The impacts raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. The EIS describes impacts on marine transportation and maintenance dredging in Chapter 4, 4.21 Navigation. This section also describes potential impacts on access due to delays when dredging. In addition, refer to Section 4.13 Socioeconomics for a discussion of socioeconomic impacts due to potential sedimentation in Barataria Basin navigation channels and canals. The proposed Project would have moderate, intermittent but permanent, adverse impacts on marine traffic efficiency and safety for shallow-draft vessels. The proposed Project would also cause minor to moderate, permanent, adverse impacts in dredging requirements for portions of the Mississippi River Navigation Channel and the birdfoot delta due to Project-induced changes to typical shoaling patterns and locations. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the proposed Project area during Project operations. In acknowledgement of commenters' concerns regarding sediment and shoaling impacting navigation, the Mitigation and Stewardship Plan in Appendix R1 in the Final EIS includes measures to mitigate impacts on navigation in the basin resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62780

Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.

Response ID: 16362

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects

without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62781

Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.

Response ID: 16363

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to

comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:49

Edward Flanagan

With the past hurricane seasons resulting in land lost in the Barataria Basin the tides come in much quicker with south winds causing higher tidal surges on our property. With the diversion raising the water levels in the Lake Hermitage area combined with the higher tidal surges our property will be in flood water the majority of the time. We currently have the property up for sale but with increased flooding the potential for selling this property will be unlikely. Thank you for allowing us the opportunity to submit our comments.

Concern ID: 62013

The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.

Response ID: 16210

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in

the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62224

Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.

Response ID: 15757

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These

mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:50

Luanne Neeb

I have a home on Martin Lane and am concerned about the impacts of this project. My husband and I are retired, and while this is not our primary residence, we spend about 50% of our time at this residence. We are being told that the water levels will rise 1/2 foot to 1 foot. This will cause a significant impact on homes like mine (below flood level) and on our access to our homes. I have been a homeowner here for almost 8 years; I have made improvements since my purchase of over \$30,000; I pay property taxes, and my home is covered by both homeowners and flood insurance, at significant cost, to protect my property.

My specific concerns are these:

1. Access due to road flooding
2. Damage to vehicles
3. Cancellation of flood insurance
4. Increased expense to raise home and slab
5. Increased expense to raise wharves
6. Decrease in property value
7. Inability to sell the property due to frequent flooding

Will funds be available to raise our only access to our home on Martin Lane? Will funds be available to raise our homes and wharves? Will funds be available to buy us out at current market rates?

I am also concerned for local commercial and sport fishermen and the environmental impacts on our area. I have witnessed coastal erosion during the 8 years I have owned this home, and fear this project will make things worse. I believe this project, in an effort to restore wetlands in one area, is putting our area at risk!

I appreciate the opportunity to provide my input on this issue and look forward to getting more information regarding the project and its impact to the homeowners of Martin Lane, Port Sulphur, LA. Thank you. Luanne and Dave Neeb

Concern ID: 62013

The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.

Response ID: 16210

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie

Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

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In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62077

The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

Response ID: 16242

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact

determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62226

The diversion would destroy the property in which commenters have made substantial investment.

Response ID: 15750

Draft EIS Chapter 4 Section 4.13.5.3 in Socioeconomics discussed impacts of the proposed Project on property values. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitude. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62227

The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.

Response ID: 15820

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including

road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62324

Commenter appreciated the opportunity to provide input on this issue and looks forward to getting more information regarding the Project and its impact to the homeowners of Martin Lane, Port Sulphur, LA.

Response ID: 15776

The Draft EIS provides information regarding potential impacts to communities such as Port Sulphur, particularly in Section 4.13 Socioeconomics and Section 4.20 Public Health and Safety. Since issuance of the Draft EIS for public comment, CPRA has further developed its Mitigation and Stewardship Plan, which describes planned mitigation and stewardship measures for homeowners impacted by the proposed Project. Final EIS Appendix R1 contains the revised Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive

management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final

EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:51

Chris Cook

I am writing as a member of the public and resident of New Orleans. Before the river was engineered in response to the 1927 flood, Louisiana used to grow every spring and New Orleans enjoyed an immense buffer protecting it from storms. Restoring this wetland buffer is key to the city's survival.

Southeast Louisiana is already an engineered space, one that is not working for us. Let us engineer it for longevity. Please approve this diversion.

Concern ID: 63351

Before the river was engineered in response to the 1927 flood, Louisiana used to grow every spring and New Orleans enjoyed an immense buffer protecting it from storms. Restoring this wetland buffer is key to the city's survival. Southeast Louisiana is already an engineered space, but one that is not working for us. Let us engineer it for longevity. Please approve this diversion.

Response ID: 16313

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 Define Project Objectives of the Draft EIS explained that the proposed Project is intended to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. This is also discussed in Chapter 3, Section 3.2.1.1 (Alternative 1 Description) of the LA TIG's Restoration Plan.

Correspondence ID:52

Craig Heyl

I have been a property owner for several years. I strongly oppose this diversion plan since it greatly impact my land and structure. The increase of 1.6 feet will put my property underwater.

Concern ID: 62227

The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.

Response ID: 15820

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

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The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62778

Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.

Response ID: 16360

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the

concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:53

Commenter

Reconnecting the River is a foolish plan. In 1991 Caernarvon diversion was created and run as a delta building project. No regard was given for the outcome of diverting nutrient rich freshwater into a brackish marsh. The result was the plants stopped rooting and the first major storm Katrina rolled up 40 square miles of produced wetland.

Reasons not to reconnect the River:

- 1) High nitrate and phosphate levels in the Mississippi River.
- 2) Only 1/4 of historical sediment that built the wetlands is currently in the Mississippi River.
- 3) Loss of highly valuable shrimp, oyster, crab and finfish.
- 4) Change of estuary system to delta building system for 25% of Louisiana seafood productivity zone.
- 5) Loss of the coastal community of Jean Lafitte.
- 6) Loss of the vacation island of Grand Isle, Louisiana.
- 7) Loss of Atlantic Bottle Nose Dolphin population in Barataria estuary.
- 8) Introduction of invasive species to Barataria estuary. Silver Carp, Zebra Mollusk, Hyacinth, Giant Salvinia, and freshwater pathogens.
- 9) Loss of larval recruitment of shrimp, oyster, crab and essential finfish.
- 10) Diversion outlet channels forming hurricane storm surge super highway for Westbank New Orleans. Effect not unlike MRGO in eastern St Bernard Parish.
- 11) Indirect financial impact of surrounding communities that support coastal community. Loss of community resiliency and sustainability.
- 12) Loss of 25% of Louisiana shrimp, oyster, crab and finfish production on tourist economy of the City of New Orleans.
- 13) Loss of 25%+ of Louisiana sportfishing industry most closely located to Louisianas major metropolitan areas of Jefferson and Orleans parishes.
- 14) Continued cost for bayside maintenance of diversion flood walls/channels.
- 15) Louisiana uncontrolled ambition to reconnect the River magnifying impacts (1-14) via uncontrolled Mardi Gras Pass, Maurepas Diversion, Caernarvon Diversion.
- 16) Use of flawed data from activist scientist and total disregard of coastal community in the past operation of Caernarvon Diversion.

Please accept this statement as comments on the proposed Mid Barataria Diversion.

-Concerned Citizen

Concern ID: 62983

There will be ongoing and continuing costs to maintain the structure. Will there be sufficient funds to maintain the Project into the future? Commenters questioned who would have responsibility for the Project's maintenance throughout its operation.

Response ID: 16621

As the Project Implementing Trustee, CPRA would ensure that there is sufficient funding to operate and maintain the Project into the future. Roles and responsibilities regarding the Project are set forth in the EIS in Sections 2 and 3 of Appendix R2 Monitoring and Adaptive Management Plan. CPRA has primary responsibility for the operations, maintenance, and monitoring of the Project.

Concern ID: 61707

Commenter is concerned that adverse impacts on coastal communities would be disregarded when operating the proposed MBSD diversion, similar to how coastal communities were disregarded in past operation of the Caernarvon Diversion.

Response ID: 15734

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area over the past several years. In addition, since the release of the Draft EIS, CPRA has engaged the public through numerous meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. For a summary of public outreach efforts related to restoration planning see Section 1.8 of the LA TIG's Restoration Plan.

CPRA would operate the proposed MBSD Project as described in their Operations Plan. See Appendix F2, Preliminary Operations Plan in the Final EIS. In addition, see Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments,

perspectives, and insights on the annual operations plans. The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures, except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 61707a

Commenter is concerned that adverse impacts on coastal habitats are being disregarded and that adverse impacts similar to those associated with the Caernarvon Diversion would occur.

Response ID: 15734a

Chapter 4 of the EIS contains a summary of the impacts that the Project is anticipated to have on coastal habitats. The commenter's concern regarding the effects of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion is available in Appendix U of the Final EIS.

Concern ID: 61782

Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.

Response ID: 16412

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As

explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 61812

Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.

Response ID: 16425

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA’s Mississippi River/Gulf of Mexico Hypoxia Task Force “Hypoxia 101” webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-hf/northern-gulf-mexico-hypoxic->

[zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.\)](#)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the

proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61906

The MBSD Project would cause loss and detrimental impacts on the recreational and sport fishing industry in the Barataria Basin.

Response ID: 16236

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism acknowledges that the proposed Project would impact recreational and sport fishing in the Barataria Basin. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips.

Concern ID: 61908

Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana's attractiveness as a fishing area and place for swamp tours and authentic seafood.

Response ID: 16238

EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these

species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

Concern ID: 62011

Commenters are concerned about the impacts of the proposed MBSD Project operations on the coastal communities including Jean Lafitte, lower Lafitte, Barataria, Crown Point, and the island of Grand Isle.

Response ID: 16209

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics considers impacts on community populations, housing and property values, community infrastructure, as well as community cohesion and other potential socioeconomic impacts on affected communities in the proposed Project area. As described, communities near the immediate outfall area (within 10 miles north and 20 miles south) outside of flood protection are anticipated to experience increased tidal flooding and storm surge that may increase ongoing trends in outmigration and cause minor to moderate, permanent, adverse impacts on community cohesion in these areas. Long-term benefits of the proposed Project are also anticipated in communities in the west bank New Orleans area north of the diversion, where decreases in storm damages are anticipated over time due to the Project. The communities of Lafitte and Des Allemands are located in areas anticipated to experience permanent, minor to moderate beneficial impacts associated with storm hazards. The proposed Project is projected to increase surge heights by only up to 0.1 foot in the community of Grand Isle. Chapter 4, Sections 4.13 Socioeconomics, 4.14 Commercial Fisheries, and 4.15 Environmental Justice provide detailed analyses of impacts from the proposed Project. The Socioeconomics Technical Report in Appendix H1 provides additional details.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Concern ID: 62071

The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.

Response ID: 16241

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62225

Plaquemines Parish could experience flooding from the diversion similar to flooding due to the Mississippi River Gulf Outlet. Commenter asked if the diversion would be closed if it causes such flooding.

Response ID: 15758

As described in Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction levees against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events. Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts potentially caused by the operation of the diversion.

CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and

other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62692

The proposed Project would introduce or facilitate the spread of invasive species (for example, carp, zebra mollusks, apple snails, Asian clams, water hyacinth, giant salvinia, hydrilla, nutria, northern snakehead) and freshwater pathogens to the basin, which could affect other living resources and impede navigation.

Response ID: 16074

The commenter correctly notes the potential for the proposed Project to introduce or facilitate the spread of invasive species from the Mississippi River into the Barataria Basin and resulting from the alteration of existing habitat characteristics, which is consistent with discussions in the EIS in Chapter 3, Section 3.10.6 and Chapter 4, Section 4.10.4.6 in Aquatic Resources; Sections 3.6.3 and 4.6.5.2 in Wetland Resources and Waters of the U.S.; and Sections 3.9.4 and 4.9.4.2 in Terrestrial Wildlife and Habitat. The sections in Chapter 4 also identify how the introduction or spread of invasive species may negatively impact other living resources. The northern snakehead is not currently known to occur in Louisiana; however, if its presence is later identified in the Mississippi River, its introduction or spread via the proposed Project would result in similar impacts on the environment as those described in Section 4.10.4.6 Aquatic Invasive Species of the EIS. The potential introduction of pathogens (specifically, fecal coliform [not typically pathogenic, but an indicator for other pathogenic bacteria] and Enterocci) is discussed in Section 4.5.5.8 Fecal Coliform; a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS. Section 4.10.4.6.2.1 Aquatic Invasive Species has also been supplemented to discuss potential threats to navigation in the Final EIS.

Concern ID: 62702

The movement from an estuary to a delta-building system would adversely impact commercially-harvested species.

Response ID: 16080

The movement from an estuary to a delta-building system would result in either adverse or beneficial impacts on commercially-harvested species, based on habitat preferences and life histories, as summarized in Chapter 4, Section 4.10 Aquatic Resources, Table 4.10-6 of the Draft EIS. In the LA TIG's Draft Restoration Plan, commercially-harvested species that could experience collateral injury from the proposed Project were also described in Chapter 3, Section 3.2.1.5 in OPA Evaluation of the Alternatives, and species that could benefit from the proposed Project were discussed in Section 3.2.1.6 Benefits Multiple Resources.

Concern ID: 62703

The proposed Project would preclude larval recruitment of shrimp, oyster, crab and essential finfish.

Response ID: 16081

The proposed Project would preclude recruitment of certain larval species in certain areas of the basin (generally the outfall area and into the mid-basin) during certain portions of their transport period, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the

Draft EIS. For example, operations above base flow would vary year by year, but are generally expected to occur between December/January and June/July and would overlap the majority of the larval transport period for brown shrimp (late January to June), thereby precluding larval recruitment to the outfall area. However, Atlantic croaker larvae are transported into the estuary from October to May (with peaks in November and February), such that larval migration to the outfall area would be precluded only during a portion of its larval transport period.

Concern ID: 62784

Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.

Response ID: 16366

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

Concern ID: 62806

Some commenters suggested that the data used for the proposed Project are flawed.

Response ID: 16380

The EIS was developed considering the best information and data available to USACE and the LA TIG at the time of writing. Where commenters have identified specific data used in the EIS as being potentially flawed, those concerns have been assessed and responded to. In addition, additional data and publications recommended for review by the public during the Draft EIS comment period have been reviewed and incorporated into the Final EIS where appropriate.

Concern ID: 62986

The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013).

Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.

National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>

Response ID: 16701

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the

proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64060

The proposed MBSD Project would result in a financial impact on the surrounding communities that support the coastal community. More work needs to be produced to address the economic impacts for Louisiana as a whole and the locally impacted parishes from the proposed Project. This should include all of the state-wide economic issues that would result from the loss of natural resources which are heavily marketed as a basis for the industries of tourism, hospitality, restaurants, etc. Any failure to consider the complete economic impact of the destruction of seafood is inadequate given the nature of this proposed Project and the natural resource results actually delineated in the Draft EIS.

Response ID: 16231

The Draft EIS considered the potential socioeconomic impacts of the Project; thus, no related changes have been made to the Final EIS. More specifically, the EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, restaurants, tourism, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries considers regional economic impacts and community impacts projected to result from the proposed Project on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the Basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, though potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

Correspondence ID:54

Darlene McGarry

My husband and I have a home in Happy Jack and have been there for over 20 years enjoying the plethora of wildlife, recreational fishing and marsh/wetlands. We have also reviewed the many power points from meetings and written documents available on-line regarding the Mid-Barataria Sediment Diversion Project. We see little benefit and far more harm with the opening of the diversion as only 13,500 acres (roughly 10 football fields) would be created by the end of the projects 50 years while destroying the shrimp, oyster and fish species in the project area including Happy Jack where our home is located. Spending \$1,400,000,000 or more to divert water with the end result creating such a small area of marsh at the maximum estimation of 13,500 acres while increasing the tidal flooding for areas including Happy Jack is a waste of funding. This project will cause damage to home owners properties and permanently damage the fisheries in the area. Why such a large diversion in this area as the other projects that area slated for permitting have diversion flows of 10,000CFS and 5,000CFS. A diversion flow of 75,000CFS will most certainly have a profound impact if not destroy more than its purpose in rebuilding the marsh, restoring the ecosystem, and the reduction of storm surge. The project's "collateral injuries" which include impacts to the Dolphin population, the destruction of the shrimp and oyster industries in our area, increased tidal flooding (causing flooded roads, property damage and decreased home values) and permanently destroy the recreational fishing in the area do not equate to the 13 acres (10 football fields) of marsh created not to mention disturbing the oil sediment in Barataria Bay from the DWH mishap. How much does it cost to create an acre of new marsh? It was done by the Gulf along Bay Long by pumping sand. If the project costs upwards from the \$1.4B that would be a minimum cost of \$140,000,000 per acre. If the project costs \$2B, that would be a cost of \$148,000,000 cost per acre. Smaller diversion projects along the Mississippi River would be far more effective and less destructive on properties, the fisheries, the environment and the ecosystem. Property owners who fish and enjoy this area we call our "Paradise" with our families, children and grandchildren will suffer substantial losses- - personal and financial. We ask that alternatives be considered that better preserve and protect the environment and ecosystem instead of moving ahead with a project that in the end as a projected end result of creating 13 acres in 50 years.

Concern ID: 61776

The commenter expressed concern that over recent decades, Louisiana has averaged losing a football field of land every 100 minutes. The proposed Project would take 8 years to construct and 20 years to build 17,400 acres of land. Meanwhile, the state would have lost 147,168 football fields (about 195,000 acres) of coastline waiting on this proposed Project.

Response ID: 16176

The commenter's concerns regarding the pace of land loss occurring in the region and the acres projected to be created by the proposed Project over the 50-year analysis period were considered in the Draft EIS. To provide further insight into these tradeoffs, a discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS. Additionally, as stated in Chapter 2, Section 2.8.1.3 Project Construction Activities, the proposed Project is expected to require 5 years to construct.

Concern ID: 61826

Commenters expressed concern that proposed Project operations would disturb existing oil sediment (from the DWH oil spill) in Barataria Bay.

Response ID: 16431

As explained in Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes, significant scour potential exists in the immediate outfall area of the diversion structure in the basin, which could disturb oiled sediments on water bottoms. However, based on surveys conducted during remediation efforts in the Barataria Basin in response to the DWH oil spill, oiling exposure did not occur in this area, as illustrated in Chapter 3, Section 3.10 Aquatic Resources, Figure 3.10-1 of the Draft EIS. With regard to DWH oiling exposure identified in remediation surveys throughout the rest of the Barataria Basin, proposed Project operations would deposit sediments on water bottoms, which would bury any oiled sediments. Where oiled sediment exists in the birdfoot delta, bed elevations are projected to decrease by 0.2 foot by 2070 as compared to the No Action Alternative (see Figure 4.4-3 in Section 4.4.4 in Surface Water and Coastal Processes) due to reduced sediment load reaching the delta in areas observed to be impacted by oil. Bed elevations in the birdfoot delta are projected to decrease under the No Action Alternative as well. Therefore, proposed Project operations are expected to negligibly disturb existing oil sediment from the DWH oil spill. Clarification has been added to Chapter 4, Section 4.5.5.10.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS.

Concern ID: 61852

The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.

Response ID: 16617

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE

generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

Concern ID: 61879

Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.

Response ID: 15835

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to

define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

Concern ID: 62780

Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.

Response ID: 16362

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62797

Commenters questioned the goals and objectives for this Project. They noted that, given the potential for environmental and economic impacts on other resources from this Project, whether the MBSD meets the NRDA criteria to restore for damages caused by the DWH oil spill. They also questioned whether the proposed Project would be appropriate, given that the main driver of wetland loss is historical coastal oil and gas development, not the oil spill. They noted that 80 percent of the acreage projected to be reclaimed or built through the MBSD is privately owned by oil and gas companies.

Response ID: 16606

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes, or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting

in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats. The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species that occur in Barataria Basin.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having

a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of mitigation and stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The LA TIG acknowledges the concern regarding wetland loss drivers related to oil and gas activity, as well as the concern over the private ownership of the lands upon which wetlands would be created by the proposed Project. Regardless of the historic drivers of wetland loss, as explained in the Strategic Restoration Plan for Barataria Basin, because the Barataria Basin received the heaviest oiling from the DWH oil spill, the LA TIG believes that restoration activities in that basin are imperative.

With regard to the land ownership issue, the LA TIG's Restoration Plan details the reasoning supporting the location of the proposed Project, which is based on optimizing land building within the basin, regardless of ownership of the underlying land (see Section 2.3.3 [Restoration Planning Process – Proposed MBSD Project Location Alternatives] in the Restoration Plan). Private lands in the outfall area would be subject to the regular permitting processes required to conduct activities in the coastal zone. Activities on private lands would need to be in conformity with the Louisiana Coastal Zone Management Program, La. R.S. 49:214.21 and would be required to comply with the permitting requirements under the program. All coastal use permitting under the program must be consistent with the CPRA Master Plan projects. Additionally, private landowners would be required to comply with any other permitting requirements applicable to the area, including Department of the Army (DA) CWA Section 404 permits.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the DA Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:56

Brett Trahan

What a waste of money on something that may produce a lil land in 30 years.

Put that money to dredges, its been done numerous times through out plaquemines parish already and is a proven land building technique with few months time.

I'm a commercial fishermen helping to support a family and this is the exact area i fish. Your going to wipe us out along with thousands of other families. Commercial fishing is about the only thing left in this parish since the oil field is about gone. Your going to kill a whole parish on something that people think might make land!

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRAs and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62077

The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

Response ID: 16242

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRAs has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for

compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:57

Rene Martinez

I'm a commercial fisherman from Delacroix. I've seen first hand what a diversion will do. It will destroy our wetland habitat for our Seafood destroy the land. You can't build land with water that does not have the sediment in it like it did one thousand years ago. The force of the water is greater than the capability to build land. You can build more land by dredging and not kill all the dolphins with all the fresh water. I AM AGAINST BOTH DIVERSIONS THAT ARE IN PLANNING TO BE BUILT. Look at how much damage the Caernarvon.

Concern ID: 61782

Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.

Response ID: 16412

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 61783

The force of the water coming out of the proposed MBSD diversion into the basin would be greater than the proposed MBSD diversion's capability to build land.

Response ID: 16413

The issue raised by the commenter was addressed in the Draft EIS. The Delft3D Basinwide Model used physics-based computations of the diversion flow's momentum (see Appendix E Delft3D Modeling, Section 5.1) to calculate the forces on sediment and resulting sediment movement (see Appendix E Delft3D Modeling Section 5.2). Those computations showed that the largest, heaviest sediment particles would settle out first and the smaller, lighter particles would be carried farther and deposited as the flow spreads out and slows down. These behaviors are consistent with the known physics of delta-building processes and demonstrate that the diversion would build land in the Barataria Basin.

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62782

A large number of commenters expressed general opposition to the proposed Project.

Response ID: 16364

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63016

The Caernarvon Diversion (and other diversions, such as the Naomi Siphon) did not build marsh but rather caused damage to the existing marsh, such as through the introduction of freshwater invasive plant species that clog available waterways, suffocating natural marsh grass, restricting water flow.

Response ID: 16029

A summary of select natural and man-made diversions in southeastern Louisiana, including the Caernarvon Diversion and Naomi Siphon, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and discuss their recorded impacts on the natural environment. This summary, which includes a discussion on changes to marsh extent and the presence of invasive plants, is available in Appendix U of the Final EIS.

Correspondence ID:58

Matos oysters llc

Mathew Lepetich

After the total devastation that the double spillway opening had on the estuary east of the Mississippi River how DARE y'all still try to shove this freshwater down our throats ..ABANDON THIS ATOMIC BOMB !!!! Your stealing my sons ability to carry on our families legacy in the oyster business ..DREDGE DONT DIVERT ...FRESH WATER IS POSION ! SPILLWAY KILLED 7 million in my oyster crop yall haven't paid that Bill yet and want to kill more with another full time diversion the stupidly here is truly uncanny !

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62079

Commenters are concerned that impacts similar to those caused by the fresh water from Bonnet Carré Spillway openings would affect fisheries in the Barataria Basin with the proposed MBSD Project.

Response ID: 16244

The Project area for the MBSD EIS includes the Barataria Basin and the Mississippi River birdfoot delta. Existing operations and influences of rivers and diversions, including but not limited to the Bonnet Carré Spillway, were incorporated into the baseline conditions of the No Action Alternative and action alternatives assessed in the Draft EIS, Chapter 4 Environmental Consequences, Sections 4.2 through 4.24. Reasonably foreseeable future (but not existing) diversions, such as the Mid-Breton Diversion, were analyzed for impacts in combination with existing diversions and the proposed MBSD diversion in Chapter 4, Section 4.25 Cumulative Impacts.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS. Note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes.

Concern ID: 62782

A large number of commenters expressed general opposition to the proposed Project.

Response ID: 16364

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:59

FEMA

Charles Cook

please ensure that you are in coordination with the local floodplain administrators to obtain any needed local permits.

Concern ID: 62192

Commenter states that CPRA should coordinate with the local floodplain administrators to obtain any needed local permits.

Response ID: 15741

CPRA would be responsible for coordinating as needed with the appropriate floodplain administrator(s) regarding any necessary permits prior to Project commencement if the Project is approved by USACE and funded by the LA TIG.

Correspondence ID:60

Polly Glover

USACE

Louisiana is at a critical juncture in our history. Land loss and climate change along with sea level rise, storms, subsidence and other causes has my home State washing away. As a Conservation minded, concerned citizen I wholeheartedly support the Mid Barataria Diversion coming on line sooner than later. The benefit to our State far outweighs the concerns about fisheries, habitat changes etc.

I would ask that the dolphin population have increased monitoring but wholeheartedly support the Diversion and the benefits it brings to Louisiana.

Respectfully submitted

Polly Glover

Concern ID: 62917**Public comment suggested that there should be increased monitoring for the dolphin population.****Response ID: 16541**

The Monitoring and Adaptive Management (MAM) Plan included in the Draft EIS (Appendix R2) contained draft plans for monitoring marine mammals in Barataria Bay before and during Project operations. The LA TIG recognizes that pre-operation Project monitoring would be essential to understand the impacts of the Project on marine mammals and to inform adaptive management approaches to both monitoring and operational modifications that allow for the minimization of impacts, where practicable. The MAM Plan included in the Draft EIS identified a core marine mammal monitoring team that would be established to conduct year-round marine mammal monitoring. This core team would also provide stranding surveillance and response capacity. The monitoring plans included in the MAM Plan included in the Final EIS (Appendix R2) have been enhanced to allow for critical data collection capabilities. The MAM Plan in the Final EIS (Appendix R2) has also been updated to provide the marine mammal team important environmental data necessary to understand where monitoring should be focused and to inform operational adaptive management.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63333

Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.

Response ID: 16289

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:61

Form Letter 1

Dear U.S. Army Corps of Engineers, New Orleans District,

As someone who enjoys visiting Louisiana, in part because of the spectacular wildlife, I am concerned that Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Elizabeth Pomper

Washington, DC 20002

Concern ID: 61711

Coastal land and wetlands along Louisiana's coast are very valuable to migratory songbirds because these lands are the first land fall after an exhausting flight across the Gulf of Mexico. As the coastline recedes, migratory birds must fly farther and farther from their southern launch point.

Response ID: 16025

The value of Louisiana's coastal wetlands to migratory songbirds was considered in the Draft EIS. The importance of Louisiana's coastal habitats to migratory birds, as well as the threats to these habitats, is discussed in Chapter 3, Section 3.9.3.1 in Terrestrial Wildlife of the EIS.

Concern ID: 61741

Louisiana’s coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.

Response ID: 16162

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana’s coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance

refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62015

Commenter supports implementation of the proposed MBSD Project to restore the wetlands. The Barataria Basin needs its infrastructure to return which would have a substantial economic impact, support birds and other wildlife, and also bring back jobs to this area.

Response ID: 16212

The commenters' support of the proposed Project is acknowledged. The EIS evaluates economic impacts of the proposed Project in Chapter 4.13 Socioeconomics, and Appendix H1, Socioeconomics Technical Report, including potential employment impacts. In addition,

Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the proposed Project would impact recreational and sport fishing in the Barataria Basin.

Concern ID: 62326

Once the permafrost thaws past a certain point then the temperature of the Ocean will rise such that the methane hydrate frozen at the bottom of the continental shelves and Ocean will be released then there will be an oxygen-poor atmosphere above sea level.

Response ID: 15778

Ongoing impacts and future threats of climate change on wildlife habitat and wetlands were discussed throughout Draft EIS Chapter 3, including Section 3.6 Wetlands and Waters of the U.S., Section 3.7 Air Quality and Section 3.9 Terrestrial Wildlife and Habitat. Draft EIS Section 4.1.3.2 Sea-level Rise in Section 4.1 Overview of Delft3D Basinwide Model for Impact Analysis described how modeling used for the EIS impact analysis factors in sea-level rise.

Concern ID: 62334

The USACE has the skilled staff, needed knowledge, equipment and resources to save the coastline and protect people and wildlife.

Response ID:

The USACE acknowledges the commenter's endorsement. However, the Project is proposed by CPRA; for the proposed Project, the USACE is responsible for evaluation of CPRA's Section 404/10 permit application and Section 408 permission request.

Concern ID: 62339

What we do locally can affect the entire nation.

Response ID: 15786

Comment noted.

Concern ID: 62340

Staff and volunteers who worked to save birds and other wildlife from DWH effects are stakeholders in this decision.

Response ID:

The USACE and LA TIG appreciate the efforts of volunteers to save birds and other wildlife after the DWH oil spill, and recognize such volunteers among the many stakeholders in the decision whether to approve and fund the proposed Project.

Concern ID: 62342

National parks, monuments, lakes, streams, oceans and other picturesque areas should be left in their natural state.

Response ID: 15788

Comment noted. The purpose and need of the proposed Project is to restore injuries caused by the DWH oil spill by reestablishing deltaic processes to ultimately restore habitat and ecosystem services injured by the DWH oil spill.

Concern ID: 62344

Humans have no right to inhumanely kill animals, and humans depend on animals to live.

Response ID: 15790

Comment noted. The Draft EIS considered the effects of the Project on terrestrial and aquatic, and marine mammal species in Chapter 4, Section 4.10 Aquatic Resources, Section 4.9 Terrestrial Wildlife and Habitat, and Section 4.11 Marine Mammals, respectively.

Concern ID: 62357

Southern Louisiana has been losing habitat for many years.

Response ID: 15896

Comment noted. Chapter 3, Section 3.6.2.2 Causes of Wetland Loss of the Draft EIS described historic wetland losses in the Barataria Basin. Further, Sections 3.1.4.1 Mississippi River and 3.1.4.2 Barataria Basin of the Draft EIS addressed the deltaic processes that formed the proposed Project area; these sections have been supplemented in the Final EIS to further discuss historic conditions.

Concern ID: 62358

Commenter notes that racism has caused social distancing for years.

Response ID: 15848

Comment noted. Draft EIS Chapter 4, Section 4.15 Environmental Justice considered the impact of the proposed Project on minority and low-income populations.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.

Response ID: 16658

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62904

The loss of any single species would disrupt the local ecology, leading to harsher responses to natural disasters.

Response ID: 16201

As described in Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS, wildlife would experience both adverse and beneficial impacts during proposed Project construction and operations, with specific impacts depending on the individual life history and tolerances of a given species. The proposed Project is not anticipated to result in the loss of individual species throughout the Barataria Basin, but rather would cause a shift in the species assemblages to account for the modified habitat present in the basin. For example, species with higher-salinity requirements that are currently present would remain during operation of the proposed Project, but would likely move further south to account for changing salinities. The potential impacts of the proposed Project on various species and wildlife groups are analyzed and described in detail in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat, 4.10 Aquatic Resources, 4.11 Marine Mammals, and 4.12 Threatened and Endangered Species of the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63039

The proposed Project would create wetlands, which would in turn provide a myriad of benefits, including helping to protect the coastline from sea-level rise and flooding due to storms.

Response ID: 16046

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the Draft EIS disclosed the projected wetland gains. Associated benefits, such as building coastal resiliency, from the proposed Project are addressed throughout the Draft EIS. Also see a discussion of the proposed Project's benefits in Chapter 3, Section 3.2.1.6 Benefits Multiple Resources of the LA TIG's Final Restoration Plan.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62677

A commenter identified that after all of the work that went into saving birds in the immediate time following the oil spill, it would be a waste of resources to let those efforts go to waste.

Response ID: 16498

The LA TIG agrees with the commenters that the immediate response efforts of saving birds and wildlife need to be followed by long-term restoration projects that benefit these resources. One of the primary goals of the Project is "to create, restore, and sustain wetlands and other deltaic habitats and associated ecosystem services." These habitats provide food, shelter, and nursery grounds for numerous ecologically and economically important species, including birds that were the focus of immediate response efforts after the DWH oil spill.

Concern ID: 63344

The proposed Project must be moved forward to naturally reverse the impacts of levees and oil and gas activities, as well as to combat sea-level rise and climate change.

Response ID: 16305

The commenter's support for the proposed Project is noted. The comment is consistent with Chapter 4, Section 4.2.3.2 in Geology and Soils of the Draft EIS, which identified the projected land gains over time from operation of the proposed Project; these land gains take into account anticipated sea-level rise.

Correspondence ID:62

Theodore Mackenroth

Have a few questions that I would like someone to answer for me.

MRGO was built years ago to help the shipping industry. They destroyed acres of good trees and marsh to build this. It was probably the biggest fresh water diversion that was ever built.

Can you tell me how much land was built by this diversion?

If it was building land then why close it?

They said it was closed to protect New Orleans. Why didn't they just raise the levees to protect New Orleans?

What is the difference between the MRGO and the MBSD other than size and MRGO was for shipping? Both are dumping river sediment into marsh areas.

Just like the MRGO flooded New Orleans. What will stop a storm surge from backing up the diversion and flooding Plaquemines Parish?

If I back my boat up to the marsh, tie it off and put it in gear pushing against the marsh, how long do you think it will take for me to wash out a hole in the Marsh?

When you open MBSD, what is stopping the force of that water from washing out the marsh?

How big of a hole will it wash out before we see any results of land building?

Why hasn't anyone reduce the size of Bay Long Pass and 4 Bayou Pass to slow the tide water? This would help reduce erosion.

Concern ID: 61885

Consider the alternative of reducing the size of Bay Long Pass and 4 Bayou Pass to slow the tide water and save land instead of implementing the proposed MBSD Project.

Response ID: 15981

This alternative as presented, specifically reducing or narrowing the passes, would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

Concern ID: 62229

The storm surge could back up into the diversion and cause flooding in Plaquemines Parish.

Response ID: 15751

As described in the Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction levee to reduce

risk against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events.

Concern ID: 62639

The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).

Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.

Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.

Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.

Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.

Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.

Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS

Response ID: 16631

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4,

Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, “A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation” (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, Estuarine, Coastal and Shelf Science, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005>).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG’s Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project’s goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

Concern ID: 63029

The commenter states that, upon operation of the proposed MBSD Project, the force of the water would wash out the existing marsh and questions how much marsh would be washed out before the results of land building are seen.

Response ID: 16037

The high water velocities from the diversion structure into the Barataria Basin would contribute to localized wetland losses at the immediate outfall area; those impacts would be offset by later marsh building in the outfall area by 2030 (see Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS). The Final EIS has been updated to provide a discussion of that change in Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

Correspondence ID:624

Candis Harbison

Dear U.S. Army Corps of Engineers, New Orleans District,
Louisiana's wetland destruction has occurred on a massive scale, so the solution must be BIG. Please support the Barataria Basin project.

Sincerely,

Candis Harbison

Panama City, FL 32401

Concern ID: 63339

The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.

Response ID: 16297

The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.

Correspondence ID:919

Nacho Pup

Please support this issue as it is vital for Virginians such as myself. Thank you.

Nacho Pup

[REDACTED]

Baltimore Maryland

[REDACTED]

Concern ID: 63332

A large number of commenters expressed general support for the proposed Project.

Response ID: 16288

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:973

Roger Ingersoll

Dear U.S. Army Corps of Engineers, New Orleans District,

More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential.

I support the preferred alternative in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Thank you.

Sincerely,

Roger Ingersoll

The Woodlands, TX 77389

Concern ID: 61741

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.

Response ID: 16162

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH

restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1074

Form Letter 2

Louisianas coast is in crisis. The ongoing loss of its coastal wetlands, which has already claimed an area equal in size to the state of Delaware, makes communities increasingly vulnerable to stronger hurricanes and sea level rise.

This loss, coupled with saltwater intrusion and sea level rise, threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife and vital resources depend. This region continues to feel the impacts of the Deepwater Horizon oil spill, which further decimated wetlands and devastated wildlife more than 10 years ago.

In the face of these challenges, we have an opportunity to harness the natural land-building power of the Mississippi River to maintain vital wetlands and restore the health and vitality of the entire ecosystem. I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the Army Corps and Louisiana Trustee Implementation Group:

*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion: For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this project is the best long-term solution and necessary to meet the challenges we face from land loss, sea level rise and climate change. Reconnecting the river to nearby wetlands through this project provides our greatest opportunity to avoid a devastating future for Louisianas communities, wildlife and economy. The Mid-Barataria Sediment Diversion is the cornerstone of Louisianas Coastal Master Plan and will help support and enhance the lifespan of other coastal restoration and protection projects.

*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan: As Barataria Basin continues to recover from the devastating impacts of the oil spill, this project is vital to restoring the health and function of the entire ecosystem. The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the United States. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisianas coast.

As the project advances, I urge federal and state decision makers to consider the following:

*Center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. We applaud the commitment of the Federal Trustees and Louisianas Coastal Protection and Restoration Authority to address impacts that could result from the construction and operations of the project. Louisiana and the other Trustees will dedicate approximately \$300

million to fund a robust stewardship and mitigation plan, addressing any potential impacts that may occur. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning and implementation processes.

*Commit to developing a robust adaptive management program: To ensure the project meets its restoration goals in response to changing environmental conditions, I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

A future without the Mid-Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the projects construction and associated mitigation and stewardship activities.

Concern ID: 61716

The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.

Response ID: 16026

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the

impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62675

Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.

Response ID: 16497

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.

Response ID: 16658

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63179

Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.

Response ID: 16556

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1116

The Save Louisiana Coalition

George Ricks

It is of our opinion that virtual meetings for this all important issue of a project that will drastically alter our estuary forever, is unfair to the hundreds that do not have computer skills or accessibility. At this point and time when the State of Louisiana is in a modified stage 3, and public gatherings are allowed, I feel there is no need to hold virtual meetings. I feel the USACE will take this into consideration.

Respectfully,

Capt. George Ricks

President, The Save Louisiana Coalition

Concern ID: 61760

Public meetings for this proposed Project, which would drastically alter our estuary forever, should have been in-person since the State of Louisiana is in a modified stage 3 and public gatherings are allowed. Holding virtual public meetings for a project of this importance is unfair to the hundreds that do not have computer skills or accessibility. Commenter requests that USACE and TIG hold in-person meetings regarding the proposed Project.

Response ID: 15895

USACE and the LA TIG held three joint public meetings for the Draft EIS and the LA TIG's Draft Restoration Plan in April 2021. These meetings were held virtually based on COVID-related restrictions in place at the time. Anyone interested in participating in the NEPA or OPA processes, or who wanted to learn more about the proposed MBSD Project and/or provide comments on the Draft EIS and/or the LA TIG's Draft Restoration Plan was able to participate in the meetings via an internet/web-based conferencing application or via toll-free telephone line. Spanish, Vietnamese, and Khmer translators facilitated participation by non-English speakers; key messages from the meeting presentations were translated during the meetings, and the translators were available to interpret participant comments in any of those languages.

At the beginning of the public comment period, CEMVN posted several pre-recorded presentation videos consisting of an explanation of how to comment on the Draft EIS and/or Draft Restoration Plan, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS on CEMVN's Project webpage. These pre-recorded presentation videos were then consolidated and played at the beginning of each of the three public meetings. This consolidated pre-recorded presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage. In addition, dedicated toll-free numbers were provided during the public comment period on the Draft EIS and Draft Restoration Plan through which Spanish, Vietnamese, and Khmer-speaking individuals could listen to the translated pre-recorded presentation rather than watching the presentation on a computer.

Multiple ways to comment during the public review period were available including verbally during the virtual meetings, verbally by toll-free telephone number, written via the postal

service, and electronically via email and on the comment portal website. In addition, CPRA offered opportunities through local non-profit organizations for the public to sit with representatives from local non-profit organizations who assisted the public in preparing comments regarding the Draft EIS and LA TIG's Draft Restoration Plan.

Printed copies of the Executive Summary of the Draft EIS and the LA TIG's Draft Restoration Plan in English, Spanish, and Vietnamese were provided to libraries and community centers/organizations (see list in Chapter 7 Public Involvement of the Final EIS and Chapter 6 of the LA TIG's Restoration Plan) for those able to visit those locations in person.

All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project. Any future public engagement meetings held regarding the proposed MBSD Project would follow applicable agency guidance for the safety of all participants.

Correspondence ID:1125

Kenneth Teague

May I submit formal comments on the DEIS to this address? Or must I send them using the NPS online comment form? Note that the form is very awkward for submitting lengthy comments.

Kenneth G. Teague, PWS (emeritus), Senior Certified Ecologist

Austin, TX

Sent from Mail for Windows 10

Concern ID: 62350

The commenter asked whether they could submit formal comments on the Draft EIS in writing or if they must send them using the NPS online comment form.

Response ID: 15793

Comments on the Draft EIS were accepted via email, USPS, phone, as well as the PEPC online comment form.

Correspondence ID:1173

Robert Hyer II

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Beach renourishment projects dredging sand and all the animals onto a beach to support tourism is constantly disrupting ecosystems. Alabama stole Horizon funds to rebuild the Gulf State Park Resort during Robert Bentley's governorship who resigned for having sex with an employee. That's where Horizon money goes. They don't give a damn about migratory bird habitat or destroying ecosystems hence, our world is collapsing and we shall perish as obstinate non-conformists from the USCOE who sand New Orleans and made it easier to fill wetlands and flood adjacent subdivisions.

Habitat could be protected and restored but giving the Horizon money to the USCOE is like giving it away. You might as well bury it in the sand. Gone with the rest of our world. We're not bright enough to have a world. Have a nice day.

Thank you for considering my comments.

Sincerely,

Robert Hyer II

Lillian, AL 36549

Concern ID: 61741

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.

Response ID: 16162

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance

refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.

Response ID: 16658

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its

potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62804

Restoration funds are often misused by state and federal entities in a manner that does not protect or restore the environment.

Response ID: 16378

The restoration effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences of the Draft EIS. USACE does not oversee how NDRA restoration funds are expended.

The LA TIG assessed the reasonableness of costs associated with the proposed Project, as discussed in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan. The LA TIG established Standard Operating Procedures that apply to both restoration planning and project costs to ensure that funds are spent appropriately on restoration. This includes regular reporting on spending, as well as audit requirements. For more information on these procedures see

<https://www.gulfspillrestoration.noaa.gov/sites/default/files/wp-content/uploads/DWH-SOPs.pdf>.

Correspondence ID:1482

David Valle

Dear U.S. Army Corps of Engineers, New Orleans District,

as 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana and the Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend, especially as climate change is the centerpiece of everything involved in this society today,

In the looming waves of the climate change crisis in a timely manner that is still unnecessarily wasting away our world in any given basis, and an issue that is equivalent to an electric grid shockwave affecting the entire panorama that is all we have in the world, returning to the subject of Australia's Tarkine Forest, the country's largest temperate rainforest and the world's second largest, among a biodiverse oasis that is incomparable to anything we could imagine in the US, given its equally sensitive wildfires conditions since their own seasons, like ours, and Japan's Yakushima Forest, it's these two alone that are in the still endangered ecosystem of all, the Oceania and where there's no escaping any other way when it involves an all-water locked area but also because in Japan's WWII state, it managed to UNESCO-register this one and where like our own country managing several natural lands protections and where it's the same issue 100 years later but with a faster pace given everything and the S. 372 which is the crown jewel among this.

National Flood Insurance Program debt of \$20.5 billion but also the wildfires budget bill of \$2.3 billion, 10 times worse we've had since 1985, are the signs we've long overlooked the continued impacts of climate change and where we need to move next in the interests of future amendments and obligations we need to the future, and our government is immensely capable of it, I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

Minnesota (\$400) and Colorado (\$7.50) power outages have cost us in the climate change crisis in this winter season alone and its the flip sides of the pending spring season and a summer season, it can't be emphasized our government has a lot to handle and what is a live issue everywhere, and with that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state entities responsible to consider the following:

*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

*Thoroughly work with impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Sincerely,

David Valle

Carrollton, TX 75007

Concern ID: 61732

The climate change crisis has had devastating impacts to natural resources around the world.

Response ID: 16158

The impacts of climate change on the Project area were considered in the Draft EIS. Chapter 3, Section 3.1.3 Climate provides a general overview of climate change and associated impacts in the Project area, which include projected changes in weather patterns, along with continued saltwater intrusion due to sea-level rise contributing to loss and conversion of freshwater marshes. The effects of climate change via projected sea-level rise (see Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the EIS) were incorporated into the Delft3D Basinwide Model for projecting the impacts of the Project. In addition, as noted in Section 4.7.4 in Air Quality of the EIS, the Project would result in permanent, indirect, minor, beneficial impacts on carbon sequestration and atmospheric greenhouse gas (GHG) concentrations due to wetland creation and restoration within the Barataria Basin.

Concern ID: 61740

Over time, Louisiana's natural environment is continuing to be destroyed by humans.

Response ID: 16161

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment of the EIS. Past, present, ongoing, and reasonably foreseeable actions and trends in the Project area are discussed throughout Chapter 4, Section 4.25 Cumulative Impacts, including how those actions have and may continue to affect Louisiana's natural environment. The proposed Project is a restoration action intended to restore and sustain wetlands in the Barataria Basin and compensate for damages to natural resources that resulted from anthropogenic causes, for example, the DWH oil spill.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.

Response ID: 16658

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its

potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1636

Ellen Schock

Dear U.S. Army Corps of Engineers, New Orleans District,

This project will build more wetlands than any other individual restoration project in the world.

Thank you for considering my comments.

Sincerely,

Ellen Schock

Fort Myers, FL 33908

Concern ID: 63334

The proposed MBSD Project would maintain and restore coastal lands and should move forward.

Response ID: 16291

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1679

Michael Sharp

Hi, my name is Michael R. Sharp and I fully support the Mid-Barataria sediment project.

It's Michael R. Sharp and I fully support the Mid-Barataria settlement project and diversion project.

Concern ID: 63332

A large number of commenters expressed general support for the proposed Project.

Response ID: 16288

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1705

Mike Nunmaker

I have owned my home in Myrtle Grove Marina Estates since September 2010. Since that time I have witnessed enormous change in the form of increased flooding at my property. Especially in the last 3 years. I attribute this to the raising of levees located to the north and to the south of our subdivision. I attribute a raise in the average tide of about 1 1/2' to this. Now with the major proposed Mississippi River diversion and expected increased sea level rise my \$ 650,000 investment will be deemed worthless. Our streets flood now with a 20 mph East to South to Southwest wind as Barataria bay fills in the marsh or what is left of the marsh instantly and floods our streets enough that we can't get to our properties. My concern is that this will increase drastically both in the height of the level of water and the frequency of occurrence. We were originally promised a flood gate for the levee project by previous parish leadership and when all was said and done we were left on our own literally. My main concern is that the combination of 12 foot high levees and the proposed giant River diversion and without a flood protection system for our neighborhood is doomed. I sincerely believe that every land owner in our area should be compensated for our loss of value since obviously we have been here long before any government sponsored changes were made. Especially since the Corp of engineers is known to do projects that negatively affect tax payers all the time. I understand that the shrimping and the oyster industries are to be compensated so I would be interested in learning why we would not be made whole.

Concern ID: 62013

The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.

Response ID: 16210

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including

Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those

landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62224

Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.

Response ID: 15757

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4)

providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62951

CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.

Response ID: 16711

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the

LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:1718

Form Letter 3

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I urge you to:

*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Martha Steele

Sincerely,

Martha Steele

San Antonio, TX 78231

Concern ID: 61741

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.

Response ID: 16162

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the

ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in

instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.

Response ID: 16658

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or

adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1748

Owen Jones

This experiment in diverting polluted fresh water into a brackish water estuary is crazy. You are predicting 50 years out what SWAG might happen. Let us look at the facts:

1 Areas that have been prone to flooding are going to have to deal with at least a 1 foot rise in water permanently when this monster is opened. Is the state going to buy all the property that will be exposed to even more deliberate flooding. How much will that cost? Is the state ready for massive class action law suits due to loss of income and or property.

2 This country goes berserk over killing snail darters and other species because of construction. This project will deliberately kill all the brown shrimp habitat and most of the dolphins in Barataria bay. What if any brackish water species lives and thrives in the Mississippi river-NONE. The single most important species to the GIANT recreational fishing industry is the spotted sea trout. With no shrimp it is gone. When that goes so does the value of fishing camps, boats and new boat sales, tackle shops, marinas, etc. I guess we just have to get out of the way for the gitty scientist who want to return the river to the marsh for this giant experiment. It is an experiment when it has never been done on this scale any where in the world.

3 I have lived in the New Orleans area for most of my 75 years. I have seen how our area has benefitted from dredging. The entire residential area North of Robert E Lee Blvd was dredged about 100 years ago and it is still there. The sediment from the MRGO around Shell Beach and Hopedale have benefitted from this material. That was dredged 60 years ago. I have seen many major dredging projects around the world personally. The new HONG KONG airport was dredged from the sea. The massive islands of the coast of Dubai where 64000 people now live. One third of Singapore's land mass was dredged. How can a project like this NOT consider dredging. That where no models discussed nor any SWAG of the long term benefits of dredging.

4 What dredging will not do is pollute permanently the estuary that so much depends. Dredging has more benefits sooner that are more predictable than an experimental diversion. Our area has many dredging projects that allow engineers to accurately forecast the long term benefits without relying on a SWAG 50 years out.

5 The state will certainly lose any class action lawsuit that does not provide BILLIONS to compensate the thousands of people whose lives, income, and recreation will be permanently destroyed by this project. This is a total waste of money that could be spent on better engineering solutions without the permanent destruction that the MBSD will cause.

6 We as a community have a one time shot at getting this right thanks to the BP oil spill money. If we build this and it proves to be worse than projected [remember it is an experiment], we will be out of money to do what needs to be done.

Let us kill this project and DREDGE.

Concern ID: 63182

Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.

Response ID: 16559

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61906

The MBSD Project would cause loss and detrimental impacts on the recreational and sport fishing industry in the Barataria Basin.

Response ID: 16236

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism acknowledges that the proposed Project would

impact recreational and sport fishing in the Barataria Basin. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips.

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRAs and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62659

The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.

Response ID: 16632

The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project

would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62785

This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).

Response ID: 16367

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are

instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63092

Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, “real estate plan” for impacted communities was not available.

Response ID: 16511

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA’s initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA’s Mitigation and Stewardship Plan are not included in CPRA’s DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners’ properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner’s property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA’s Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final

Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:1753

Lan Nguyen

Shrimping is my livelihood and the sole source of income for my family. The proposed measures in the draft mitigation plan doesn't address the loss of income along with the other measures. This loss of income from the diversion opening should be compensated to fishermen in the form of a check in the amount that they would have normally earned in that season pre-diversion.

Concern ID: 63131

Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.

Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.

Response ID: 16515

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Correspondence ID:1755

Hanh Le

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Concern ID: 63131

Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.

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Response ID: 16515

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CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Correspondence ID:1756

Sang Tran

I read over the mitigation measures and I think that all of them are good for the fisheries.

Concern ID: 63133**Commenters support the proposed mitigation measures for the commercial fishing industry.****Response ID: 16517**

The comments received in support of the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:1763

Zachary Mouton

I have been a resident since 2005. The levee around the development when I purchased my property was an inch or 2 below my slab. If water came in that high it would flow over the levee and I was fine. now they are raising the levee which now every time the water raises above the street and to the top of the new levee and above above it will flood my ground floor storage.

I did not buy my property with that problem. Also the new siphon will make the water get higher on a regular bases. I cannot sell to get back what I paid for it because everyone now knows what is going to happen.

Do you have a game plan for the residents that are there now.

Zach Mouton

Concern ID: 63096

Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).

Response ID: 16699

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its

eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:1767

Chamreon Kang

I am a commercial fisherman involving in the shrimping business for many years now. These changes will greatly affect my livelihood and many others in my community. It greatly concerning to me as I am so reliance on my occupation to make a living and survive. To put my concern at rest, I would like ways for me to continue as a commercial fisherman through support from the government. If the shrimping business continue to be profitable I would like a large boat to continue doing what I love best. If these changes means the decline of the shrimping business I would like financial support and care for my community and me.

Concern ID: 63131

Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.

Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.

Response ID: 16515

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)

- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:1809

Gerald Harper

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Thank you for considering my comments.

Sincerely,

Gerald Harper

Lakeland, FL 33803

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1862

Lynn Miller

CONTINUED WATER QUALITY MONITORING MUST BE MAINTAINED and do not let any more dredging for oil or sonar booms in Florida waters. We are losing fresh water to NESTLE for \$150 dollars and cannot afford anymore water issues.

Also, take DOWN the RODHAM DAM which is impeding water here.

The OIL INDUSTRY has to stop drilling. Time for Solar and Wind power. We cannot afford to be ill and lose businesses for huge corporations to profit from our water.

Concern ID: 62325

There are many water issues including oil extraction, sonar booms, dams and corporate profit.

Response ID: 15777

Comments noted. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, which is limited to Louisiana, particularly the Barataria Basin and the Mississippi River birdfoot delta.

Concern ID: 62867

The Final EIS should not be published unless there are commitments to monitor the following parameters at the diversion site or in Barataria Bay: Project operations, the flow and quality of the water flowing through the diversion, wetland type coverage over time, water surface elevation, water quality in the basin, salinity, contaminant concentrations in diverted sediments, fish and shellfish abundance, oyster reef parameters, benthic community composition and abundance, SAV coverage, finfish and oyster contaminant concentrations, and shellfish harvest restrictions. These same data should also be collected in two reference basins.

Response ID: 16676

Basin-side monitoring of water surface elevation, water quality in the basin, salinity, fish and shellfish abundance, and benthic community composition and abundance to evaluate how the Project is meeting Project objectives were included in the Monitoring and Adaptive Management (MAM) Plan of the Draft EIS (Appendix R2). Riverside monitoring parameters include river discharge, suspended sediment concentrations, nutrient concentrations in water conveyed to the Barataria Basin, sedimentology of the Alliance South sand bar, and Mississippi River sediment load were also included in the MAM Plan of the Draft EIS. Additionally, in the Fish and Wildlife Coordination Act Report (CAR) section of Chapter 5 (Consultation and Coordination) of the Draft EIS, CPRA accepted USFWS' recommendation on pre- and post-construction periodic sampling of Contaminants of Concern in fish, shellfish, and wildlife from the outfall area and the Mississippi River (see Section 3.7.3.23 of the MAM Plan [Appendix R2 to the EIS]). Therefore, no changes were made in the Final EIS on these issues. The Louisiana Department of Health will continue to monitor shellfish harvest restrictions. Additionally, the majority of the parameters above are collected via the State's System Wide Assessment and Monitoring Program that will allow comparison of the Project variables within and among other estuarine basins across the Louisiana coast.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:1871

Lee Lam

I would definitely need money to make my boat bigger so that I can go out further and stay. I will also say that a lot of commercial fishermen are old, so we can't really take advantage of the workforce trainings because employers don't want to hire older people.

Concern ID: 63134

Commenters suggested that job training would not be helpful for older workers or for those facing language or technological barriers. Direct payments should be considered for these fisherman that cannot change careers easily.

Response ID: 16518

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp, in Chapter 4, Section 4.14 (Commercial Fisheries). In response to public comments and resource agency input about proposed mitigation and stewardship measures, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The revised mitigation and stewardship measures allocate approximately \$54 million to commercial fisheries, which supplement other restoration actions and programs being funded by the LA TIG and by the State through LDWF. This includes \$2 million for Workforce/Business training which can be used for older workers facing language or technical assistance barriers (see Appendix R1 to the Final EIS). Additionally, if the MBSD Project is permitted by the USACE and funded by the LA TIG, it would take approximately 5 years to complete construction of the Project and to begin operations. This relatively long period would provide affected senior fishers with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan to transition out of the fishing industry. The final fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated

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Correspondence ID:1872

Christi Lam

I would just like help with moving and for the government to buy my boat. I don't think job training would be good for me because I've been a fisherwoman for so long and I come from a different country and I'm scared that I can't learn anything new.

Concern ID: 63134

Commenters suggested that job training would not be helpful for older workers or for those facing language or technological barriers. Direct payments should be considered for these fisherman that cannot change careers easily.

Response ID: 16518

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp, in Chapter 4, Section 4.14 (Commercial Fisheries). In response to public comments and resource agency input about proposed mitigation and stewardship measures, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The revised mitigation and stewardship measures allocate approximately \$54 million to commercial fisheries, which supplement other restoration actions and programs being funded by the LA TIG and by the State through LDWF. This includes \$2 million for Workforce/Business training which can be used for older workers facing language or technical assistance barriers (see Appendix R1 to the Final EIS). Additionally, if the MBSD Project is permitted by the USACE and funded by the LA TIG, it would take approximately 5 years to complete construction of the Project and to begin operations. This relatively long period would provide affected senior fishers with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan to transition out of the fishing industry. The final fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated

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Correspondence ID:1873

Kin Khon

I would like money to start a new business; a donut shop. I am too old to continue fishing so I'd like to try something new.

Concern ID: 63134

Commenters suggested that job training would not be helpful for older workers or for those facing language or technological barriers. Direct payments should be considered for these fisherman that cannot change careers easily.

Response ID: 16518

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp, in Chapter 4, Section 4.14 (Commercial Fisheries). In response to public comments and resource agency input about proposed mitigation and stewardship measures, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The revised mitigation and stewardship measures allocate approximately \$54 million to commercial fisheries, which supplement other restoration actions and programs being funded by the LA TIG and by the State through LDWF. This includes \$2 million for Workforce/Business training which can be used for older workers facing language or technical assistance barriers (see Appendix R1 to the Final EIS). Additionally, if the MBSD Project is permitted by the USACE and funded by the LA TIG, it would take approximately 5 years to complete construction of the Project and to begin operations. This relatively long period would provide affected senior fishers with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan to transition out of the fishing industry. The final fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

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Correspondence ID:1880

Form Letter 4

Louisianas coast is critical to not only the people who live, work, and recreate here, but to the entire nation. World-class fishing attracts people from all over the world. Our ports are a major player in international trade. The nations energy needs are largely supported by the oil and natural gas industry located along our coast.

Our coast is disappearing. Its vital that bold action is taken to help protect communities, businesses, and natural resources from the devastating effects of hurricanes, storm surge, and sea level rise. The single biggest thing that can be done to help mitigate some of this loss - and address this crisis - is to allow the Mississippi River to do what its done for thousands of years: build land with its sediment and nutrient-rich water.

In 2010, The Deepwater Horizon oil spill exacerbated our coastal crisis and severely impacted wildlife that depend on our estuaries. Approximately 95% of the marsh oiling along the Gulf occurred in Louisiana - the heaviest of that oiling was in the Barataria Basin. Already suffering from degradation prior to the spill, the basin was especially hard hit with land loss rates doubling or tripling after the oil spill. Without the Mid-Barataria Sediment Diversion (MBSD) project, this basins estuary will collapse.

A problem of this magnitude requires innovation. The MBSD project is one of the largest environmental infrastructure projects in the history of the United States. Reconnecting the Mississippi River to the Barataria Basin will maintain vital wetlands and restore the health and vitality of the entire ecosystem.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

The Mid-Barataria Sediment Diversion is the cornerstone of Louisianas Coastal Master Plan and will help support and enhance the lifespan of other coastal restoration and protection projects. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisianas coast.

As the project advances, I urge federal and state decision makers to center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits, including increased storm surge protection, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and be as detailed and transparent as possible throughout the process.

I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

A future without the Mid-Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the projects construction and associated mitigation and stewardship activities.

Concern ID: 61735

Louisiana's coast is critical to not only the people who live, work, and recreate here, but to the entire nation. World-class fishing attracts people from all over the world. Our ports are a major player in international trade. The nation's energy needs are largely supported by the oil and natural gas industry located along our coast.

Response ID: 16160

The importance of Louisiana's coast to the people who live, work, and recreate here, as well as to the nation, was considered in the Draft EIS. The details about the importance of the Project area's recreational fishing, commercial navigation, and the oil and gas industry are included in Chapter 3, Sections 3.16 Recreation and Tourism, 3.21 Navigation, and 3.2.3 in Geology and Soils, respectively.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship

measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62675

Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin

where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.

Response ID: 16497

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.

Response ID: 16658

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

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Concern ID: 63179

Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.

Response ID: 16556

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from

the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63340

The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.

Response ID: 16298

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

Concern ID: 63352

The Mid-Barataria Sediment Diversion is the cornerstone of Louisiana's Coastal Master Plan and would help support and enhance the lifespan of other coastal restoration and protection projects. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the DWH oil spill.

Response ID: 16314

The commenter's support for the proposed Project is noted. The cumulative impacts of the proposed Project and other restoration projects were discussed in Chapter 4, Section 4.25.6.4 in Cumulative Impacts of the Draft EIS. This section identified that, although sea-level rise and saltwater intrusion would generally offset the wetland gains of individual projects by 2070, there would be substantial interim benefits of these other past, present, and reasonably foreseeable restoration projects in the Barataria Basin, including benefits related to fisheries production and storm surge risk.

Correspondence ID:1895

Christopher Wilke

My address of record is in New Orleans but I own an off grid camp at [REDACTED] about 7 miles North of Barataria Bay. I also have waterfowl leases in the area. I have been boating, hunting and fishing the area for two decades or more. I have seen drastic loss of marsh and a deepening of the larger waterways over that time. If nothing is done the marsh around Barataria Bay will vanish and there will be nothing between the Mississippi River and the Gulf except the levee and Grand Isle. Commercial and recreational fishermen that oppose this project are selfish and short sighted. Their fathers and grandfathers ran much further south to find the salinity levels that produced the fishing they enjoy in much slower boats. I fully support this project as someone that owns and leases land within the area of the project.

Concern ID: 63333

Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.

Response ID: 16289

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1896

Richard Kuhlmann

I am 74 years old and been fishing the Louisiana coast since the 60's. It is unbelievable how much of it is gone. I have a camp at Dulac la. And last Island is just about gone. I think this diversion canal is a great idea

Concern ID: 63334

The proposed MBSD Project would maintain and restore coastal lands and should move forward.

Response ID: 16291

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1902

Marine Mammal Commission

Peter Thomas

The Marine Mammal Commission would like to request that the US Army Corps of Engineers and the Louisiana Trustee Implementation Group extend, for a minimum of 30 days, the comment period for the Mid-Barataria Sediment Diversion (MBSD) draft environmental impact statement (DEIS) and the associated Restoration Plan (RP) #3.2.

The MBSD DEIS/RP provides a significant amount of information regarding the proposed diversion project and its projected environmental and economic consequences. The diversion project represents a novel effort to rebuild lost marsh land in Louisiana. The US Army Corps of Engineer's preferred alternative involves the construction of a large-scale sediment diversion to introduce freshwater and associated sediments from the Mississippi River into Barataria Bay. The use of large-scale sediment diversions to rebuild land in complex estuarine ecosystems has not been attempted anywhere else in the world, and its projected effectiveness and impacts are based largely on complex hydrographic modeling and associated assumptions regarding water flows, nutrient inputs, and ecological responses.

The alternatives considered in the DEIS are all expected to have significant adverse impacts on the resident population of common bottlenose dolphins in Barataria Bay. The extent and severity of impacts on bottlenose dolphins and their estuarine habitat has been modeled in part in Chapter 4.11 of the DEIS. The Marine Mammal Commission has requested that the National Marine Fisheries Service and the National Marine Mammal Foundation conduct additional analyses on the multi-year population trajectory of bottlenose dolphins, incorporating the projected annual survival rate resulting from the project that was presented in the DEIS. The Marine Mammal Commission is also evaluating the the effectiveness of the proposed mitigation and monitoring measures as well as the proposed stewardship measures. Given the complexity of the hydrographic and ecosystem modeling efforts, the severity of anticipated impacts to bottlenose dolphins, and the additional analyses that the Marine Mammal Commission has requested and is undertaking to understand the long-term impacts of the project on bottlenose dolphins, we are requesting the extension in order to ensure a thorough review of the DEIS/RP and the proposed mitigation and monitoring measures.

Please let us know as soon as feasible whether this request can be granted.

Concern ID: 62487**Several commenters requested additional time to submit comments on the LA TIG's Draft Restoration Plan and Draft EIS.****Response ID: 15768**

The public comment period for the LA TIG's Draft Restoration Plan and Draft EIS was originally 60 days (March 5, 2021 through May 4, 2021). On April 23, 2021, USACE and the LA TIG issued a special public notice, announcing a 30-day extension of the public comment periods. With this addition, the public comment period for both documents was 90 days (March 5, 2021 through June 3, 2021).

Correspondence ID:1903

Bolen, Parker, Brenner, Lee & Miller, Ltd

Madeline Lee

Please implement the Mid-Barataria Sediment Diversion project for the good of the state and the world. It's not often that one is given the opportunity to actually make the world a better place. Do it!

Madeline Lee

Concern ID: 63332

A large number of commenters expressed general support for the proposed Project.

Response ID: 16288

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1904

John Gasquet

Good Morning,

Will the Core be raising our boat dock, slab under our home, sewer treatment plant our street to Lake Hermitage road and raising it also?

Due to the small amount of land this project will build in 30 years only fools would go forward with such a project spending 2 billion dollars.

Pumping sand will build land now and provide hurricane surge protection to New Orleans and surrounding areas.

Diversion will only provide .5-1' of hurricane surge protect north of the diversion in 30 years and build 17,000 acres of land. This offers zero protection to New Orleans and surrounding areas.

2 billion dollars used to build, possible to build 100,000 acres.

Thus not killing more bottlenose dolphins, sea turtles, and the seafood industry in the Barataria Basin.

Concern ID: 61852

The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.

Response ID: 16617

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were

fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

Concern ID: 61966

The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.

Response ID: 15971

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts

and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

Concern ID: 62221

The Project would not provide substantial protection from hurricanes or storm surge, nor would storm surge protection be provided in a timely manner. The area most likely to experience some increase in protection would be subject to increased water levels from diversion operations. The current diversion Project needs to be reengineered to create meaningful storm surge protection. The Project is a misuse of funds based on what the diversion would do versus what it purports to do, in part due to the Mississippi River not having enough sediment to build substantial land.

Response ID: 15756

While the proposed Project would impact storm surge, the purpose and need of the Project is not storm surge protection. As described in the Draft EIS in Chapter 1, Section 1.4 Purpose and Need, the purpose of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill by reestablishing deltaic processes. However, as described in the Draft EIS in Chapter 4, Section 4.20.4 Public Health and Safety, the Project would have the ancillary benefit of storm damage risk reduction on communities north of the diversion due to the creation and maintenance of wetland habitat within the delta formation area; the increase in topography and land acreage would induce greater hydraulic friction and resistance, reducing the inland extent of storm surge and limiting wave heights in some communities north of the diversion, as compared to the No Action Alternative. The EIS acknowledges that storm surge and wave height reduction benefits for some communities north of the diversion would not be instantaneous, but that these benefits would increase over time as more land is created and maintained within the delta formation area. The EIS also acknowledges that some of the same communities that would experience storm surge reduction benefits, such as Lafitte, would experience an increase in non-storm inundation frequency due to increased water levels from diversion operations. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height.

The EIS recognizes the role of sediment load in land building. The river still carries a massive sediment load, but not as massive as it historically carried. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in Section 3.4.2.5 Sediment Transport. The Delft3D Basinwide Model used Mississippi River sediment loads when computing the sediment load that would be delivered to the Barataria Basin. This is described in detail in the EIS, Appendix E Delft3D Modeling, Section 5.2.2.

Concern ID: 62783

Commenters noted that the cost of designing and building the proposed MBSD Project is too high for the small amount of land anticipated to be built.

Response ID: 16365

The commenter's opposition to the cost of the proposed Project is noted. Under NEPA, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that the permit applicant has conducted its own economic evaluation of a proposed project. Consequently, a cost-benefit analysis is not relevant to USACE's permitting decisions. As part of evaluating the proposed Project, the LA TIG considered the costs associated with developing, constructing, and managing the Applicant's Preferred Alternative consistent with the Restoration Plan alternatives evaluation criteria in 15 CFR §990.54. This discussion is in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

Concern ID: 63096

Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).

Response ID: 16699

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of

the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:1912

Timothy Burns

March 21, 2021

Caleb Miller, Timothy Burns, Josephine Lopez, Ryland Ayala

The University of Arizona

Environment and Natural Resources 2

████████████████████

Tucson, AZ 85721

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

To Mr. Laborde,

We are students at the University of Arizona, currently studying in a Natural Resource Policy and Law course. We have reviewed the Draft Environmental Impact Statement for the Proposed Mid-Barataria Sediment Diversion Project in Plaquemines Parish, Louisiana and have concerns regarding the effects the project will have on the species in both the Gulf of Mexico and in the delta that is proposed to be worked on and affected by the sediment diversion. Further, there may be adverse effects to the low-income and minority communities that reside in the area, and the project may make these areas more vulnerable to tidal flooding and storm surges.

As individuals with an interest in the outdoors, we have four points that we have a particular interest in: environmental justice, the effects on both terrestrial and aquatic wildlife, and how the project may affect threatened and endangered species.

In regards to environmental justice, there is a single, yet major, adverse effect that concerns us: The project's completion and operation would have a disproportionate impact on low-income and minority communities outside of federal levee protection that would leave them uniquely vulnerable to tidal flooding and storm hazards. These communities also rely on this area for both commercial and subsistence fishing, which would be drastically affected by the direction of this project.

Further, this project would have many permanent and adverse effects on the terrestrial ecosystems that currently reside there, chiefly the loss of wetlands in the birdfoot delta by 2070 as well as the negative effects it will have on the species better adapted to high-salinity environments, such as the diamond terrapin, as stated within Chapter 2.0 Alternatives (USACE, 2021). Other wildlife that would be affected by this includes small mammals such as the swamp rabbit, mink and raccoon. We would like to mention that in regard to the terrestrial ecosystems, we would be quite happy if you were to choose the 150,000 cfs alternative as it maximizes the benefits to the ecosystem while not increasing the adverse effects.

On the other hand, decreased salinity as a result of this project will have major adverse effects on the aquatic ecosystems downstream. Although the massive drop in salinity will be

temporary and will be followed by major beneficial effects, the toll this level of salinity will take on brown shrimp and eastern oysters will be permanent and it is not likely they will recover, as they are not well adapted to the salinity in the water (USACE, 2021). Perhaps most affected by the decrease in salinity will be the Barataria Bay Estuary System dolphins, which are expected to see major and significant effects on their populations as a result, with the decreased salinity affecting their overall health, survival, and reproduction.

Finally, we are concerned with the effects explained in the EIS that this project will have on threatened and endangered species in the area. There are likely to be minor to moderate adverse effects for the Kemp's ridley, loggerhead and green sea turtles, and the pallid sturgeon in the areas. Additionally, there are likely to be major indirect adverse effects on bald eagles, which may be exposed to contamination as a result of this project (USACE, 2021).

In regards to the purpose and need for the project, we could not agree more with the intentions and goals of this project. We acknowledge that beyond the simple reasoning of trying to correct the ecological damage done to the area as a result of the Deepwater Horizon oil spill that the No Action Alternative is not the environmentally superior alternative.

In the case of environmental justice, the current situation as presented in the draft EIS is that the communities involved will eventually be subject to the same major adverse effects from climate change as if the project was carried out. The No Action Alternative also has a major adverse effect on the terrestrial ecosystems, as it will do nothing to stop the constant and gradual degradation and conversion of wetlands that is taking habitat away from the native species. A similar effect will take place in aquatic ecosystems, with habitat being lost at a gradual, but constant, rate that will eventually have adverse effects on nearly every key species involved. To sum up, we fully believe that reparations of some kind do need to be made to prevent these delicate ecosystems from further damage, and we agree that cleaning damages from the Deepwater Horizon oil spill would be an ideal solution to the problem.

Although there is much to be said about restoring the natural ecosystem that was destroyed by the Deepwater Horizon oil spill, we simply ask that the project proceeds with caution. Please recognize that these situations are not as straightforward as they may always seem, and by modifying terrestrial ecosystems for the sake of a marine ecosystem can ultimately damage both. We believe that the environmental justice aspects of the project need further review. The coasts of Louisiana are already prone to flooding and this project states that one of the consequences of increasing freshwater flow in the Barataria river would be the increase in flood conditions in low income or minority communities.. Do not take these concerns as a condoning of the project, but rather a request that further thought is given to certain areas to ensure that the project results in a fair and environmentally secure decision for all involved.

Sincerely,

Caleb Miller, Timothy Burns, Josephine Lopez, Ryland Ayala

References

United States Army Corp of Engineers. (March 2021). Environmental impact statement for the proposed mid-barataria sediment diversion Plaquemines Parish, Louisiana. United States Environmental Protection Agency. <https://cdxnodengn.epa.gov/cdx-enepa-II/public/action/eis/details?eisId=323086>.

Concern ID: 61871

Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.

Response ID: 15944

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant's Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be

required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61872

The purpose and need statement upon which the alternatives analysis was built meets the intentions and goals of the proposed Project and appropriately captures the need to restore injury by reestablishing deltaic processes between the Mississippi River and Barataria Basin.

Response ID: 15828

The commenter's support for and approval of the Project's purpose and need is acknowledged.

Concern ID: 61927

The environmental justice aspects of the Project need further review because of the increase in flood conditions that would have disproportionate impacts on low-income or minority communities, including an American Indian village, outside of federal levee protection. These disproportionate impacts include devastating impacts on community culture.

Response ID: 16276

The issues raised by the commenters were considered in the Draft EIS. The EIS Chapter 4, Section 4.15 Environmental Justice discusses potential impacts of the proposed Project on low-income and minority populations.

In addition, since the release of the Draft EIS, CPRA has engaged the public through outreach meetings with the communities projected to be impacted by the MBSD, including Grand Bayou, to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on low-income and minority populations, including cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61928

In the case of environmental justice, the No Action Alternative as presented in the Draft EIS results in the affected communities eventually being subject to the same major adverse effects from climate change as if the Project was carried out.

Response ID: 16278

As explained in Chapter 4, Section 4.15 Environmental Justice of the Draft EIS, this is correct for low-income and minority populations south of the diversion outside of flood protection. For other low-income and minority populations (for example, those residing in communities in the West Bank of New Orleans) and other resources (for example, commercial and subsistence fishing), Project impacts are projected to range from beneficial to adverse as compared to the No Action Alternative. Further details can be found in Section 4.15 Environmental Justice.

Concern ID: 61938

The EIS identifies and acknowledges that there are low-income and minority communities that might experience disproportionately high and adverse economic impacts as a result of the proposed Project, particularly as such impacts relate to commercial and subsistence fishing.

Response ID: 16296

The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that disproportionately high and adverse impacts on low-income and minority populations could occur in some communities where reductions in abundance of oysters, brown shrimp, and certain fish species are anticipated as a result of the proposed Project. These impacts would depend in part on the extent to which affected populations engage in or are heavily reliant on commercial and subsistence fishing for these species. The EIS Chapter 4, Section 4.15 Environmental Justice recognizes the presence of low-income and minority populations in communities that depend on shrimp and oyster fishing in Barataria Bay, including Grand Isle, Galliano, the Lafitte area, Barataria, Belle Chasse, Live Oak, West Pointe à la Hache, Ironton,

Grand Bayou, and Port Sulphur. However, as discussed in the EIS, there are insufficient data to correlate fisheries harvests with specific low-income and minority populations.

Consequently, the precise extent to which impacts on shrimp and oyster fisheries would affect specific low-income and minority populations cannot be determined.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the EIS, since issuance of the Draft EIS and LA TIG's Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62696

Oysters are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.

Response ID: 16075

The commenter correctly notes the impacts on oysters from low salinity. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the Draft EIS, operation of the proposed Project would result in a permanent, major adverse impact on oysters, due in large part to decreases in salinity.

To address Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). Mitigation measures aimed at oyster impacts include

establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture.

Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS (Appendix R) were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 62698

Brown shrimp are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.

Response ID: 16076

The commenter correctly notes the impacts on brown shrimp from low salinity, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources; however, as noted in the Draft EIS, brown shrimp reproduce offshore and, although the number of shrimp surviving to reproduce may change, the reproductive success of surviving shrimp is not anticipated to change.

Overall, the Draft EIS anticipated a permanent, major adverse impact on brown shrimp from the proposed Project, due in part to reduced salinity in portions of the Barataria Basin.

Concern ID: 62777

Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).

Response ID: 16359

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62892

The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.

Response ID: 16191

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

Concern ID: 62905

The wetlands in the birdfoot delta and species better adapted to high-salinity environments would be negatively affected.

Response ID: 16202

Wetlands in the birdfoot delta would be negatively impacted by the proposed Project as discussed in Chapter 4, Section 4.6.5 in Wetland Resources and Waters of the U.S. of the EIS. Brackish and saline marsh, as well as species better adapted to higher salinities, would generally be negatively affected in areas closer to the diversion where salinity decreases are expected to be pronounced (see Chapter 4, Section 4.10 Aquatic Resources of the EIS); however, as noted in Section 4.5.5.1 in Surface Water and Sediment Quality, the salinity in the birdfoot delta is actually anticipated to increase slightly with proposed Project operations. Adverse impacts to wildlife from operation of the proposed Project are also discussed in the EIS, and more information on these impacts can be found in Chapter 4, Section 4.9 Terrestrial and Wildlife Habitat. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62986

The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.

National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>

Response ID: 16701

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular

emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63013

The commenter asked that the Project proceed with caution, recognizing that these situations are not as straightforward as they may always seem. Modifying terrestrial ecosystems for the sake of a marine ecosystem can ultimately damage both. The commenter notes that their comments should not be considered as condoning the Project, but rather as a request that further thought be given to certain areas to ensure that the Project results in a fair and environmentally secure decision for all involved.

Response ID: 15960

The USACE and the LA TIG considered the best information and data available to them in the preparation of the EIS, which will be used by the USACE and the LA TIG in their respective decisions on the Section 10/404 permit application, the Section 408 permission request, and the LA TIG funding request. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. Appendix R2: Monitoring and Adaptive Management Plan provides details about the monitoring and adaptive management plans for the proposed Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Concern ID: 63110

The commenters are concerned with the impacts that this proposed Project would have on threatened and endangered species in the area and indicated that there are likely to be minor to moderate adverse effects for the Kemp's ridley, loggerhead and green sea turtles, and the pallid sturgeon in the area.

Response ID: 16253

The adverse effects on these species from the proposed Project were further evaluated by the USFWS (pallid sturgeon) and the NMFS (sea turtles in Barataria Basin waters) in their Biological Opinions; the respective Biological Opinions have been included in Appendices O3 and O4 of the Final EIS. Both agencies have determined that the construction and operation of the proposed Project would not be likely to jeopardize the continued existence of these species. NMFS has authorized a take of up to 783 Kemp's ridley, loggerhead, and green sea turtles (total) per year (including up to 57 mortalities per year). The USFWS has authorized the loss (by death or serious injury) of 48 pallid sturgeon per year.

Concern ID: 63111

The EIS indicates that there are likely to be major indirect adverse effects on bald eagles, which may be exposed to contamination as a result of this proposed Project.

Response ID: 16255

No major impact is anticipated for bald eagles due to the proposed Project. As identified in Chapter 4, Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the proposed Project is anticipated to have a negligible to moderate, permanent, indirect, and adverse impact on bald eagles, with the potential for moderate adverse impacts if contaminants are present in the diverted water, the prey become contaminated, and bald eagles consume the contaminated prey; no related edits have been made in the Final EIS.

Appendix R1 (Mitigation and Stewardship Plan) of the EIS describes CPRA's proposed monitoring measures, including CPRA's agreement to monitor for contaminants, at the request of the USFWS. As discussed in Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the EIS, CPRA has agreed to a conservation recommendation proposed by USFWS that requires CPRA implement an adaptive sampling plan to detect potential contamination that could impact bald eagles.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be

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Correspondence ID:1913

Andrew Mayer

We need to start taking actions to help save what is left of our marsh. the Barataria diversion is a reasonable plan. No plan will make everyone happy but we need to stop talking and start diverting

Concern ID: 63334

The proposed MBSD Project would maintain and restore coastal lands and should move forward.

Response ID: 16291

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:1914

Form Letter 5

As a member of the Coalition to Restore Coastal Louisiana, I am writing in support of the Mid-Barataria Sediment Diversion.

CRCL was established over 30 years ago and has advocated for the construction of sediment diversions to restore coastal Louisiana from the time our first reports were published in the 1980s. These projects have been a cornerstone of restoration plans for decades. I am very excited that we have finally reached this important milestone.

I live in coastal Louisiana, and I am very concerned about the land loss that I have seen on the coast in my lifetime. I believe that it is critical to use the best available science to advance decision making and work to restore large areas of the coast as quickly as possible. Our coast is rapidly disappearing, and this loss threatens our communities and way of life.

The Barataria Basin was hit hard by the Deepwater Horizon oil spill, which exacerbated decades of saltwater intrusion, sea level rise and subsidence. The health and stability of this basin are vital for a range of ecosystems that provide habitat for wildlife and wetlands that offer protection from storms for communities to the north.

I believe that the preferred alternative as outlined in the Draft Environmental Impact Statement (DEIS) for the Mid-Barataria Sediment Diversion is the appropriate solution for rebuilding the Barataria Basin. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon oil spill settlement to construct this project, as ecosystems that were injured by the oil spill will greatly benefit from the diversion.

With that in mind, I ask the following of the Army Corps and Louisiana Trustee Implementation Group:

- Select the preferred alternative in the Draft Environmental Impact Statement: Reconnecting the river to nearby wetlands through this project provides our greatest opportunity to avoid a devastating future for Louisiana's communities, wildlife and economy. The Mid-Barataria Sediment Diversion is the cornerstone of Louisiana's Coastal Master Plan and will help support and enhance the lifespan of other coastal restoration and protection projects.
- Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan: As Barataria Basin continues to recover from the devastating impacts of the oil spill, this project is vital to restoring the health and function of the entire ecosystem. The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the United States. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisiana's coast.

As the project advances, I urge federal and state decision makers to consider the following:

- Center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. We

applaud the commitment of approximately \$300 million by the Federal Trustees and Louisiana's Coastal Protection and Restoration Authority to address impacts that could result from the construction and operations of the project. We encourage the development of a robust stewardship and mitigation plan that addresses any potential impacts that may occur and ensures that no communities or residents bear an unjust burden as a result of the project. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning and implementation processes.

- Commit to developing a robust adaptive management program: To ensure the project meets its restoration goals in response to changing environmental conditions, I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders. The adaptive management program should include protocols for transparent decision-making regarding project operations and accessible communication of how those decisions are changing the environment.

We have no time to lose to restore our coast, which is why I support the preferred alternative outlined in the DEIS and the expenditure of Deepwater Horizon settlement money to pay for the project's construction and associated mitigation and stewardship activities.

Concern ID: 61716

The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.

Response ID: 16026

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment

Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not

know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62675

Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.

Response ID: 16497

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.

Response ID: 16658

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63179

Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.

Response ID: 16556

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63693

Commenter requests that the EIS and Mitigation Plan include more details about EJ mitigation measures specifically related to the construction of the diversion.

Response ID: 16506

The Draft EIS considered impacts to low-income and minority communities due to Project construction in Chapter 4, Section 4.15.3 Construction Impacts in Environmental Justice. The majority of construction impacts would be experienced within 0.5 miles of the Project construction footprint. The nearest community to the construction footprint is Ironton, which has a majority African American population. As explained in the EIS, populations in Ironton would experience minor to moderate, temporary, adverse impacts due to increased noise levels, dust and transportation delays during the approximately five-year construction period (see Chapter 4, Section 4.15.3.2 Applicant's Preferred Alternative).

CPRA committed to implementing best management practices (BMPs) to minimize construction impacts in the EIS in Chapter 4, Section 4.27.1 (Avoidance and Minimization) and Appendix R1 (Mitigation and Stewardship Plan); additional information on BMPs is also included in the Mitigation Summary Table in Appendix R3. In addition, since publication of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA undertook additional outreach to low-income and minority communities potentially affected by the Project to solicit their feedback regarding the mitigation and stewardship measures proposed by CPRA. Based on the feedback received through that process and other sources of public comment, CPRA updated the Final Mitigation and Stewardship Plan to include those measures that CPRA would implement if the Project is approved and funded (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and

Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:2275

Adrian Burke

Dear U.S. Army Corps of Engineers, New Orleans District,

Please support the Mid-Barataria Sediment Diversion project to benefit the people and wildlife of Louisiana.

Sincerely,

Adrian Burke

New York, NY 10019

Concern ID: 63332

A large number of commenters expressed general support for the proposed Project.

Response ID: 16288

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:3457

Lili Tran

My name is Lili Tran. I am 18 years old and I will be attending college next school year. With the release of freshwater, it will heavily affect my family's financial situation. My father is the only person who is supporting the family right now, so that means my life, my brother's life, and even my mom's life will be affected. My dad will be making less money because the production of fish will be less. Fishing for shrimp is our only source of income and I'm asking for the release of freshwater to be halted.

Thank you,

Lili Tran

Concern ID: 62077

The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

Response ID: 16242

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)

- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62782

A large number of commenters expressed general opposition to the proposed Project.

Response ID: 16364

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable

harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

April 8, 2021

Mr. Brad LaBorde
Attn: CEMVN-ODR-E, MVN-2012-2806-EOO
7400 Leake Avenue
New Orleans, LA 70118

Dear Mr. LaBorde:

I have reviewed the Draft Environmental Impact Statement for the Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana, and I have the following comments:

- I support the proposed project. It reflects the correct approach to addressing the problem of wetland loss in the Mississippi River Deltaic Plain.
- However, this DEIS has many problems. First, the authors are clearly not objective about the questions/issues surrounding the proposed project, being clearly opposed to the proposed project. This is not appropriate. Second, the authors do not understand the environmental problem, or its solution. They seem ignorant of The Delta Cycle, and its implications.
- The DEIS consistently, incorrectly reiterates conclusions that the proposed project will exacerbate “tidal flooding”. While the proposed project may increase water surface elevations, this is not “tidal flooding”.
- The DEIS arbitrarily ignores potential project impacts to estuarine species with lower salinity tolerances, and even more problematic, ignores likely positive impacts to freshwater fish, shellfish, and wildlife.
- The DEIS preferentially favors perspectives on controversial scientific issues surrounding Mississippi River reintroduction, that assert that reintroduction will do more harm than good. This is not objective, and is unacceptable.
- Please see the attached comments for details. I would have provided even more detailed comments, but my life requires that I attend to something other than this review.
- Do not move forward with a Final EIS until these problems have been corrected.

Sincerely,
Kenneth G. Teague, PWS (emeritus), Certified Senior Ecologist
Austin, TX

cc: Brad Barth (CPRA)
Raul Gutierrez (EPA)
Elizabeth Hill (LDEQ)
Mark Hogan (LDNR)
Catherine Breaux (USFWS)
Kimberley Reyher (CRCL)
Steve Cochran (EDF)
Brian Moore (Audubon)
David Muth (NWF)
John Lopez

Comments

Mid Barataria Sediment Diversion

Kenneth G. Teague, PWS (emeritus), Certified Senior Ecologist

General Comments

- I generally support the proposed action. However, this DEIS has many flaws, which should be corrected prior to finalization of the EIS.
- This DEIS was written by a team that is not objective regarding the proposed project. They clearly oppose it, while there are clearly reasons to support it. In addition, there are numerous examples of serious errors which appear to reflect a clear bias in opposition to the project, as well as a lack of understanding of the Mississippi River Delta.
- The DEIS fails to properly convey the significance of the problems this proposed action is intended to address, or of this proposed solution. More specifically, the DEIS fails to capture the significance of these within the context of The Delta Cycle. This idea has probably been best communicated by van Beek and Gagliano (1984; see Figs. 1, 2; paper forwarded). Do not underestimate the importance of putting both the problems and the proposed solution in proper context of this idea. Many of the conclusions made in the DEIS fail to consider the implications of this critically important idea. The entire DEIS, the entire proposed Mid-Barataria Sediment Diversion, and in fact, the entire Louisiana coastal protection and restoration program must be revised to acknowledge the fundamental importance of this idea, and to frame conclusions within this context.
- The DEIS repeatedly (*ad nauseum*) erroneously refers to water surface elevation increases that may be partly increased by operation of the diversion, as *tidal flooding*. These potential water surface elevation increases are the cumulative result of diverted Mississippi River water, true astronomic tide, and meteorologic tide (e.g. wind driven). To refer to this as *tidal flooding* is simply incorrect. Furthermore, the DEIS suggests that operation of the diversion is primarily responsible. This is not correct either. The DEIS must correctly and honestly attribute the risks of flooding due to various physical factors. Finally, the DEIS seems to assume that the diversion will be operated, regardless of flooding risk, which is not necessarily the case, and should not be the case. Flooding risk due to operation of the diversion should be estimated based on an assumption that predictable flooding risk would result in closing of the structure temporarily, reducing such risk attributable to operation of the diversion.
- I believe the DEIS massively overstates the negative impact of the proposed diversion on wetlands in the Mississippi River birdfoot delta. The information provided in Chapter 2 regarding diversion flows at given Mississippi River flows, is confusing, but I think it indicates:
 - At Mississippi River flows of 50,000 cfs or less, 5,000 cfs would be diverted.
 - At Mississippi River flows of 450,000 cfs, 25,000 cfs would be diverted.
 - At Mississippi River flows of 1,000,000 cfs, 75,000 cfs would be diverted.
 - This seems to suggest, at least from a simplistic analysis, that between 6 and 10% of the flow of the river would be diverted, with larger percentages during low flows in the river.
 - ***So how can a diversion of between 6 and 10% of the flow of the river, decrease wetlands in the birdfoot delta by 45%? This needs to be very carefully explained, in great detail.***
 - I strongly suspect that the negative effect of the proposed diversion on the bird foot delta wetlands has been vastly overestimated.

- The analysis of the proposed project's impacts on fish, shellfish, and wildlife, improperly focuses exclusively on estuarine/marine fisheries. The required objective analysis must include consideration of the proposed project's effects on freshwater fish and wetland and upland wildlife, including catfish, bass, crappie, sunfish, gar, *Rangia* clams, waterfowl, wading birds, colonial nesting birds, neotropical migrants (birds), furbearers, alligators, white tail deer.
- The proposed project is estimated to kill many dolphins. However, do we see similar dolphin deaths in and near the birdfoot delta? If not, why not? Similarly, do we see similar dolphin deaths in Atchafalaya and Fourleague Bays? If not, why not? Why would we expect to see many more dolphin deaths from the proposed project than from these Mississippi River outfalls?
- I did not have time to read all chapters and appendices, but I did not see references to commitments to monitor the proposed project effects. Do not publish a final EIS unless, and until it includes commitments to monitor the following:
 - Structure operations
 - Flow and water quality (TSS, DO, nutrients, fecal coliform) through the structure
 - Wetland types, area in Barataria Basin, over time
 - Water surface elevations in Barataria Bay
 - Water quality in Barataria Bay
 - Salinity, DO, nutrients, TSS, fecal coliform, chlorophyll a/other pigments
 - Sediment quality (contaminants) at areas accreting near the diversion
 - Fish and shellfish abundance (estuarine and freshwater) in Barataria Bay
 - Oyster reef parameters in Barataria Bay
 - Benthic community in Barataria Bay
 - SAV in Barataria Bay
 - Finfish, oyster contaminant concentrations (periodic)
 - Shellfish harvest restrictions
 - Identical monitoring programs in 2 additional reference basins- 1 representative of an abandoned delta lobe, and 1 representative of an active delta lobe

Specific Comments

Abstract

- Project purpose statement is odd.

Executive Summary

- Marsh terrace outfall features- Is there any proof these function as proposed? Have simulations been done? Has the concept and specific designs been reviewed by deltaic geomorphologists? If not, such efforts must be done prior to including these features. It is my impression these features are based on “best professional judgment” and may or may not work as imagined.
- ES. 4 Potential Environmental Impacts
 - p. ES-6; last paragraph in this section: This description of the nature of impacts is fundamentally flawed. Who decides whether an impact is adverse or beneficial? What are the criteria for these decisions?
 - In this case, the impacts cause the affected habitats and ecosystems to revert from those of an old delta lobe that was abandoned long ago, due to human intervention, and thus has been degrading for a long period of time, to those of a young, active delta lobe. The decisions regarding whether these ecosystems and habitats that are characteristic of either abandoned, degrading delta lobes, or active, growing ones, should be considered "adverse" or "beneficial", should only be made within the context of an understanding of natural deltaic processes, and specifically, the concept of "delta switching". Major delta lobes are naturally occupied and abandoned by the river, over and over, over geologic time. One or two active delta lobes are always required for the delta to persist over time. An active delta is dominated by freshwater, large sediment loads, and active sediment deposition. This results in an active deltaic, freshwater ecosystem/habitat. These ecosystems/habitats do not support the same fauna as do abandoned, degrading delta lobes. While a normally functioning delta includes one or more active delta lobes, it also includes several other, older, abandoned, degrading delta lobes. These latter delta lobes have higher salinity water, low sediment loads, and flora and fauna that are characteristic of higher salinity waters, including estuarine aquatic species of very high commercial and recreational value. It is the affects of proposed river diversions on these high value species, which typically result in conclusions that diversions will have adverse impacts. Such conclusions are fundamentally erroneous however, since functional deltas require some active deltas, and some abandoned, degrading ones, at all times, and these cannot remain fixed over very long periods of time.
 - See van Beek and Gagliano (1984) and Roberts (1997).
 - Geology and Soils: Really? What is the dredging for? It sounds like the impacts to the natural environment- separate from its intended effect of restoring deltaic function- are overstated here. This is also confusing as it is not clear whether this means the dredging will impact the artificial levee, or the natural environment.
 - p. ES-7; 1st complete paragraph; last 2 sentences: What this should also say, is that the diversion is expected to actually decrease the rate of loss of existing marsh, in addition to creating new marsh.

- Last paragraph (this section): I believe the DEIS massively overstates the negative impact of the proposed diversion on wetlands in the Mississippi River birdfoot delta. The information provided in Chapter 2 regarding diversion flows at given Mississippi River flows, is confusing, but I think it indicates:
 - At Mississippi River flows of 50,000 cfs or less, 5,000 cfs would be diverted.
 - At Mississippi River flows of 450,000 cfs, 25,000 cfs would be diverted.
 - At Mississippi River flows of 1,000,000 cfs, 75,000 cfs would be diverted.
 - This seems to suggest, at least from a simplistic analysis, that between 6 and 10% of the flow of the river would be diverted, with larger percentages during low flows in the river.
 - ***So how can a diversion of between 6 and 10% of the flow of the river, decrease wetlands in the birdfoot delta by 45%? This needs to be very carefully explained, in great detail.***
 - I strongly suspect that the negative effect of the proposed diversion on the bird foot delta wetlands has been vastly overestimated.
 - Last sentence (this paragraph): What kinds of projects does this allude to? Have they been demonstrated to work as proposed?
- Surface Water and Coastal Processes
 - What are “tidal values”? Are these related to the incorrect concept you repeatedly mention in the DEIS, “tidal flooding”?
- Bed Elevations: Explain what these are- bed of what? River? Estuary? Wetland?
- p. ES-8; 1st complete paragraph: Has this been observed at other diversions?
- Water Levels; 1st paragraph: Explain why we care about water levels first. If its because it can be associated with increased duration and intensity of flooding of wetlands, then also point out that absolute increases in water surface elevation may be deceptive, since accretion is occurring, and therefore the elevation of the sediment/soil surface is increasing as well. Or is it because of concerns for flooding of human infrastructure? Do these predictions represent only the water surface elevation increase attributable to the diversion?
- 2nd paragraph: Why would anybody care about this? Its very important to explain. It is not obvious.
- Tides, Currents, and Flow
 - 2nd sentence: Explain! Which aquatic species? Estuarine/marine? Well then while such changes might be considered adverse to these species, the change may not be adverse in general, since these species reflect an abandoned, and degrading delta lobe. Your correct understanding of the delta cycle is critical to an accurate presentation of whether the changes are adverse or beneficial.
 - 3rd sentence: But elsewhere you state repeatedly that the diversion will increase *tidal flooding*. What is *tidal flooding*? What are *tides*, in this context specifically? Your conclusion is not quite accurate- the diversion will dampen the tidal signal in close proximity to the diversion.

- p. ES-9
 - 1st complete paragraph; 1st sentence: Impacts on the flow of the river will not be permanent. They will be intermittent, and variable, since that is how the diversion will be operated.
 - Last sentence: How will these currents negatively affect the pallid sturgeon? Are you sure? Have you researched this adequately? Do you know what the current speeds will be? Do you know the swimming ability of pallid sturgeon? Demonstrate that you have properly drawn this conclusion, in detail.

- Surface Water and Sediment Quality
 - 2nd sentence: I seriously question the validity of this prediction. At high river flows, the birdfoot delta will be overwhelmed by freshwater, regardless of the 6-7% reduction in flows. At low flows the diversion still only represents a 10% reduction in river flow. Diversion at low flow is when the diversion is most likely to affect salinity in the birdsfoot delta, but even that is questionable, given the relatively low magnitude of the decrease. Prove your assertion, in detail.
 - 4th sentence: While this affect is likely to occur, it is not permanent- first, you acknowledge that fecal coliform concentrations would only occasionally exceed water quality criteria- second, it would not occur when you turn the diversion off, or down. You also are not clear about just what the effect actually is. Fecal coliform bacteria don't harm oysters- they consume them. They do harm people who eat uncooked or improperly cooked oysters though. The state will probably designate such areas as off limits for harvest. So it probably isn't a human health problem either. It is a fishery problem however. It is important to be clear about this.
 - 5th sentence: Just what will the impact of the proposed project be on nitrogen, phosphorus, dissolved oxygen (DO), total suspended solids concentrations, and sulfate? Will it increase or decrease each of them? How likely is it that water quality criteria will not be met? What other implications are there for these changes? This is very important and completely lacking here.
 - Last sentence: While I support diversion, I believe there is reason to believe this statement is too bold, and that there may be a risk of some degree of contaminated sediments being loaded into the receiving area near the diversion site. Sediments deposited in the Mississippi River in some locations in the birdfoot delta have concentrations of PAHs that are of concern. In addition, some have suggested that mercury could possibly pose a risk for higher predators, such as bald eagles. This question was crudely evaluated for the proposed Maurepas diversion, but the report (and several others) has been removed frm the CWPPRA projec web page. Sediment monitoring for a broad suite of contaminants is recommmended near sites of active deposition. It may be a good idea to occasionally (pre-project + every 5 years?) monitor mercury (or even multiple contaminants) in fish- specifically those species targeted by bald eagles in an active delta environment.

- Wetland Resources and Waters of the US
 - This section fails to properly convey the significance of the problems this proposed action is intended to address, or of this proposed solution. More specifically, it fails to capture the significance of these within the context of The Delta Cycle. This idea has probably been best communicated by van Beek and Gagliano (1984; see Figs. 1, 2; paper forwarded). Do not underestimate the importance of putting both the problems and the proposed solution in proper context of this idea.
 - 2nd sentence: The proposed project would also benefit brackish marshes.
 - 3rd sentence: The proposed project would also benefit wetlands by providing additional nutrients, as mentioned earlier in this paragraph.
 - p. ES-10; 1st paragraph: I seriously question the validity of this prediction. At high river flows, the birdfoot delta will be overwhelmed by freshwater, regardless of the 6-7% reduction in flows. At low flows the diversion still only represents a 10% reduction in river flow. Diversion at low flow is when the diversion is most likely to affect salinity in the birdsfoot delta, but even that is questionable, given the relatively low magnitude of the decrease. Prove your assertion, in detail.
 - 2nd paragraph: This makes no sense. The operating plan for Davis Pond should be reconsidered, and should probably be changed to produce a new plan based on coordinated operation of both diversions to maximize environmental benefits. This EIS should consider several additional alternatives based on this concept.
 - 3rd paragraph: Define "beneficial impacts on the spread of invasive species". So then, this is actually an adverse impact on the environment. You need to be very clear about this. Currently, you are not. What invasive species do you have in mind?
 - You must also discuss the implications of not reconnecting the river to its delta, which you do not. What you are suggesting here is analogous to amputating your leg because the flow of blood to the leg might allow a pathogen in the blood to reach the leg. Your argument is ridiculous.
 - p. ES-11; Terrestrial Wildlife and Habitat: This section doesn't even mention any terrestrial wildlife species. It only mentions waterfowl and alligators, both of which are wetland/aquatic species. This is a really fundamental error. The proposed project's impacts on white tail deer and feral hogs should probably be assessed.
 - 2nd sentence: This is very confusing. I assume that what you are saying is that some species would be positively affected, and some would be negatively affected. You need to put this in context of the delta cycle- in other words, more salt tolerant species are reflective of an abandoned, degrading delta lobe, while less salt tolerant species are more representative of an active, freshwater delta.
 - 3rd sentence: First, see comment above. This entire discussion needs to be removed and placed under discussion of impacts to wetland/aquatic species. In addition, why did you limit your consideration to only these species? What about muskrat? Nutria (unfortunately)? Amphibians? Other reptiles? It wouldn't take much to more adequately characterize the actual ecological (biological) changes the diversion would create.
 - Aquatic Resources: First, the authors need to accurately classify the ecological habitats and species that are relevant to this proposed project. Aquatic resources include freshwater and estuarine aquatic habitats and organisms- not just estuarine. In addition, wetland habitats are aquatic, but are distinct from "open water" habitats. Second, this discussion must be fundamentally revised to explicitly acknowledge, and highlight, that these changes must all be considered in the context of the delta cycle.

- 2nd sentence: What hard bottoms will the proposed project create? I assert the proposed project will not create any hard bottoms. It will probably affect oyster reefs- some positively, some negatively. This represents a serious lack of understanding by the authors. Sorry, but aquatic fauna do not respond directly to nutrient concentrations. Remove this assertion. The Mississippi River Delta is not an oligotrophic stream, nor has it ever been.
- p. ES-12; 1st complete paragraph: Are you referring here to both animals and plants? In the paragraph above you refer only to animals. The paragraph below is also focused on animals only. If you did not intend to also focus on plants in this paragraph, why do you focus so much on SAV? It does not make sense. Secondly, you emphasize possible negative effects of the proposed project, but then acknowledge that over time the effects will be very positive. Sorry, but this is simply erroneous. It is common knowledge that Mississippi River water greatly stimulates SAV growth in the Delta. There are no seagrasses here, so there is no reason to be concerned with effects of river water on SAV. Once again, the authors demonstrate their lack of fundamental understanding of the Mississippi River Delta.
- 2nd complete paragraph; 1st sentence: As written, this is not correct. It is true for "recruitment of estuarine fauna", but not for freshwater fauna. Please explain why you are so fixated on effects on estuarine fauna, which are representative of an abandoned, degrading delta lobe? These effects can only be properly understood here within the context of the Delta Cycle. The DEIS must also assess the impacts of the proposed project on freshwater aquatic fauna, such as crawfish, several species of catfish, largemouth bass, crappie, sunfish, Rangia clams, alligator gar, amphibians, reptiles? By ignoring these species, the authors signal their clear bias.
- 2nd sentence: How would the diversion affect phytoplankton standing stocks and productivity, and how would this affect oysters? Increased fecal coliform concentrations will not adversely affect eastern oysters. They would adversely affect the people who eat them, and the economics of the oyster fishery. This is not a trivial matter. Your assertion is fundamentally wrong. You should also evaluate the potential impacts to white shrimp.
- Marine mammals; 2nd sentence: Do dolphins demonstrate low survival in the Atchafalaya Delta, Wax Lake Delta, Atchafalaya Bay, and birdfoot delta? Having personally spent many days in the Atchafalaya Delta and Atchafalaya Bay, I can tell you that there are no more-and probably fewer- dolphin carcasses observed in these environments than in more saline environments. My hypothesis is that dolphins avoid, or limit their use of freshwater environments. I have personally witnessed extensive dolphin use of the Oyster Bayou area of Fourleague Bay, an environment that experiences dramatic changes in estuarine/freshwater dominance on several time scales. There was no evidence of higher dolphin mortality in this area either, compared to more traditional higher salinity estuarine habitats. Again, my observations regarding dolphin use of Oyster Bayou supports my hypothesis that they avoid or limit their use of freshwater environments. I believe the DEIS's conclusions in this regard are unfounded and should be removed.
- 4th sentence: Please explain how wetland loss causes adverse impacts on health and reproduction of dolphins, in detail. Also explain how a project that creates wetlands, decreases wetland loss rates, and results in many more net acres of wetlands than the no action alternative, results in wetland loss which has an adverse impact on health and reproduction of dolphins. Exactly how does the proposed project cause adverse impacts on dolphin health and reproduction by affecting residual effects from the DWH oil spill?

- p. ES-13; Threatened and Endangered Species; 2nd paragraph; 1st-2nd sentences: Have pallid sturgeon been found here? If not, you should look for them before you proclaim they are at risk. I did. I was responsible for having the corps look for pallid sturgeon near the proposed Maurepas Diversion. I didn't go around loudly proclaiming this risk without having it investigated a little first. Remove any conclusions regarding pallid sturgeon risk until you confirm their presence near the proposed diversion location.
- 3rd sentence: Explain the assertion that the proposed project may "increase commercial shrimping interactions". Exactly what does this mean? Similarly, what exactly is meant by "presence of core use habitat in the Barataria Basin (Kemp's ridley)? It is not at all clear what either of these assertions mean. Explain how the proposed project will cause an increase in commercial shrimping interactions, presumably with sea turtles. Why would such an increase occur if shrimp populations in the estuary are expected to decline very significantly as a result of the proposed project? In addition, you have ignored a likely positive effects of the proposed project on Kemp's ridley sea turtle, due to the project's likely positive impacts on its preferred prey, blue crabs.
- 4th sentence: I strongly disagree with this conclusion- the proposed project will greatly increase mudflat and sand flat habitat in the new delta it creates. These habitats will be used by these species.
- 5th sentence: Provide detailed support for this conclusion. Elsewhere in this document you assert the proposed project would not load additional contaminants into the receiving area. I actually do think there is some risk of localized PAH loading, but there is a lot of uncertainty. Monitoring is needed. Note that EPA assessed this same question for the proposed Maurepas diversion and arrived at the opposite conclusion (i.e. no impact on bald eagles due to contaminants). Curiously, the reports have been removed from the project website. What evidence is your conclusion based on? EPA at least made a meager effort to try to estimate the risk objectively. This DEIS must make at least this much effort. I see no evidence that it has done so.
- 6th sentence: I strongly disagree with this conclusion that the proposed project will negatively impact manatee. Manatee like freshwater and feed on SAV. I believe it is almost certain that the proposed diversion will benefit manatee. This conclusion should be reviewed by an independent manatee expert.
- Socioeconomics: The proposed project does not affect "tidal flooding", so these conclusions are erroneous.
- p. ES-14; 1st paragraph: These conclusions are erroneous, since the proposed project does not affect "tidal flooding". Further, any risks of operating the diversion in advance of and during tropical storms can be mitigated by anticipating such storms and closing the structure until water levels have declined. Finally, the conclusion that the proposed project will adversely affect "subsistence fisheries" fails to acknowledge that there are subsistence fisheries based on freshwater fish and shellfish, which would benefit from the proposed diversion. Therefore, these conclusions are erroneous, or exaggerated.
- 3rd paragraph; last sentence: Shrimp fishermen do not limit their harvest to one species of shrimp. There is no preference for brown shrimp vs white shrimp. The DEIS clearly chose to focus on the proposed project's potential impacts to brown shrimp, and is all but silent regarding potential impacts to white shrimp. Coincidentally, impacts to white shrimp would be less than for brown shrimp, and may even be positive.

- p. ES-15; Commercial Fisheries; 2nd paragraph; last sentence: Shrimp fishermen do not limit their harvest to one species of shrimp. There is no preference for brown shrimp vs white shrimp. The DEIS clearly chose to focus on the proposed project's potential impacts to brown shrimp, and is all but silent regarding potential impacts to white shrimp. Coincidentally, impacts to white shrimp would be less than for brown shrimp, and may even be positive.
- 3rd paragraph; 2nd sentence: It is erroneous to suggest that substitution of white shrimp for brown shrimp by shrimpers would be limited. Shrimpers don't care if they catch brown shrimp or white shrimp- shrimp are shrimp to them!
- 3rd paragraph; last sentence: While this may be true, the authors fail to mention something that is equally true- without restoration of The Delta Cycle, all fisheries based on estuarine-dependent species eventually will crash, as the delta simply becomes part of the open waters of the Gulf of Mexico. To avoid discussing this is fundamentally irresponsible and unethical.
- Note that, again, consistent with the DEIS's general pattern of ignoring positive impacts of the proposed project, the DEIS fails to mention the proposed project's impacts on commercial trapping of furbearers.
- p. ES-16; 1st paragraph: This analysis and its conclusions is fundamentally flawed because it failed to consider potential impacts of the proposed project on freshwater finfish, which would likely benefit from the proposed project. Again, this is a reflection of the inherent bias of the DEIS and its supporting analyses. Is there a commercial fishery for bay anchovy? If not, potential project impacts on this species should not be discussed in this section.
- 2nd paragraph: I assert this conclusion seriously underestimates the likely true magnitude of these potential impacts, once again, reflecting the bias of this DEIS.
- 3rd paragraph; 1st sentence: First, again, the proposed project will not affect tidal flooding. Second, provide details supporting your assertion that water level changes due to the proposed project, and increased sedimentation will actually affect navigation.
- Recreation and Tourism; 1st paragraph: The authors must provide supporting evidence for their assertions. First, again, the proposed project will not affect “tidal flooding”. It may cause increased water surface elevations during operation, but the authors must provide supporting evidence for this assertion. In addition, they fail to mention that such effects can be minimized by proper operation of the diversion, such as by closing the structure when tropical storms are predicted, or when wind speeds and directions conducive to higher water surface elevations are predicted. In addition, the authors need to provide supporting evidence of their assertions that the proposed project will cause increased occurrence of invasive plant species.
- Once again, this DEIS fails to objectively and accurately assess the potential positive impacts of the proposed project. This section doesn't even mention the significant positive impacts of the proposed project on recreational waterfowl hunting or on whitetail deer hunting. This is a major omission.
- 2nd paragraph: The DEIS conveniently neglects to mention that the proposed project would have major beneficial impacts for freshwater recreational fishing. This reflects the DEIS's clear bias against the proposed project.
- p. ES-17; Public Lands; 1st paragraph; 4th sentence: This conclusion is erroneous. The proposed project would impact most of these public lands beneficially, by reducing the rate of wetland loss on them. Again, this is a reflection of the deep and consistent bias of this DEIS against the proposed project.

- Last sentence: Exactly how would the proposed project cause the loss of 35 acres of wetlands in Salvadore WMA? Timken is adjacent, so why Salvadore and not Timken? Both are far from any construction activity associated with the project. The proposed project will REDUCE wetland losses over a large area, so again, how could it cause this loss? I assert this is an erroneous conclusion, which should be changed. It is further evidence of the consistent bias of this DEIS against the proposed project.
- 2nd paragraph: While I agree that some loss here due to the proposed project is to be expected, the magnitude of the losses seems far in excess of the relatively minor reduction in Mississippi River flow and sediment load. I assert this is an erroneous conclusion, which must be changed. Again, this is consistent with the consistent bias in this DEIS against the proposed project. I do not believe this conclusion/assertion is supportable.
- Land Use and Land Cover; last paragraph, 1st incomplete paragraph p. ES-18: True, but it is also important to point out these preferences from the perspective of the delta cycle.
- p. ES-18; Public Health and Safety, Including Flood Risk Reduction and Shoreline Protection; 1st paragraph; 1st sentence: Again, the proposed project will not affect tidal flooding.
- p. ES-20; Hazardous, Toxic, and Radioactive Waste; 1st paragraph; 1st sentence: What is this risk assessment based on? My guess is its based on absolutely nothing. The Corps and the project sponsors have a responsibility to do a formal, limited phase 1 assessment of this risk. Did they do so? Firm conclusions such as provided here must only be provided when a formal, appropriately detailed assessment stand behind them.
- DEIS Chapter 4
 - 4.6.5 Operational Impacts
 - 4.6.5.1 Wetland Types and Extent
 - Applicant's Preferred Alternative
 - Nutrients, Soil Shear Strength: This discussion fails to properly capture the actual state of the science on these questions. The discussion ricochets between apparently strongly supporting the assertions of Turner, his students, and Swarzenski, that nutrient inputs will harm Louisiana coastal wetlands, to timidly acknowledging that perspective might not be correct. While this discussion includes robust citations supporting the Turner et al. Perspective, it includes few, if any citations of opposing views, though these exist. This is a tremendously important issue, which some will use to try to stop the project. The fact is, the science is not settled on this question, yet the Delta will degrade to marine conditions unless its connection to its river is restored. This analysis and presentation is seriously biased in favor of the Turner et al. concepts.
 - 4.10.4 Operational Impacts
 - 4.10.4.1 Submerged Aquatic Vegetation
 - Applicant's Preferred Alternative: While my review was very hurried, I did not see any acknowledgment of the well known fact that SAV in coastal Louisiana always responds very positively to Mississippi River diversion, and this fact is easily referenced. The DEIS has underestimated yet another major benefit of the proposed project.

- 4.10.4.4 General Impacts on Habitat and the Environment
 - Applicant's Preferred Alternative
 - Dissolved oxygen: Consistent with the entire approach of this DEIS, the assessment of potential project impacts on DO overestimate the likely impact. Barataria Bay is very shallow and well-mixed. Thus, it is unlikely low DO will occur, except in human-created deep holes. It is curious the authors chose to draw the conclusions they did on this, given that literally nobody ever acknowledges any impact of the ubiquitous dredging of giant holes all over coastal Louisiana to procure sediment for “marsh creation”. These holes almost certainly result in low DO, but nobody is willing to admit it, but propose a diversion, and its a different story.

Concern ID: 61720

The commenter requested that the EIS be revised to properly re-frame impact determinations within the context of the Delta Cycle. While a normally functioning delta includes one or more active delta lobes, it also includes several other older, abandoned, degrading delta lobes. These latter delta lobes have higher-salinity water, low sediment loads, and flora and fauna that are characteristic of higher-salinity waters, including estuarine aquatic species of very high commercial and recreational value. The proposed diversion's impact on these high-value species should not be considered adverse. Such conclusions are fundamentally erroneous because functional deltas require some active deltas, and some abandoned, degrading ones, at all times. One commenter explained that this idea has been best communicated by van Beek and Gagliano (1984) and Roberts (1997).

Van Beek, J.L., and S.M. Gagliano. 1984. *Renewal and Use of the Mississippi River Deltaic Plain*. *Water Science & Technology*. 16 (3-4), 699-705.

Roberts, H. 1997. *Dynamic Changes of the Holocene Mississippi River Delta Plain: The Delta cycle*. *Journal of Coastal Research*, 13 (3), 605-627.

Response ID: 16169

The commenter's suggestion to include a contextual description of the delta cycle was considered in the Draft EIS. Further, the commenter's concerns regarding the criteria used to evaluate the beneficial or adverse nature of impacts is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, have been added to the Final EIS in Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context in Geology and Soils, and the literature mentioned in public comments has also been incorporated into this section. Additional discussion related to the Project's impacts on geomorphology and historic deltaic landforms has been added to the Final EIS in Chapter 4, Section 4.2.3.2.2.3 Geomorphology. It is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary in the Final EIS has been revised to include this clarification.

The EIS includes extensive resource-specific explanations of why impacts are considered either beneficial or adverse in Chapter 4, Section 4.2 Geology and Soils. Section 4.2.2 Guidelines for Geology and Soils Impact Determinations specifically explains resource-specific definitions for minor, moderate, and major impacts. To further address concerns related to the classification of impacts, the USACE has added text to the Final EIS in the Executive Summary, Section ES.4.1 Geology and Soils to provide a more thorough overview of both adverse and beneficial impacts. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the Project against its prospective benefits.

In making its NRDA decision for the proposed Project, the LA TIG would evaluate Project alternatives considering the OPA evaluation criteria in 15 CFR §990.54; public input; and proposed Project mitigation, stewardship, and monitoring and adaptive management measures.

Concern ID: 61768

The commenter stated that the Geology and Soils section of the Executive Summary is not detailed enough. For example, clarify what the 6 to 8 million cubic yards of dredging during construction is for and why it is described as a permanent, moderate, adverse impact; explain whether this dredging would impact artificial levees or the natural environment; and explain whether the dredged material placed in beneficial use sites would create as well as retain existing marsh. What this should also say is that the diversion is expected to actually decrease the rate of loss of existing marsh, in addition to creating new marsh.

Response ID: 16170

The commenter's concerns regarding dredging that would be undertaken for the proposed Project and the clarity of description of the proposed MBSD Project's impacts on land loss rates were considered in the Draft EIS. To help address the concerns related to dredging, additional details about the proposed Project's impacts on geology and soils during construction have been added to the Executive Summary, Section ES.4.1 Geology and Soils of the Final EIS. Chapter 4, Section 4.2.3.1 in Geology and Soils also includes details about why dredging during construction is required and an explanation of the intensity and adverse or beneficial nature of these impacts.

To address concerns related to descriptions of land-change impacts of the proposed Project, a discussion to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations has also been added. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Concern ID: 61770

The commenter requested that the Geology and Soils section of the Executive Summary clarify what restoration projects the following sentence alludes to and whether those birdfoot delta restoration projects have been successful in the past: "These [landloss] impacts in the birdfoot delta may be partially abated by improving the capture of sediment that is lost to the Gulf through other targeted restoration projects."

Response ID: 16171

The issue raised by the commenter regarding the impact of other planned restoration projects that may abate projected land loss in the birdfoot delta due to diversion operations was addressed in the Draft EIS. Examples of reasonably foreseeable restoration projects aimed to retain sediment in the birdfoot delta are provided in Chapter 4, Section 4.25.2 (Geology and Soils section of Cumulative Impacts). The name of one of these restoration projects—the NRDA/CPRA-sponsored project Pass a Loutre Wildlife Management Area Crevasse Access Project approved in the LA TIG Final Restoration Plan and Environmental Assessment #4—has been added to the Geology and Soils section ES.4.1 of the Executive Summary and to Chapter 4, Section 4.2.3.2.1 in Geology and Soils, Operational Impacts in the Final EIS. The

successes of completed birdfoot delta crevasse restoration projects, such as the CWPPRA Delta Wide Crevasse Program, can be found on the CWPPRA website (<https://lacoast.gov/new/Default.aspx>).

Concern ID: 61771

The commenter expressed concern that the Geology and Soils section of the Executive Summary overstates the negative impact of the proposed diversion on wetlands in the Mississippi River birdfoot delta. Chapter 2 seems to suggest that between 6 and 10 percent of the flow in the river would be diverted from the birdfoot delta during operations. The commenter requested a more detailed explanation of how a diversion of between 6 and 10 percent of the flow of the river would decrease wetlands in the birdfoot delta by 45 percent. The commenter requested that this be explained in more detail.

Response ID: 16172

The commenter's concern regarding the percentage of Project-induced land loss in the birdfoot delta relative to the No Action Alternative was considered in the Draft EIS. To help clarify, a discussion to further explain currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations has been added to the Final EIS in the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology.

As pointed out by the commenter, the Applicant's Preferred Alternative would divert about 6 percent of the flow and about 6 percent of the sediment load of the river (as analyzed by the Water Institute of the Gulf). As shown in the EIS, Chapter 4, Section 4.2.3.2.2.1 Geology, Table 4.2-4, the Applicant's Preferred Alternative would result in increased land loss in the birdfoot delta by about 3 to 6 percent during the first 4 decades of diversion operations and by 45 percent after 50 years of diversion operations.

Concern ID: 61788

The commenter stated that the Surface Water and Coastal Processes section of the Draft EIS Executive Summary is not detailed enough and impacts summarized should be explained in more detail.

Response ID: 16418

The resource sections throughout Chapter 4 Environmental Consequences of the Draft EIS provide extensive detail for the impacts that are only summarized in the Executive Summary. The commenter should refer to Chapter 4 of the EIS for further explanations of the impact determinations and summaries presented in the Executive Summary. The requested level of detail is beyond the scope for the Executive Summary.

Concern ID: 61827

The Executive Summary, Section ES.4 (Surface Water and Sediment Quality) is not detailed enough. For example, clarify what criteria were used to classify proposed Project impacts on salinity, fecal coliform, and nutrients as minor, moderate, or major impacts. Also, compare potential water quality impacts with LDEQ water quality standards.

Response ID: 16432

The water quality information requested by the commenter was included in the Draft EIS. Chapter 4, Section 4.5 Surface Water and Sediment Quality provides detailed information regarding the guidelines for impact intensity determinations, the data reviewed to evaluate impacts, how proposed Project impacts on water quality compare to LDEQ water quality standards, and a detailed discussion of the evaluation of proposed Project impacts on surface water and sediment quality. These details are beyond the scope of the Executive Summary.

Concern ID: 61861

The description of the nature of impacts is fundamentally flawed. Clarify who decides whether an impact is adverse or beneficial and what the criteria for these decisions are.

Response ID: 15932

Early in the EIS process, USACE in coordination with the LA TIG and CPRA decided on an approach to evaluation of the environmental impacts for the EIS. As stated in Chapter 4, Section 4.1, Approach to Evaluation of Environmental Consequences, under NEPA, federal agencies must consider the potential environmental impacts, both beneficial and adverse, of the proposed Project and its reasonable alternatives, including direct, indirect, and cumulative impacts. During development of the EIS, it was considered whether the proposed Project would cause a significant adverse or beneficial impact on the human environment (defined as the natural and physical environment and the relationship of people with that environment [40 CFR 1508.14]). The CEQ regulations require consideration of both context and intensity when determining whether an effect is significant. Chapter 4, Sections 4.1.1 (Context) and 4.1.2 (Intensity) of the EIS set forth the criteria for context and intensity for determining impacts in the EIS. Resource-specific indicators for impacts are included for each resource in their corresponding sections within Chapter 4, Environmental Consequences of the EIS.

Concern ID: 61864

USACE and the Project sponsors have a responsibility to do a formal, limited Phase I Assessment of the Hazardous, Toxic, and Radioactive Waste risk. Firm conclusions must only be provided when a formal, appropriately detailed assessment stand behind them.

Response ID: 15931

The issues raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. As indicated in EIS Chapter 3, Section 3.23 Hazardous, Toxic, and Radioactive Waste, a Phase I Environmental Site Assessment was conducted in January 2020 to identify any potential recognized environmental conditions (RECs) located in or adjacent to the Project area that have, or may have in the past, adversely impacted environmental conditions. The conclusions in Chapter 4 of the EIS are based on this assessment.

Concern ID: 61867

Commenter requested that the EIS explain whether there is any proof that the marsh terrace outfall features would perform and function as proposed in the Draft EIS.

Response ID: 15938

Chapter 2, Section 2.5 Step 3: Evaluation of Sediment Diversion Outfall Features of the EIS discusses the evaluation of sediment diversion outfall features as part of the screening

process for alternatives. Marsh terracing has been widely implemented in the past in the past as part of coastal restoration projects to build and retain marsh areas and the federal agencies represented on the LA TIG and CWPPRA Task Force have utilized or endorsed the use of marsh terraces. Marsh terraces are a design feature engineered to enhance deposition and retention of suspended sediments, reducing turbidity, increasing marsh-edge habitat, increasing overall primary and secondary productivity, and maximizing access for marine and estuarine organisms. To understand how the marsh terrace outfall features would perform as part of the MBSD Project, Delft3D Basinwide Modeling was used, which aided in informing the analysis as presented in Chapter 4 Environmental Consequences of the EIS.

Concern ID: 61875

The purpose and need is false and misleading and does not follow NEPA guidelines for a concise, basic, essential, and irreducible purpose. The statement is misleading by making the proposed Project itself part of the purpose. The DWH oil spill, including restoring for injuries caused by the DWH oil spill, has nothing to do with the proposed Project other than justifying its use as a source of funding.

Response ID: 15831

As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, NEPA regulations (40 CFR 1502.13) state that an EIS “shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” The purpose and need statement should be clear and concise in order to facilitate development of a reasonable range of alternatives. USACE generally focused on CPRA’s purpose and need for the proposed Project and considered the public’s and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project’s purpose and need for the EIS.

Separate from the USACE process, as discussed in the PDARP/PEIS, the SRP/EA #3, and the Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by levees, subsidence and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. Evaluating restoration strategies that could restore for injuries in the Barataria Basin, the SRP/EA #3 found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the EIS and Restoration Plan. The LA TIG’s Restoration Plan concludes that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes

between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

Concern ID: 61886

Consider changing the operating plan for Davis Pond and coordinate both diversions to maximize environmental benefits.

Response ID: 15982

There are no plans at this time to change the operating plan for the Davis Pond Freshwater Diversion Project. As discussed in Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the Draft EIS, as part of the Fish & Wildlife Coordination Act consultation, USFWS has recommended, and CPRA has agreed to develop a basin-wide operations and basin monitoring data repository to help in the general coordination among diversion operators, within their authorizations.

As part of the evaluation of the proposed Project and potential alternatives, the Delft3D Basinwide model runs and the EIS assumed operations of other diversions consistent with their current or anticipated operational protocols, including the Davis Pond Freshwater Diversion for the hydrodynamic and water quality simulations. The Davis Pond Freshwater Diversion was not included in the Delft 3D morphological modeling simulations.

Based on Delft3D Basinwide Modeling results, proposed MBSD Project operations are expected to reduce the frequency with which the Davis Pond Freshwater Diversion would be operated during certain months of the year to meet its current operational guidelines. Refer to Chapter 4, Section 4.5.7 in Surface Water and Sediment Quality of the EIS for further details on the projected number of days for the Davis Pond Freshwater Diversion opening. Potential impacts to the Davis Pond Freshwater Diversion will be further considered as part of the 408 process for the proposed MBSD Project.

Concern ID: 61910

The MBSD Project would help wildlife, fisherman, recreationalists, and hunters who depend on a healthy coast in the long term.

Response ID: 16240

EIS Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe anticipated effects of the MBSD Project on wildlife viewing, recreational fishing, hunting, and other recreational activities that utilize the Project area. As compared to the No Action Alternative, long term minor to moderate adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to increased tidal flooding at access points at Lafitte, Myrtle Grove, and Grand Bayou, as well as introduction and spread of invasive species, are anticipated. The proposed Project would also cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum throughout the basin. Beneficial impacts on hunting and wildlife watching due to an increase in wetland habitat in some areas of the Barataria Basin are also anticipated.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts, including those related to recreation (see the Draft Mitigation and

Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 61914

The information provided in Chapter 2 Alternatives of the EIS regarding diversion flows at given Mississippi River flows is confusing.

Response ID: 16001

As described in the EIS, when the Mississippi River flows exceed 450,000 cfs, and the gates are fully opened, the diversion flow would increase to approximately 25,000 cfs, and thereafter flows would increase proportionally as the river flow increases up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs. Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis of the Final EIS has been revised to clarify the description of proposed Project operations.

Concern ID: 62098

Commenter expresses concern that the Draft EIS is biased against the Project, over emphasizing and/or over-reporting the potential negative impacts to certain fisheries (particularly brown shrimp) and understating the Project benefits and the likely outcomes if the Project is not implemented.

Response ID: 16252

The issues raised by the commenters were considered in the Draft EIS. The EIS follows NEPA guidance and presents the adverse as well as the beneficial impacts of the Project in an unbiased manner. The EIS was developed considering the best information and data available to USACE and the LA TIG at the time of writing.

In addition, the benefits of the Project are described in Section 3.2.1.6 Benefits Multiple Resources of the LA TIG's Restoration Plan.

Concern ID: 62188

The Draft EIS is not an objective analysis; the document has several errors which show a clear bias toward opposition to the proposed Project by favoring perspectives on controversial scientific issues surrounding Mississippi reintroduction that assert it would do more harm than good.

Response ID: 15767

The USACE and the LA TIG considered the best information and data available to them in their efforts to objectively evaluate the impacts of the proposed Project and its alternatives. Additionally, resource agencies with regulatory authority and subject matter experts for resources potentially impacted by the proposed Project engaged with USACE throughout the EIS development process to ensure an adequate and thorough analysis of Project impacts. Federal agencies that make up the LA TIG (NOAA, DOI, USEPA, and USDA) participated as cooperating agencies in the development of the EIS. The LA TIG intends to use the EIS to inform their decision under NRDA on whether to fund the implementation of the Project.

Concern ID: 62230

Commenter states that the EIS incorrectly characterizes an increase in water surface elevation as an increase in tidal flooding. Commenter notes that, in any case, increases in flooding are not due solely to the diversion, but instead are due to many factors.

Response ID: 15753

In the context of this EIS, the term "tidal flooding" is used to distinguish non-storm related coastal flooding from coastal flooding caused by storm surge and/or waves. The Draft EIS acknowledged that changes in water levels within the Barataria Basin are influenced by a number of factors, including winds, tides, sea-level rise, and subsidence. The Draft EIS also noted that floodplains within the Project area would continue to be subject to hydrological changes associated with relative sea-level rise, leading to increased water levels throughout the basin, regardless of the implementation of the proposed Project (see Section 4.20.4.2 Operational Impacts, Floodplains and Tidal Flooding). As described in the introduction of Chapter 4 Environmental Consequences the potential impacts of the proposed Project are projected by comparing the anticipated environmental consequences of the proposed Project to the anticipated consequences of No Action in order to isolate the potential impacts of the proposed Project. Therefore, the EIS acknowledges the role of other factors in increased water levels in the basin while recognizing the proposed Project as one of these factors.

Concern ID: 62232

Flooding risk due to operation of the diversion should be estimated based on an assumption that predictable flooding risk would result in closing of the structure temporarily, reducing such risk attributable to operation of the diversion.

Response ID: 15759

For the purposes of the impact assessment in the Draft EIS, it was assumed that the proposed Project would be operated according to CPRA's Preliminary Operations Plan, Draft EIS Appendix F MBSD Design and Operations Information. This Plan indicates that the diversion gates would be opened fully (above base flow) when flow in the Mississippi River at Belle Chasse exceeds the "trigger" of 450,000 cfs. The Plan includes criteria for modifying or ceasing operations, including damage to the diversion structure, spills of other hazardous discharges, severe impediments to navigation, tropical storm activity, or threats to public safety. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62269

The commenter stated that the Public Lands section of the Draft EIS Executive Summary did not provide details on how public lands in the proposed Project area would be impacted by the proposed Project.

Response ID: 16441

Chapter 4, Section 4.17 Public Lands in the EIS provides a detailed discussion of potential impacts on public lands in the Project area.

Concern ID: 62327

The Commenter supports the proposed action, but states that there are flaws in the Draft EIS that should be corrected.

Response ID: 15779

As described in Chapter 1, Section 1.7 Public Involvement Summary of the Final EIS, changes between the Draft and Final EIS are identified through markings along the margins on the applicable pages. Table 1.7-1 lists the section numbers where substantial changes were made (see Chapter 1, Section 1.7).

Concern ID: 62328

The USEPA found that the Maurepas Diversion would have no impact on bald eagles due to contaminants, which is opposite of what this EIS says. This Maurepas document is no longer online.

Response ID: 15780

The USACE cannot speak to USEPA's findings on the Maurepas Diversion's impact on bald eagles. Details regarding the basis of the finding the commenter notes regarding potential effects of the MBSD on bald eagles due to contaminants were provided in Draft EIS Chapter 4, Section 4.12.3.2.2.2 in Threatened and Endangered Species.

A new monitoring parameter, periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23), has been added to the Monitoring and Adaptive Management (MAM) Plan, Appendix R2 in the Final EIS.

Concern ID: 62699

The Draft EIS ignores the beneficial effects of low-salinity waters on low-salinity-tolerant and freshwater species.

Response ID: 16077

The EIS acknowledges the beneficial effects of low-salinity waters on low-salinity-tolerant and freshwater species throughout Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.10 Aquatic Resources, which identify that the impacts on a given species are related to their salinity tolerance and habitat preferences. For example, the EIS indicates that low-salinity waters would directly benefit alligators, largemouth bass (and other freshwater fishes), and the biomass of SAV. Because this issue was addressed in the Draft EIS, no related edits were made to the Final EIS. These benefits, among others, are also described in Chapter 3, Section 3.2.1.6 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan; because this was described in the Draft Restoration Plan, no related edits were made to the Final Restoration Plan.

Concern ID: 62704

The Executive Summary for Aquatic Resources should clarify that wetland habitats are distinct from "open water" habitats.

Response ID: 16082

The Executive Summary for Aquatic Resources in the Draft EIS accurately identified wetlands as a habitat that benefits aquatic fauna due to the presence of vegetation and habitat structure. The Executive Summary in the Final EIS has been updated to distinguish structured habitat (such as wetlands) from open water habitats.

Concern ID: 62705

The Executive Summary for Aquatic Resources should acknowledge that the proposed Project impacts must be considered in the context of the delta cycle.

Response ID: 16083

The commenter's request regarding the evaluation of impacts on aquatic resources is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, have been added to Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context of the Final EIS. Additional discussion related to the Project's impacts on geomorphology and historic deltaic landforms has also been added to Chapter 4, Section 4.2.3.2.2.3, Geomorphology. However, it is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification.

Concern ID: 62706

The proposed Project would not be likely to create hard bottom habitat, but would likely affect oyster reefs in both a positive and negative manner.

Response ID: 16084

The Executive Summary for Aquatic Resources has been revised in the Final EIS to indicate that no hard bottom would be created by the proposed Project. Oysters and oyster reefs would experience both beneficial and adverse effects, with overall effects expected to be adverse, as described in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the EIS.

Concern ID: 62707

The EIS does not acknowledge, or underestimates, the beneficial impacts of river water on the growth rates and density of SAV in coastal Louisiana.

Response ID: 16085

Chapter 4, Section 4.10.4.1 in Aquatic Resources of the EIS discusses the impacts of the proposed Project on SAV, including the overall beneficial impact of freshwater input on SAV biomass. Because this issue was addressed in the Draft EIS, no related edits were made to the Final EIS.

Concern ID: 62712

Aquatic fauna do not respond directly to nutrient concentrations and the Mississippi River Delta is not oligotrophic.

Response ID: 16090

The commenter correctly notes that aquatic fauna do not respond directly to nutrient concentrations. As discussed in Chapter 4, Section 4.10.4.4.2.4 in Aquatic Resources of the EIS, increased nutrient levels may result in increased primary productivity in the Barataria Basin, such that the increased nutrient loads would indirectly lead to benefits for aquatic fauna. Although the basin is not oligotrophic, Section 4.5 Surface Water and Sediment

Quality indicates that certain nutrients, such as total nitrogen and total phosphorus concentrations in the basin, would be elevated compared to the No Action Alternative, allowing for the increased primary productivity. Section 4.10.4.4.2.4 Nutrient Loading of the Final EIS has been revised to clarify this point. The EIS further acknowledges in Section 4.10.4.4.2.4, that increased nutrient loads also have the potential to cause adverse impacts on fauna through decreases in DO and harmful algal blooms that can be caused from increased phytoplankton biomass.

Concern ID: 62713

It is unclear whether the first complete paragraph on page ES-12 is intended to refer to both animals and plants. If it is unintended to focus on animals, clarify why there is such a focus on SAV.

Response ID: 16091

The first paragraph of the Executive Summary for Aquatic Resources identifies aquatic fauna as the focus, but also identifies SAV as a habitat type that aquatic fauna benefit from. As such, Chapter 4, Section 4.10.4.1 in Aquatic Resources has an SAV-specific assessment in the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62714

The Executive Summary for Aquatic Resources indicates a negative effect on SAV followed by a later positive effect. Mississippi River water greatly stimulates SAV growth in the delta. There are no seagrasses here, so there is no reason to be concerned with effects of river water on SAV.

Response ID: 16092

Chapter 3, Section 3.10.2.1 and Chapter 4, Section 4.10.4.1 in Aquatic Resources of the EIS discuss the SAV species likely present in the proposed Project area and the impacts to them from the proposed Project. Overall, the proposed Project would likely initially result in adverse impact on SAV in the basin from a relatively quick change in salinity, which may result in die-offs of species intolerant of the new salinity regime early in the Project life. However, the initial adverse impacts on SAV would be temporary, with permanent beneficial impacts to overall coverage and biomass of SAV once the salinity regime stabilizes. Consistent with the commenter's statement and the noted sections of the EIS, there are no seagrasses in the proposed Project area; however, there are multiple other species of SAV that may occur in the proposed Project area, such as hydrilla and wild celery. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62715

The Executive Summary for Aquatic Resources should indicate that high diversion flows adversely affect the larval recruitment of estuarine fauna, but not of freshwater fauna.

Response ID: 16093

Consistent with Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, it is estuarine species for which the high diversion flows are a potential recruitment concern, not freshwater species. Therefore, the Executive Summary for Aquatic Resources has been revised in the

Final EIS to clarify that the potential for high diversion flows to adversely affect recruitment is specific to estuarine species.

Concern ID: 62716

Commenters asked for clarification of why estuarine species are the focus of the EIS in the context of an abandoned, degrading delta lobe.

Response ID: 16094

The commenter's concern regarding the evaluation of impacts on aquatic resources is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, has been added to Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context of the Final EIS. Additional discussion related to the proposed Project's impacts on geomorphology and historic deltaic landforms has also been added to Chapter 4, Section 4.2.3.2.2.3, Geomorphology. However, it is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification. Therefore, although the EIS acknowledges that conditions have changed over time, anticipated Project impacts are compared to future conditions without the Project in the Barataria Basin, which is currently an estuarine ecosystem. Thus, the EIS has selected species representative of an estuarine system in assessing the proposed Project's potential impacts.

Concern ID: 62717

Discuss how the diversion would affect phytoplankton standing stocks and productivity, and how any such effects would impact oysters.

Response ID: 16095

Nutrient loading and its projected effects on the food web are discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. As described, nutrient increases would stimulate primary productivity, which would contribute to increases in low trophic level species, such as shrimp, crabs, small planktivorous fish. As filter feeders, the increase in primary producers would also benefit oysters; Sections 4.10.4.4.2.4 Nutrient Loading and 4.10.4.5.2.11 Eastern Oysters of the Final EIS have been revised to acknowledge this benefit.

Concern ID: 62718

Fecal coliform concentrations adversely affect the people who eat contaminated oysters and the economics of the oyster fishery, not the oysters themselves.

Response ID: 16096

Anticipated changes in fecal coliform levels in the Barataria Basin from riverine inputs are discussed in Chapter 4, Section 4.5.5.8.2 in Fecal Coliform of the EIS. Section 4.14.4.2.3 Eastern Oyster Fishery in the Final EIS has been revised to discuss the potential impacts of increased fecal coliform levels on oyster propagation and harvest. Reference to fecal coliform

as an impact driver for oysters in the Executive Summary for Aquatic Resources has been removed in the Final EIS.

Additionally, Appendix R2 in the Final EIS includes CPRA's Monitoring and Adaptive Management (MAM) Plan, which includes monthly fecal coliform monitoring (Section 3.7.5.1) starting prior to construction and continuing during Project operations.

At the time of publication of the Draft EIS for public review, the Mitigation and Stewardship Plan and the MAM Plan (Appendix R) contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62719

The EIS should evaluate the potential impacts to white shrimp.

Response ID: 16097

Impacts on white shrimp from the proposed Project are discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62720

The EIS overestimates the likely impact of low dissolved oxygen because the Barataria Bay is shallow and well-mixed, likely allowing for low dissolved oxygen to occur only in the deeper areas/holes created by humans.

Response ID: 16098

Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS indicates the potential impact of low DO to be adverse, but negligible to minor based on the Barataria Basin's depth and identification as a well-mixed estuary, which would likely only allow for pockets of low DO in deeper areas. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 62721

Dredging to obtain sediment for marsh creation has led to large holes in coastal Louisiana which almost certainly contain pockets of low dissolved oxygen; however, these pockets of low dissolved oxygen are not identified in the assessment of other projects.

Response ID: 16099

Comment noted. No changes to the EIS are warranted as the comment is directed to DO analyses for other projects. Including or excluding data from environmental analyses for coastal restoration not related to the proposed Project is outside the scope of this EIS.

Concern ID: 62867

The Final EIS should not be published unless there are commitments to monitor the following parameters at the diversion site or in Barataria Bay: Project operations, the flow and quality of the water flowing through the diversion, wetland type coverage over time, water surface elevation, water quality in the basin, salinity, contaminant concentrations in diverted sediments, fish and shellfish abundance, oyster reef parameters, benthic community composition and abundance, SAV coverage, finfish and oyster contaminant concentrations, and shellfish harvest restrictions. These same data should also be collected in two reference basins.

Response ID: 16676

Basin-side monitoring of water surface elevation, water quality in the basin, salinity, fish and shellfish abundance, and benthic community composition and abundance to evaluate how the Project is meeting Project objectives were included in the Monitoring and Adaptive Management (MAM) Plan of the Draft EIS (Appendix R2). Riverside monitoring parameters include river discharge, suspended sediment concentrations, nutrient concentrations in water conveyed to the Barataria Basin, sedimentology of the Alliance South sand bar, and Mississippi River sediment load were also included in the MAM Plan of the Draft EIS. Additionally, in the Fish and Wildlife Coordination Act Report (CAR) section of Chapter 5 (Consultation and Coordination) of the Draft EIS, CPRA accepted USFWS' recommendation on pre- and post-construction periodic sampling of Contaminants of Concern in fish, shellfish, and wildlife from the outfall area and the Mississippi River (see Section 3.7.3.23 of the MAM Plan [Appendix R2 to the EIS]). Therefore, no changes were made in the Final EIS on these issues. The Louisiana Department of Health will continue to monitor shellfish harvest restrictions. Additionally, the majority of the parameters above are collected via the State's System Wide Assessment and Monitoring Program that will allow comparison of the Project variables within and among other estuarine basins across the Louisiana coast.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or

adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62868

Sediment should be monitored for a broad suite of contaminants, including PAHs and mercury, near sites of active deposition.

Response ID: 16677

The sediment monitoring recommendation raised by commenters was considered in Chapter 5, Section 5.3 (Fish and Wildlife Coordination Act Report Recommendations) of the Draft EIS, where CPRA agreed to the USFWS' recommendation to undertake pre- and post-construction periodic sampling of Contaminants of Concern in fish, shellfish, and wildlife from the outfall area and the Mississippi River (see also Section 3.7.3.23 of CPRA's Monitoring and Adaptive Management (MAM) Plan [Appendix R2 to the Draft EIS]). Because sediment sampling is likely to be highly variable spatially and temporally, the recommendation from the USFWS and CPRA's commitment to sample fish and shellfish would give a more integrated picture of any contaminant concerns.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62889

The Draft EIS ignores or underestimates likely positive impacts to upland wildlife (deer, hogs, furbearers, nutria), wetland wildlife (waterfowl, wading birds, colonial nesting birds), and wildlife with lower salinity tolerances (alligators), as well as foraging habitat (migratory shorebirds and neotropical migrants), nesting habitat (marsh birds) and prey availability for a variety of species.

Response ID: 16189

The Draft EIS evaluated the effects of the proposed Project on terrestrial resources. The impacts of the proposed Project on upland species are discussed in Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the EIS, but are generally anticipated to be minor and adverse. Conversely, the effects of the proposed Project on wetland wildlife, wildlife with lower salinity tolerances, foraging/nesting habitat, and prey availability in the Barataria Basin are generally anticipated to be beneficial, as discussed throughout Section 4.9 Terrestrial Wildlife and Habitat.

In addition, the potential benefits of the proposed Project to multiple resources in the Gulf are described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

Concern ID: 62901

The executive summary for Terrestrial Wildlife and Habitat is confusing and should be put into the context of the delta cycle (that more salt tolerant species are reflective of an abandoned, degrading delta lobe).

Response ID: 16199

The commenter's request regarding the evaluation of impacts on terrestrial wildlife and habitat is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, has been added to Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context of the Final EIS. Additional discussion related to the Project's impacts on geomorphology and historic deltaic landforms has also been added to Chapter 4, Section 4.2.3.2.2.3, Geomorphology. However, it is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification.

Concern ID: 63024

The Draft EIS failed to properly capture the state of the science on the effects of nutrient inputs on wetlands. While the views indicating the detrimental effects of nutrient input are included, few opposing views are described, and the science is not settled on this issue.

Response ID: 16034

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledges uncertainty regarding the effects of nutrient inputs on wetlands. Additional analysis regarding the impact of nutrients that would be transported by the proposed Project on vegetation communities and soil shear strength has been incorporated into Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

Concern ID: 63030

The executive summary for Wetland Resources and Waters of the U.S. fails to capture the significance of wetland impacts within the context of the delta cycle (see van Beek and Gagliano 1984; Figs. 1, 2) and fails to discuss the implications of not reconnecting the river to the Barataria Basin.

Response ID: 16038

The implication of not reconnecting the Mississippi River to the Barataria Basin was considered in the Draft EIS. The No Action Alternative, assessed for each resource throughout the EIS, describes the projected future conditions without the proposed Project. Impacts on wetlands under the No Action Alternative are addressed in Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS, and comparisons of the change in wetland area during operations of the proposed Project as compared to conditions under the No Action Alternative are included in the Section ES.4, Wetland Resources and Waters of the U.S. in the Executive Summary. Further, Chapter 3, Sections 3.1.4.1 Mississippi River and 3.1.4.2 Barataria Basin of the EIS address the deltaic processes that formed the proposed Project area; however, Sections 3.1.4.2 and 3.2.1.1 Historical Context, have been supplemented in the Final EIS to further discuss historic conditions and include the referenced study (van Beek and Gagliano 1984).

Concern ID: 63031

The executive summary for Wetland Resources and Waters of the U.S. should indicate that the proposed Project would also benefit brackish marshes.

Response ID: 16039

As shown in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-3 of the EIS, the proposed Project is projected to reduce the total area of brackish marsh in the Barataria Basin when compared with the No Action Alternative over its operational period. As addressed in Section 4.6, some areas of brackish marsh that would be converted to open water under the No Action Alternative may be sustained by sediments transported by the proposed Project; however, some brackish marsh under the proposed Project would be converted to fresh water in the immediate outfall area. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63033

The executive summary for Wetland Resources and Waters of the U.S. should reiterate in the 3rd sentence of the first paragraph that the proposed Project would benefit wetlands by providing additional nutrients.

Response ID: 16040

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS includes an analysis of the proposed Project's impacts with respect to increased nutrients transported by the diversion to wetlands in the Barataria Basin and the benefits those nutrients would provide. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63034

The executive summary for Wetland Resources and Waters of the U.S. should provide additional detail on the impact of various river flow volumes on salinity in the birdfoot delta. The validity of this analysis is questionable because high river flows would overwhelm the birdfoot delta with freshwater regardless of a reduction in flow caused by the diversion, while at low flows, when the diversion is most likely to affect salinity in the birdfoot delta, the diversion still only represents a 10 percent reduction in river flow.

Response ID: 16041

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS provides a detailed analysis of the impacts of reduced sediment and freshwater flow to the birdfoot delta associated with the proposed Project. In addition, Figures 4.5-3 and 4.5-4 in Chapter 4, Section 4.5.5.1 in Surface Water and Sediment Quality, depict the average salinity projected under the proposed Project and No Action Alternatives in the Project area (including the birdfoot delta). Salinity was modeled using a historical representative hydrograph to quantify river flows; the representative hydrograph differs by each decade during Project operations. The results of the analysis find that the proposed Project would cause permanent, minor increases in salinity in the birdfoot delta during Project operations; the maximum increase would be 5 ppt above the No Action Alternative conditions. Finally, Appendix E Delft 3D Modeling provides a detailed description of the Delft3D Basinwide Model used to provide quantitative projections of proposed Project impacts. Because these issues were considered in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 63035

The executive summary for Wetland Resources and Waters of the U.S. should reconsider the operating plan for Davis Pond and how the Davis Pond Diversion would be affected by the proposed Project.

Response ID: 16042

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS provides a detailed analysis of the impacts of operations of the proposed Project on the Davis Pond Freshwater Diversion. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS. The operations plan for the Davis Pond Freshwater Diversion is outside the scope of this analysis. Further, there are no plans at this time to change the operating plan for the Davis Pond Freshwater Diversion Project. As discussed in Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the Draft EIS, as part of the Fish & Wildlife Coordination Act consultation, USFWS has

recommended, and CPRA has agreed to implement, development of a basin-wide operations and basin monitoring data repository to help in the general coordination among diversion operators, within their authorizations.

As part of the evaluation of the proposed Project and potential alternatives, the Delft3D model runs and the EIS assumed operations of other diversions consistent with their current or anticipated operational protocols, including the Davis Pond Freshwater Diversion for the hydrodynamic and water quality simulations. The Davis Pond Freshwater Diversion was not included in the Delft 3D morphological modeling simulations.

Based on Delft3D Basinwide Modeling results, proposed MBSD Project operations are expected to reduce the frequency with which the Davis Pond Freshwater Diversion would be operated during certain months of the year to meet its current operational guidelines. Refer to Chapter 4, Section 4.5.7 in Surface Water and Sediment Quality of the EIS for further details on the projected number of days for the Davis Pond Freshwater Diversion opening. Potential impacts to the Davis Pond Freshwater Diversion will be further considered as part of the Section 408 permission request process for the proposed MBSD Project.

Concern ID: 63036

The executive summary for Wetland Resources and Waters of the U.S. should clarify whether the stated beneficial impacts on the spread of invasive species would be an adverse impact on the environment, and specify the invasive species considered in this paragraph.

Response ID: 16043

Chapter 4, Section 4.6.5.2 in Wetland Resources and Waters of the U.S. of the EIS analyzes the potential impacts on the spread of invasive species in wetlands in the proposed Project area, including identifying the species considered in the analysis. Chapter 4, Section 4.9.4 in Terrestrial Wildlife and Habitat and Section 4.10.4.6 in Aquatic Resources also analyze the potential for Project impacts on the spread of invasive plants and animals in uplands and aquatic habitats. The proposed Project could reduce the spread of invasive species in the birdfoot delta, which is considered a beneficial impact to the birdfoot delta. However, operation of the proposed Project could result in the introduction or spread of invasive wetland plant species in the Barataria Basin. The Executive Summary of the Final EIS has been revised to clarify the impact language.

Concern ID: 63066

It is not clear why the negative impacts to bottlenose dolphins are expected from the proposed Project when dolphin injuries and mortality have not been associated with other freshwater releases or diversion projects such as Wax Lake Delta. Dolphins may simply reduce their use of less saline environments as conditions change.

Response ID: 16589

The potential for dolphins to simply reduce their use of damaging, less saline environments by moving to higher saline environments was considered in the Draft EIS. More specifically, Chapter 4, Section 4.11 (Marine Mammals) of the EIS describes the impacts on bottlenose dolphins from freshwater exposure; these impacts are well documented and include observations and data collected in Louisiana associated with the release of fresh water. Most recently, a freshening event in 2019 resulted in the declaration of a bottlenose dolphin

unusual mortality event (UME) in the northern Gulf of Mexico. The Bonnet Carré Spillway, Pearl River, and Lower Mississippi River distributaries contributed to low salinity in the region, resulting in increased mortality and strandings of bottlenose dolphins. Existing data on low-salinity exposure were used to develop a dose-response model that forms the basis for the evaluation of impacts in the EIS (Booth et al., 2020). Existing populations of bottlenose dolphins in Louisiana are largely reflective of the predominant conditions in a given area. Within Barataria Bay, dolphins demonstrate site fidelity to small areas of the basin which, as described in the EIS, has led to the identification of distinct strata (for example, Takeshita et al., 2020). Some of the dolphins tolerate lower salinity waters within Upper Barataria Bay, but are not expected to survive the amount and duration of fresh water released from the diversion. The Barataria Bay bottlenose dolphin stocks' extreme site fidelity and estuarine nature also suggests the dolphins would not move to areas with higher salinity, such as near the barrier islands or Gulf of Mexico.

Concern ID: 63068

It is not clear why the Draft EIS suggests that the proposed Project would result in wetland loss that would harm dolphin health and reproduction. More specifically, observations suggest that the Project is actually projected to increase wetland habitat. It is not clear how wetland creation and a decrease in wetland loss rates affect residual health and reproduction effects from the DWH spill to dolphins.

Response ID: 16591

To clarify, although the diversion is expected to increase wetland habitat, the freshwater influx that would result from diversion operations is anticipated to be the primary driver of dolphin mortality and morbidity. The projected impacts of wetland changes and freshwater flows caused by the Project on dolphins were discussed in detail in Chapter 4, Section 4.11.5 (Marine Mammals - Operational Impacts) of the Draft EIS.

Concern ID: 63112

The EIS should exclude any conclusions regarding pallid sturgeon risk until their presence near the proposed Project is confirmed.

Response ID: 16256

As discussed in Chapter 4, Section 4.12.2.3 in Threatened and Endangered Species and Appendix O1 (Biological Assessment) of the Draft EIS, the EIS analysis recognizes that pallid sturgeon density in the Lower Mississippi River is believed to be extremely low. In accordance with NEPA and the ESA, the EIS appropriately includes an analysis and determination of impacts on the pallid sturgeon from the proposed Project, based on a range of possible local population sizes. The adverse effects on pallid sturgeon from the proposed Project were further evaluated by the USFWS in its Biological Opinion, which has been included as Appendix O3 of the Final EIS. The USFWS determined that the construction and operation of the proposed Project would not be likely to jeopardize the continued existence of the pallid sturgeon and authorized the loss (by death or serious injury) of 48 pallid sturgeon per year.

Concern ID: 63113

The Executive Summary for Threatened and Endangered Species should be supplemented to explain how the proposed Project may “increase commercial

shrimping interactions” with sea turtles given the expected decline in shrimp populations in the estuary.**Response ID: 16257**

The detailed assessment of impacts on sea turtles, including the potential for increased commercial shrimping interactions, was included in Chapter 4, Section 4.12.2.2 in Threatened and Endangered Species of the Draft EIS; therefore, no related edits have been made to the Final EIS. As stated in Section 4.12.2.2, changes in local shrimp populations (including a decrease in the brown shrimp population and a negligible to minor increase in the white shrimp population) may result in changes to the shrimp fishery in the proposed Project area. If these changes result in shrimp fishers focusing on locations lower in the basin or in nearshore/offshore waters (where more sea turtles would be present), it may increase the potential for interactions between fishers and sea turtles, which is a primary threat to sea turtles. Increased interactions could increase the rate of injury and mortality to sea turtles present in the proposed Project area.

Concern ID: 63114

Explain the statement in the Executive Summary for Threatened and Endangered Species that indicates the “presence of core use habitat in the Barataria Basin (Kemp’s ridley).”

Response ID: 16259

The detailed assessment of impacts on sea turtles, including a discussion of the Kemp’s ridley’s core use habitat in the Barataria Basin, was included in Chapter 4, Section 4.12.2.2 in Threatened and Endangered Species and Appendix O1 (Biological Assessment) of the Draft EIS. However, Chapter 3, Section 3.12.1.1.2.3 Kemp’s Ridley Sea Turtle of the Final EIS has been revised to clarify that “core use” habitat is a general term used to represent important foraging and migratory areas that have been identified for juvenile and post-nesting Kemp’s ridley sea turtles.

Concern ID: 63115

The Executive Summary for Threatened and Endangered Species ignores the likely positive effects of the proposed Project on Kemp’s ridley sea turtle, due to the Project’s likely positive impacts on its preferred prey, blue crabs.

Response ID: 16261

The detailed assessment of impacts on sea turtles, including the likely positive effects of increased blue crabs on Kemp’s ridley sea turtles, was included in Chapter 4, Section 4.12.2.2 in Threatened and Endangered Species in the Draft EIS; therefore, no related edits have been made to the Final EIS.

Concern ID: 63116

Commenter disagrees with the adverse conclusion for the piping plover, red knot, and black rail. The proposed Project would greatly increase mudflat and sand flat habitat in the outfall area, which would be used by these species.

Response ID: 16262

Comment noted. The EIS concludes in Chapter 4, Section 4.12.2.4 in Threatened and Endangered Species that the proposed Project is not likely to adversely affect piping plover and red knot, as any impact to those two birds or their prey would be negligible to minor

adverse. As identified in this section, sediment input would create mudflats prior to the establishment of wetland vegetation; however, this is considered a negligible benefit to the piping plover and red knot as they typically use the barrier islands for foraging. With regard to eastern black rail, which are generally believed to inhabit vegetated areas, Section 4.12.2.5 in Threatened and Endangered Species of the EIS concludes that the proposed Project would have both individually adverse and beneficial impacts on the species from changing habitats, including adverse, temporary to short-term impacts from salinity changes that may alter the presence of infaunal prey species, and positive, long-term effects from marsh creation and preservation. However, due to the low species density likely in the proposed Project area, the overall impact on the species would be negligible. The proposed Project is not anticipated to increase sandflat habitat. Because use of mudflats was discussed in the Draft EIS, no related edits have been made in the Final EIS.

Concern ID: 63117

The Executive Summary for Threatened and Endangered species should provide detailed support for the statement that bald eagles may be adversely impacted from potential contaminant uptake given the assertions elsewhere that the proposed Project would not load additional contaminants into the receiving area. There is likely some risk of localized PAH loading, but there is a lot of uncertainty. Monitoring is needed. The USEPA assessed this question for the Maurepas Diversion and determined that there was no impact on bald eagles due to contaminants.

Response ID: 16264

See Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the EIS. CPRA has agreed to a Fish and Wildlife Coordination Act conservation recommendation identified by USFWS that CPRA implement an adaptive monitoring/sampling plan for fish and shellfish in the diversion outfall area and in the Mississippi River to detect potential contamination that could impact bald eagles. Because the issues raised by the commenter were addressed in the Draft EIS, no related edits have been made in the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63118

Commenter strongly disagrees with the adverse impact noted for the manatee as manatees like fresh water and SAV and suggests that an independent manatee expert should review the conclusion.

Response ID: 16266

Chapter 4, Section 4.12.2.1 in Threatened and Endangered Species of the Draft EIS acknowledged the potential benefits of decreased salinity and increased SAV; however, the Draft EIS also identified a potential for adverse impact from increased vessel movement and noise associated with construction and operation of the proposed Project, resulting in a negligible to minor adverse impact/not likely to adversely affect determination. Further, as noted in Appendix O3 Biological Opinion of the Final EIS, the USFWS considered the effects of the proposed Project on the West Indian manatee and concurred with the determination in the EIS for this species.

Concern ID: 63128

The impacts on land use and land cover should be discussed with reference to the delta cycle.

Response ID: 16275

The commenter's request regarding the evaluation of impacts on land use and land cover is acknowledged. To help address these concerns, additional discussions of the delta cycle, and the role that the diversion may play in this cycle, has been added to the Final EIS in Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historic Context, and Chapter 4, Section 4.2.3.2.2.3 Geomorphology. However, it is important to note that, as identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised in the Final EIS to include this clarification.

Concern ID: 63332

A large number of commenters expressed general support for the proposed Project.

Response ID: 16288

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable

harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 64152

The conclusion that the proposed Project would adversely affect subsistence fisheries fails to acknowledge that there are subsistence fisheries based on freshwater fish and shellfish, which would benefit from the proposed MBSD Project. Therefore, these conclusions are erroneous, or exaggerated.

Response ID: 16303

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.15 Environmental Justice. For clarity, Section 4.15.4.2.5 Subsistence Fishing and Hunting in the Final EIS has been revised to acknowledge that subsistence fisheries based on certain freshwater fish and shellfish may benefit from the proposed Project.

Concern ID: 64217

The EIS needs to provide supporting evidence of the assertion that the proposed Project would cause increased occurrence of invasive plant species.

Response ID: 16156

Chapter 4, Section 4.10.4.6 in Aquatic Resources of the EIS identifies literature reviewed, and the evaluation and impact conclusions reflect the best professional judgment based on sound science and expertise of the USACE and cooperating agencies, to determine the potential for increased occurrence of invasive plants due to the proposed Project. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

Concern ID: 64297

Commenters noted that Project-induced sedimentation affecting some Barataria Basin navigation channels and marine infrastructure would result in permanent, moderate, adverse impacts on commercial fishing vessels using the affected channels and marinas if no mitigation efforts are taken to maintain channel depths.

Response ID: 16270

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS recognizes that Project-induced sedimentation affecting some Barataria Basin navigation channels and marine infrastructure would result in permanent, moderate, adverse impacts on commercial fishing vessels using the affected channels and marinas if no mitigation efforts are taken to maintain channel depths. Acknowledging concerns regarding maintenance of non-federal navigation channels and canals that could be impacted by sedimentation of the proposed diversion, CPRA's Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 64507

The assertion that the proposed Project impacts “tidal flooding” is an improper use of the term. Additionally, effects of increased surface water elevation can be minimized by proper operation of the diversion, such as by closing the structure when tropical storms are predicted, or when wind speeds and directions conducive to higher water surface elevations are predicted.

Response ID: 15827

In the context of this EIS, the term “tidal flooding” is used to distinguish non-storm related coastal flooding from coastal flooding caused by storm surge and/or waves. For the purposes of the impact assessment in the Draft EIS, it was assumed that the proposed Project would be operated according to CPRA's Preliminary Operations (Water Control) Plan (see Draft EIS Appendix F MBSD Design and Operations Information). This Plan indicates that the diversion gates would be opened fully (above base flow) when flow in the Mississippi River at Belle Chasse exceeds the “trigger” of 450,000 cfs. The Plan includes criteria for modifying or ceasing diversion operations, including threats to public safety. The Plan also requires closure of the diversion gates and cessation of all diversion flows when tropical depressions or named storms are forecasted to impact the Barataria and Mississippi River Basins.

Correspondence ID:3489

The Salty Oyster Lodge, LLC

James Hill

Thank you for this comment period.

Comments:

This entire project can be best summed up with a few words -
TOO LITTLE , TOO LATE .

You need to add to your EIS the root cause of the Land Loss.

Which was the building of the Levees along the Mississippi , preventing the rivers natural flooding and building of land mass.

I find it very Ironic, that the Corps massive Levee construction projects are what caused this Huge problem in the first place. And now, the Corps believes the solution is 1 diversion project ? Wow !!

Maybe if you bulldoze all the Levees, in about 10,000 years the Coast will be restored.

These billions of budgeted dollars, are only "feel good dollars" for politicians and contractors and many others with greedy agendas.

Use some common sense ! I am sure General Honore would agree with me and my logic on this very important issue.

Concern ID: 62329

The EIS should discuss how the Mississippi River Levees are the root cause of land loss that cannot be corrected by a single diversion project.

Response ID: 15781

The EIS recognizes the role that the Mississippi River Levee has played in coastal land loss in the Barataria Basin, and does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The Draft EIS recognized that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years. See EIS Chapter 4, Section 4.6 Wetlands and Waters of the U.S. for the discussion of projected future land loss under the proposed Project as compared to the No Action Alternative.

Correspondence ID:3524

Sky Eye Maps LLC

Douglas Schoewe

As a member of the Coalition to Restore Coastal Louisiana, I am writing in support of the Mid-Barataria Sediment Diversion.

I spent 4 years working for the USGS at the National Wetlands Research Center in Lafayette Louisiana during the BP Deepwater Horizon Oil Spill litigation updating the National Wetlands Inventory Maps from 2008 to 2010. It was astounding to witness first hand the effects the oil industry has had on the BTE, Barataria Terrebone Estuary system, not only the direct effects the oil spill had on the wildlife habitats but the devastation the oil exploration efforts have had in general through the decades of drilling near the coast of Louisiana. Key hole canal systems left abandoned without any thought of future cost to the environment and culture. Littered drilling equipment left to litter the landscape for hundreds of years to come. The benefits of drilling have costs and those that profit should be left accountable when the tides change outside of their favor.

Concern ID: 61727

One major cause for the loss of wetlands over the last 50 or 60 years is mining and drilling operations that were not required by regulatory agencies to replace the marsh loss they caused. So money from the oil and gas industries should be allocated for continued restoration efforts.

Response ID: 16027

The impacts of the oil and gas industry on wetland loss in the Barataria Basin were described in the Draft EIS. This EIS serves as the environmental review required by NEPA to inform USACE's decisions on the Section 10/404 permit and Section 408 permission and the LA TIG's OPA decision regarding funding the construction of the proposed MBSD Project via damages paid by BP following the DWH oil spill (see Section 1.6.1 The OPA and DWH NRDA Decisions of the EIS). USACE requires compensatory mitigation in the form of replacement habitat for its Section 10/404 permits (including those involving oil and gas exploration and production) that will result in wetland losses.

Concern ID: 63332

A large number of commenters expressed general support for the proposed Project.

Response ID: 16288

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:3588

David Sharpe

I am a maritime attorney in New Orleans whose clients work on the lower Mississippi River and the coastal waters of South Louisiana. I am writing in my personal capacity, however, to support the Mid-Barataria Sediment Diversion. I have followed the project and spoken with stakeholders. I am convinced that the overall benefit will far exceed the adverse consequences. I am grateful to see that the project includes funding for people and businesses who derive income from fishing and oystering in the basin.

Concern ID: 63333

Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.

Response ID: 16289

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Correspondence ID:3656

Woodlawn Investments, Inc.

Charles Lamar

I am writing in support of the Mid-Barataria Sediment Diversion

I visit the communities and fish in the marshes of coastal Louisiana, and I am very concerned about the land loss that I have seen on the coast in my lifetime. I believe that it is critical to use the best available science to advance decision making and work to restore large areas of the coast as quickly as possible. Our coast is rapidly disappearing, and this loss threatens our communities and way of life.

The Barataria Basin was hit hard by the Deepwater Horizon oil spill, which exacerbated decades of saltwater intrusion, sea level rise and subsidence. The health and stability of this basin are vital for a range of ecosystems that provide habitat for wildlife and wetlands that offer protection from storms for communities to the north.

I believe that the Mid-Barataria Sediment Diversion is the appropriate solution for rebuilding the Barataria Basin. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon oil spill settlement to construct this project, as ecosystems that were injured by the oil spill will greatly benefit from the diversion.

With that in mind, I ask the following of the Army Corps and Louisiana Trustee Implementation Group:

- Select the preferred alternative in the Draft Environmental Impact Statement: Reconnecting the river to nearby wetlands through this project provides our greatest opportunity to avoid a devastating future for Louisiana's communities, wildlife and economy. The Mid-Barataria Sediment Diversion is the cornerstone of Louisiana's Coastal Master Plan and will help support and enhance the lifespan of other coastal restoration and protection projects.
- Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan: As Barataria Basin continues to recover from the devastating impacts of the oil spill, this project is vital to restoring the health and function of the entire ecosystem. The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the United States. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisiana's coast.

As the project advances, I urge federal and state decision makers to center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. I encourage the development of a robust stewardship and mitigation plan that addresses any potential impacts that may occur and ensures that no communities or residents bear an unjust burden as a result of the project.

Thank you for your consideration.

Concern ID: 63179

Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.

Response ID: 16556

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 63340

The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.

Response ID: 16298

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

Correspondence ID:3825

Gail Merda

Dear U.S. Army Corps of Engineers, New Orleans District,

Please use the money to research, and to nurture the species mentioned below. Hire compassionate dedicated people to do this vital work. Do not let special interest groups and greed disregard the need of rejuvenating these species, Bring them home.

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

GAIL MERDA

Cleveland, OH 44102

Concern ID: 61741

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.

Response ID: 16162

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the

Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders

and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 62801

State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.

Response ID: 16658

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public

through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Concern ID: 63337

A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.

Response ID: 16294

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Concern ID: 62343

The commenter requests that agencies use DWH oil spill funds for research and restoration of bird species in the area.

Response ID: 15789

As was described in Draft EIS Chapter 4, Section 4.9 Terrestrial Wildlife and Habitats, the proposed Project would be beneficial to those bird species that use both terrestrial and emergent wetland habitats. Additionally, CPRA's Monitoring and Adaptive Management Plan includes monitoring of green-winged teal, mottled duck, gadwall, and brown pelican, as described in EIS Appendix R2.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:3874

Lita Brown

I urge federal and state decision makers to center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits, including increased storm surge protection, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and be as detailed and transparent as possible throughout the process.

Concern ID: 61756

The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.

Response ID: 15891

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance

refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Correspondence ID:3913

RESTORE

Michael Tritico

RESTORE

[REDACTED]

LONGVILLE, LA 70652

[REDACTED]

[REDACTED]

April 10, 2021

Mr. Brad LaBorde

Attn: CEMVN-ODR-E, MVN-2012-2806-EOO

CEMVN-Midbarataria@usace.army.mil

Department of the Army

U.S. Army Corps of Engineers - New Orleans District

7400 Leake Avenue

New Orleans, LA 70118

Comments on the Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana

Dear Army Corps of Engineers:

Thank you for the opportunity to submit comments.

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Comment #1:

The over 6,000 pages of material you have prepared and made available for public study is the most comprehensive and well-prepared Environmental Impact Statement I have seen in my forty-something years of experience.

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Comment #2:

I have tried to review as much of that material as my attention span would allow. It may take me some time to digest what I have read, go back and read more, but when I am satisfied that I can submit additional comments on the technical aspects you present in the EIS I will submit those new comments.

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Comment #3: This proposed project will eventually and inevitably be made moot, as will all the other ongoing and proposed nature-control projects in Louisiana, when nature itself overrules them.

I see two possible scenarios that either each alone or both in combination with each other, will make enduring success impossible for all the planning and expenditures of resources intended to sustain human habitation in low-lying areas:

1) The acceleration of climate change will move forward the time when it will no longer be possible to save New Orleans. Either a river flood and/or rising sea level along with the increased hurricane frequency and intensity will overwhelm all the man-contrived protective measures, destroy New Orleans, and that event will finally delete protection of that city as a factor in all planning considerations.

2) Should a sufficiently-intense Mississippi River Watershed flooding occur leading to the long-overdue natural diversion of the river course into the Atchafalaya Basin, thereby making it impractical to sustain the Port of New Orleans for any economically-feasible length of time, again there would be no justification for doing anything with public resources other than relocating the people to higher ground north of Lake Pontchartrain.

Comment #3: Therefore, recognition of the futility of ongoing and proposed projects would be a wise thing for the Corps to do and for it to communicate to the people, to Congress, and to the President even though you are under orders to meanwhile continue your current exercises.

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I saw yesterday a news account on NOLA.com detailing opposition to the Mid-Barataria Sediment Diversion Project. The account was put together by a reporter named Mark Schlefstein. It was entitled "The host parish for the Mid-Barataria Diversion project voted against it; here's why".

The various objectors seemed to ignore the point that nature has always used diversions in distributing flood waters and sediments to build the plates upon which are now served the seafood resources the objectors say they fear losing.

As for one of their complaints, that the Corps did not consider a certain alternative that they would support: dredging the Mississippi River and using pipelines to lift sediments up and over the artificial levees and send the sediments farther out into the open waters of the Barataria Basin to rebuild marsh, that again seems to ignore the point that such dredging and pipelines would not be necessary if the big artificial levees were not there.

Comment #4: In place of their suggested alternative a more direct alternative would be to simply allow the levees to sink, erode, and collapse down to a normal height with annual widespread overflow distribution of the sediments in the historic and gentle way that would not have the sudden, disruptive impacts the objectors expressed about existing and planned diversions. Restoration of natural processes is the best way to replenish and preserve our renewable natural resources.

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Again, thank you for having done a tremendous amount of good work to provide us with a very practical treasure of information and analyses from which to go forward in our cooperative and democratic way of addressing the serious and complex issues in our part of the planet.

I do plan to submit a later set of comments on the technical aspects of the EIS.

Sincerely,

Michael Tritico, Biologist and President of RESTORE  
Restore Explicit Symmetry To Our Ravaged Earth

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**Concern ID: 61877**

**The proposed Project would eventually and inevitably be made moot due to nature itself so it is not needed.**

**Response ID: 15833**

The EIS acknowledges that the sediment deposition and land building that would occur as a result of the MBSD would occur against a backdrop of significant land loss in the basin and across the region due to subsidence and sea-level rise, so that even as diversion operations are increasing sediment deposition and land creation in the outfall area, some of this acreage would be lost over time due to these ongoing processes. Chapter 4, Section 4.2.3.2 in Geology and Soils of the EIS describes the land-building acreages projected over time due to the proposed Project. In the Final EIS, a discussion has been added to this section to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations.

As part of its restoration planning efforts, LA TIG considers reestablishing deltaic processes (including deltaic sediment deposition and transport of nutrients and fresh water from the Mississippi River to the basin) a critical component of sustaining and restoring wetlands, coastal, and nearshore habitats to help address ecosystem-level injuries in the Gulf of Mexico and to decrease land loss.

The LA TIG agrees that, with or without the proposed Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the proposed Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts. The proposed Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and successfully develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 of the LA TIG's Final Restoration Plan).

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**Concern ID: 61888**

**Consider the alternative of allowing the levees to sink, erode, and collapse down to a normal height with annual widespread overflow distribution of the sediments in the historic and gentle way that would not have the sudden, disruptive impacts as seen with existing and planned diversions. Restoration of natural processes is the best way to replenish and preserve our renewable natural resources.**

**Response ID: 15983**

This alternative of removing levees and restoring natural processes is not feasible and was not considered further because levees are necessary for flood risk reduction for the communities and industries that line the Mississippi River in Barataria Basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 61977**

**While other restoration project types, such as marsh creation, have been suggested in lieu of large-scale diversions, these project types would fail to build and sustain significant amounts of land in the Barataria Basin over the 50-year Project lifespan due to subsidence, sea-level rise, and erosion. Dredging alone cannot save the wetlands, the processes that originally built them must be reestablished. The power of the river allows more land-building potential to be harnessed than could be had with dredges at a fraction of the cost, and the benefits are long-lasting, even in the face of sea-level rise and hurricanes.**

**Response ID: 15977**

The commenter's support of the proposed Project is acknowledged. The EIS concludes that a large-scale sediment diversion meets the purpose and need of the proposed Project while large-scale marsh creation does not meet the purpose and need. Details on marsh creation alternatives including sustainability and the reasons for elimination from further detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. Additional information related to the marsh creation alternative have been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

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**Concern ID: 62331**

**The EIS is comprehensive and well-prepared, and used the best available information and data.**

**Response ID: 15782**

Acknowledged.

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**Correspondence ID:3914**

RESTORE

Michael Tritico

RESTORE

[REDACTED]

LONGVILLE, LA 70652

[REDACTED]

[REDACTED]

April 12, 2021

Mr. Brad LaBorde

Attn: CEMVN-ODR-E, MVN-2012-2806-EOO

CEMVN-Midbarataria@usace.army.mil

Department of the Army

U.S. Army Corps of Engineers - New Orleans District

7400 Leake Avenue

New Orleans, LA 70118

Additional Comments on the Proposed Mid-Barataria Sediment Diversion Project,  
Plaquemines Parish, Louisiana

Dear Army Corps of Engineers:

Thank you for the opportunity to submit comments.

There are two brand new articles that have extremely relevant information that you should incorporate into your deliberations as you prepare the Final Environmental Impact Statement.

Both appear in the journal Water, Volume 13.

In the February 27, 2021 issue, beginning on Page 642 is a 31 Page article entitled "A Review of 50 Years of Study of Hydrology, Wetland Dynamics, Aquatic Metabolism, Water Quality and Trophic Status, and Nutrient Biogeochemistry in the Barataria Basin, Mississippi Delta-System Functioning, Human Impacts and Restoration Approaches." The authors are John W. Day, William H. Conner, Ronald D. DeLaune, Charles S. Hopkinson, Rachael G. Hunter, Gary P. Shaffer, Demetra Kandalepas, Richard F. Keim, G. Paul Kemp, Robert R. Lane, Victor H. Rivera-Monroy, Charles E. Sasser, John R. White, and Ivan A. Vargas-Lopez.

In the March 16, 2021 issue, beginning on Page 813 is a 26-page assessment of "The 'Problem' of New Orleans and Diminishing Sustainability of Mississippi River Management - Future Options" by John W. Day, Rachael Hunter, G. Paul Kemp, Matthew Moerschbaecher, and Christopher G. Brantley.

Sincerely,

Michael Tritico, Biologist and President of RESTORE

Restore Explicit Symmetry To Our Ravaged Earth

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**Concern ID: 63037**

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**Two recent (2021) studies should be reviewed and incorporated into the EIS, both of which appear in the journal *Water*, Volume 13. In the February 27, 2021 issue, the article entitled “A Review of 50 Years of Study of Hydrology, Wetland Dynamics, Aquatic Metabolism, Water Quality and Trophic Status, and Nutrient Biogeochemistry in the Barataria Basin, Mississippi Delta-System Functioning, Human Impacts and Restoration Approaches” by Day et al. In the March 16, 2021 issue, the article (also by Day et al.) entitled “The ‘Problem’ of New Orleans and Diminishing Sustainability of Mississippi River Management - Future Options.”**

**Response ID: 16044**

The EIS discloses the value of wetlands in the Barataria Basin, including as flood control and protection from storm surge, as well as the history of wetland losses in Barataria Basin described in the provided references (see Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the EIS). The Final EIS has been revised to include the recent studies provided by the commenter.

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**Correspondence ID:3915**

Jardel Costa

Hi there, do it!

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:3917**

Commenter

commenting is nice

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**Concern ID: 62426**

**Several commenters submitted test messages, well wishes and miscellaneous text.**

**Response ID: 15871**

Acknowledged.

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**Correspondence ID:3928**

HARVEY CANAL LIMITED PARTNERSHIP

Raymond Fuenzalida

Sirs:

I am strongly in support of this diversion project. As a landowner on the Westbank of New Orleans, the loss of coastal land is of great importance to me, our company and all of our tenants/users. Plus the loss of the marshlands as storm barriers/protection from storm events for all of South Louisiana has to be stopped and reversed.

It is known that the entire delta was built up over millennia via the regular flooding of the Mississippi river. Those silt deposits built up most of South Louisiana. However, when the Mississippi River was leveed all the way into the Gulf of Mexico, that silt - instead of replenishing the marsh - is wasted into the Gulf. And the land loss since then has been shocking. All you need do is look at a map from 100 to 75 to 50 years ago to today. This rate of land loss cannot be allowed to continue.

There is an incredible need for silt diversion to at least slow down the marshland loss. And yes, I understand that there may even be some short term negative effects to oyster and shrimp fishing, but to not do anything to prevent this marsh loss would be a crime against those millions of people who live in South Louisiana.

Not only does this diversion project need to continue, it needs to be expedited. The sooner we can start saving the marshland, the better.

Thank you.

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**Concern ID: 61737**

**The construction of levees along the Mississippi River precluded land-building sediments from entering Louisiana estuaries, which has caused a loss of Louisiana's coastal wetlands and other problems, such as making properties more vulnerable to hurricane damage and decreasing property values.**

**Response ID: 16024**

The impacts raised by the commenters were considered in the Draft EIS. Information about historic causes of land loss can be found in Chapter 3, Section 3.1.4 Overview and History of the Project Area and Section 3.6.2 in Wetland Resources and Waters of the U.S. The importance of maintaining wetlands for the protection of coastlines, coastal communities, and wildlife resources is discussed in Sections 3.6 Wetland Resources and Waters of the U.S. and 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Applicant's Preferred Alternative is to implement a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:3930**

Robert Gardiner

I strongly support the proposed alternative to build the Mid Barataria Sediment Diversion. I would prefer something even larger and want to express concern that the proposed plan not be compromised.

South Louisiana cannot afford to wait longer or accept lesser solutions. Our coastline is sinking and our fisheries and wildlife habitat is washing into the Gulf. Fortunately the Mississippi River offers a chance at salvation if we learn to use the river correctly. The MBSD is the most cost-effective way to address the problem in a sustainable way.

The negative impacts on fisheries and wildlife habitat are minor compared with the alternatives of doing nothing or a smaller project. The negative effects on fishermen and oyster growers are short term and ought to be compensated for, as the plan allows, but doing nothing would be devastating to their real interests in the long term.

The storm surge protection benefits of healthy and extensive wetlands are essential to millions of people who live near the coast. It is time to stop studying and debating, and it is time to move forward with the right solution.

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**Concern ID: 63133****Commenters support the proposed mitigation measures for the commercial fishing industry.****Response ID: 16517**

The comments received in support of the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in

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those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63353**

**The commenter strongly supports the Applicant's Preferred Alternative, but would prefer something larger. The commenter further notes that south Louisiana cannot afford to wait longer or accept lesser solutions because the coastline is sinking and local fisheries and wildlife habitat is washing into the Gulf. Fortunately, the Mississippi River offers a chance at salvation if the river is used correctly.**

**Response ID: 16315**

The commenter's support for the proposed Project is noted. The relative impacts, both beneficial and adverse, for the various capacity alternatives is explained throughout Chapter 4 Environmental Consequences of the EIS. Although the 150,000 cfs Alternative would result in the greatest degree of benefits (including the most land building), it also would result in the greatest degree of adverse impacts, particularly to marine mammals (see Section 4.11.5 in

Marine Mammals), shrimp and oysters (see Section 4.10.4.5 in Aquatic Resources), and public health and safety (through increased water levels and inundation in areas closer to the immediate outfall, see Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). The USACE has supplemented Section 4.10.4.5.3 in the Final EIS to further discuss the impacts of the 150,000 cfs Alternative to brown shrimp and oysters. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG's Restoration Plan evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. While 150,000 cfs diversion would be expected to deliver more ecological benefits in terms of land creation and marsh building than the LA TIG's Preferred Alternative, it would also incur more collateral injuries and pose a greater risk to human health and safety; thus, it was not selected as the LA TIG's Preferred Alternative. See Section 3.2.4 (Overall OPA Evaluation Conclusions) of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63354**

**The proposed MBSD Project is the most cost-effective way to address the current problems in a sustainable way.**

**Response ID: 16316**

The USACE and LA TIG acknowledge the commenter's support for the proposed Project. The LA TIG further notes that it strove to identify a preferred alternative that meets OPA's cost criteria and achieves the LA TIG's goals of comprehensive, integrated ecosystem restoration, through the creation of deltaic processes that supports an ecosystem that would be sustained over decades even in the face of rising sea levels and coastal erosion.

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**Correspondence ID:3941**

Minh Vo

I am a commercial fisherman and probably have about 10 years left before I retire. If the brown shrimp will all die then that will be a significant decrease in my income. The state needs to set aside money to compensate us for at least 5 years or longer for our lost income in the brown shrimp season. The only way that we'll make it during the white shrimp season is if we get compensation. There should also be a business and boat buyout program for those of us who want to retire and/or transition out of the industry.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:3946**

Commenter

I own property in the Myrtle Grove Marina Subdivision which currently has no bulkhead or dwelling in place. Are there any recommendations on how high to install bulkhead when I begin construction. Also will there be any efforts to dredge the canals after they begin to silt in from the diversion?

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**Concern ID: 63097**

**Commenter requested information regarding how high to install a new bulkhead on their lot in the Myrtle Grove Marina Subdivision.**

**Response ID: 16636**

Projected increases in water levels and corresponding tidal inundation in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS. See Table 4.20-2 of the Final EIS for the projected number of days that inundation would be experienced (based on fixed thresholds) at these communities including Myrtle Grove.

CPRA's Final Mitigation and Stewardship Plan includes structural measures that CPRA plans to implement to reduce some impacts of the proposed Project. In particular, CPRA has proposed, as part of the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to improve the bulkhead along the lots in the Myrtle Grove Marina Estates Subdivision to an elevation of 4.0 feet NAVD88 or greater.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but



not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63791**

**CPRA should monitor canals and dredge them as they begin to silt from the diversion.**

**Response ID: 16645**

The commenter's concerns regarding siltation and infill of Wilkinson Canal and other navigation channels in the Barataria Basin were considered in the Draft EIS in Chapter 4, Section 4.16.5.2 Recreation and Tourism - Operational Impacts and Section 4.21.5.2 in Navigation.

Siltation and infill of Wilkinson Canal was considered in the Draft Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. Since issuance of the Draft EIS, CPRA has revised its plan to address infill of Wilkinson Canal caused by Project operations. See Section 6.3.1 (Impacts to Navigation) of the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for CPRA's final plan with regard to the siltation of Wilkinson Canal.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:3958**

Bob Arnondin

Twice in 2020 the bonnie carrie spillway that river water created algae blooms and low oxygen deadly trail thru Lake Ponchartrain into lake Borne and Brenton Sound.

That poluted fresh waterhad lting effects on oysters and all other acquaticanimals and plant life.

Two other diversions hav also shown failure. Both caenarvon and Davis pond are examples. Your intent to build land failed, polluted those estuaries and your observations of how badly these diversions have helped are proven wrong.

Polluted water will kill our estuary and devastate ourseafood industry.

Land can be built by dredging!

Our barrier islands is our 1st defence against flood and storms. The inner islands also slows snows down the rising waters

Dredge and plant. Make land today!

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various

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alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRa and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information

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from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62722**

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**The release of polluted river water through Bonnet Carré, Caernarvon, and Davis Pond resulted in algal blooms, low dissolved oxygen, and lasting adverse effects on local flora and fauna.**

**Response ID: 16100**

Chapter 4, Sections 4.5.5.5 in Surface Water and Sediment Quality and 4.10.4.4 in Aquatic Resources of the EIS analyze the potential impact of Project operations on dissolved oxygen concentrations and the potential for algal blooms. In addition, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Correspondence ID:3967**

FEMA

Charlie Cook

This is Charlie Cook with FEMA Floodplain Management. My only comment is to make sure you are working with the local floodplain administrator to make sure that any pertinent local permits are obtained in relation to this project. Thanks. Take care. Bye.

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**Concern ID: 62192**

**Commenter states that CPRA should coordinate with the local floodplain administrators to obtain any needed local permits.**

**Response ID: 15741**

CPRA would be responsible for coordinating as needed with the appropriate floodplain administrator(s) regarding any necessary permits prior to Project commencement if the Project is approved by USACE and funded by the LA TIG.

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**Correspondence ID:3982**

Gene Vincent

As a commercial inland shrimper of 34 seasons operating my own vessel out of Lafitte, I am strictly opposed to the construction of the mid-Barataria diversion project for the simple reason that its benefit as far as restoring land does not outweigh the financial losses that will be incurred by me and thousands of other fishermen of all types. These fishermen who make their living in the outflow area south of the diversion will essentially be put out of business. I feel there are better processes which show faster results and less economic impact such as dredging. If these comments fall on deaf ears and bear no weight in stopping the diversions construction then at least prepare to compensate fishermen who will bear the brunt of the loss. Some suggestions would be to subsidize fishermen during months where the diversions output is at its peak and the most damage to commercial species is done. Grants should be made available for new construction, repowering, fuel efficient equipment, ice holds and refrigeration, to fishermen who will have to travel to and from other estuaries to harvest product. The waters of these other areas are much deeper and open than some fishermen are use to working and may not have sufficient size vessels. There should also be a website where anyone can see if the diversion is running and at what capacity.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various

alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63094**

**There should be a website that shows if the diversion is running and at what capacity.**

**Response ID: 16646**

In response to public and agency comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

This dashboard has been added to the Monitoring and Adaptive Management (MAM) Plan included in the Final EIS (Appendix R2). The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one

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is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)

- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:4011**

Form Letter 6

Dear U.S. Army Corps of Engineers, New Orleans District,

To the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

The Louisiana coast, its communities and wildlife, are in crisis. To support this vital ecosystem:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Deborah Littrell

Cincinnati, OH 45206

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**Concern ID: 61716**

**The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.**

**Response ID: 16026**

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department



of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62678**

**Commenters recognized the challenges facing Louisiana and the connection between stabilizing the coastline and restoring the overall health of the ecosystem, which is the goal of the Restoration Plan.**

**Response ID: 16499**

The LA TIG agrees with the commenters regarding the ecological challenges faced along Louisiana's coastline. The impacts of DWH oiling were ecosystem-wide and spanned multiple trophic levels, necessitating an ecosystem-scale restoration effort. One of the goals of the Project is "to create, restore, and sustain wetlands and other deltaic habitats and associated ecosystem services." That balance is discussed in Section 3.0 (OPA Evaluation of the Alternatives) of the LA TIG's Restoration Plan, where its OPA evaluation addresses both the Project's benefits to multiple resources as well as its ability to meet Trustee goals and objectives.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public

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through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:4012**

Kevin Edgecombe

It's time to stop talking and finally doing something! Build the damn thing and let's get moving! In the meantime we ALSO need to be dredging and pumping river sediment to build marsh as well. Put rocks around everything pumped because if you don't we'll be right back to where we are now. Realistically though you are years late in trying to save lower Plaquemines Parish!

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**Concern ID: 63355**

**The proposed Project needs to be built, but in the meantime, there is also a need to dredge and pump river sediment to build marsh, then put rocks around to maintain those results.**

**Response ID: 16317**

The commenter's support for the proposed Project is noted. The action being considered in the EIS is described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Sections 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives and 2.8 Action Alternatives Carried Forward for Detailed Analysis. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS. Other coastal restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan and the LA TIG through NRDA restoration planning.

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**Correspondence ID:4024**

Myrtle Grove Marina Estates HOA

Conrad Lawrence

the proposed sediment diversion will inundate our subdivision with water levels 2-3 feet above normal high tides. The fresh water flow would devastate our shrimp, oyster, crab and fish industries. The majority of Plaquemine Parish residents are opposed to this project. The USACE should take a hard look at the depth of this project with respect to the Mississippi River levees, a failure during construction would have catastrophic consequences.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)

- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62223**

**The alteration of Mississippi River flows and/or MRL could cause erosion or collapse of the MRL and result in catastrophic flooding.**

**Response ID: 15749**

Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408), referred to as Section 408, authorizes the Secretary of the Army, through the Chief of Engineers, to grant permission for the alteration, occupation, or use of a USACE Civil Works project if the Secretary determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. Because the proposed Project has the potential to directly and/or indirectly impact the Mississippi River Levee, New Orleans to Venice Levee, and the Mississippi River Navigation Channel, which are USACE Civil Works projects, CPRA has requested Section

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408 permission to construct and operate the Project. The USACE 408 Review process includes a review of the technical adequacy of the Project design, including all appropriate technical analyses, including geotechnical, structural, hydraulic and hydrologic, construction, safety and operations and maintenance requirements. A Section 408 permission would not be granted unless the proposed modifications to the civil works projects would not limit the ability of the USACE Project to function as authorized and would not compromise or change any authorized Project conditions or purposes. The USACE Section 408 review is ongoing and the findings of this review will be disclosed in the Record of Decision.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits

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prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

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The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:4027**

Gary Delahoussaye

Dear Corps of Engineers - -

I have been a LA resident my entire life. I have been avid fisherman for decades mostly in Venice LA.

I AM 100% SUPPORTING THE MID BARATARIA SEDIMENT DIVERSION PROJECT.

I have personally witnessed the incredible destruction and erosion over the last 40-50 years. This is a complex issue and I understand the challenges this poses to the commercial fishermen, crabbers, shrimpers and oystermen. Having said that I truly believe the good far outweighs the bad. And by not pursuing coastal restoration like the Mid Barataria Sediment Diversion will only lead to more and more erosion and less hurricane protections by building these "horizontal levees".

PLEASE PROCEED WITH THE DIVERSION AT THE EARLIEST POSSIBLE TIME.

Very sincerely,

Gary J. Delahoussaye

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:4029**

Kevin Crossen

My name is Kevin Crossen [REDACTED],

I attended the meeting at the BCMS on April 12th. I think I was the only resident in support of the sediment diversion. I am the one who asked about property valuations and the possibility of increasing the amount set aside for the possibility of a buyout. Speaking for myself I have a lot at stake to lose from this diversion, this is my home that I have raised my family in and also operate my business out of. I operate a charter fishing service that will be greatly affected by the diversion. As for me I'm not sure how I can adapt and maintain the same quality of life with the diversion at my back door. As of the EIS now it seems I will have to relocate my business in the next 5 years along with my home if the project goes on line. My family has a lot invested in this home and community. And yes I believe that the land creation as long term project will provide the storm protection we do desperately need as well as other benefits to our ecosystem. I say this with the understanding that there will be negative impacts.

Us as residence were asked to provide alternative solutions. I don't want to speak on behalf of all of the residence in our community but would like to say for myself that an increase in the property valuations need to be increase to gain support. Speaking for myself I would hope that the valuations were on par with the current appraisal that was just done on my home, anything less and I would be losing money. This increased seed money should be secure and set aside for the sole purpose of a buyout with a worst case scenario. These valuations should be done home by home as these are custom built homes and done in a timely manner. In my opinion the cost of a proper buyout is the best option compared to raising homes and streets. This may have to be done on a property by property basis. I believe this is the only option that makes sense and should be explored with an open checkbook. This would be a drop in the bucket compared to the overall cost of the project.

My reasons for an aggressive buyout are all based on a worst case scenario. Some residents would like the CPRA board to work with the USACE to build a flood gate. At worst case scenario this gate may be closed for up to six months, who would maintain the floodgate and at what cost? Who would dredge the Wilkinson Canal and at what cost? If the floodgate happened to be closed for six months or any length of time what would it do to the water conditions trapped inside the neighborhood?

As far as paying a flood easement, to the best of my knowledge this has never been done in a residential area. What and how will it effect emergency services or homeowners insurance, flood insurance and such.

Thank

Kevin Crossen  
[REDACTED]

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**Concern ID: 62952**

**Commenter expressed concern about the efficacy of certain mitigation measures such as floodwalls, floodgates and flood easements.**

**Response ID: 16710**

Since issuance of the Draft EIS, CPRA has expanded and refined the Mitigation and Stewardship Plan (Appendix R1) based on community and resource agency input. Details

regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

If the LA TIG decides to fund the proposed Project, that funding authorization would also include funding for the mitigation and stewardship measures set forth in the Mitigation and Stewardship Plan.

With implementation of the structural mitigation included in the Final Mitigation and Stewardship Plan, access to the properties within the communities south of the outfall (beginning at Myrtle Grove and continuing south to Grand Bayou and Happy Jack) would be improved over future conditions without the proposed Project. In particular, roadways would either be protected from flooding by increasing the height of the community's bulkhead (Myrtle Grove) or elevating the access roadways (Woodpark south to Happy Jack). The result would be that property owners, tenants and guests, as well as emergency service workers, would have improved access to the potentially flooded properties. See the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for additional details.

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove Marina Estates Subdivision. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Mitigation and Stewardship Plan.

In addition, changes in water levels due to Project operations would not be expected to change the Flood Insurance Rate Maps (FIRMs). See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change. Also, the proposed Project servitudes, which would permit CPRA to increase the water levels on the properties during Project operations in exchange for monetary compensation, would not restrict the provision of emergency services.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina

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Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure

that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63791**

**CPRA should monitor canals and dredge them as they begin to silt from the diversion.**

**Response ID: 16645**

The commenter's concerns regarding siltation and infill of Wilkinson Canal and other navigation channels in the Barataria Basin were considered in the Draft EIS in Chapter 4, Section 4.16.5.2 Recreation and Tourism - Operational Impacts and Section 4.21.5.2 in Navigation.

Siltation and infill of Wilkinson Canal was considered in the Draft Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. Since issuance of the Draft EIS, CPRA has revised its plan to address infill of Wilkinson Canal caused by Project operations. See Section 6.3.1 (Impacts to Navigation) of the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for CPRA's final plan with regard to the siltation of Wilkinson Canal.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:4034**

Donald Landry

This project will environmentally destroy our precious delicate estuaries. Shrimping fishing and oysters will disappear in the Barataria basin because of the freshwater diluting the salinity to a level that cannot sustain breeding of these species. I don't know why an environmental group like the Sierra Club or another group is not fighting this on an environmental impact that destroys wildlife. The whole ecosystem of the Barataria basin will change from birds to minnows and everything in between. Please do not allow this project to be approved. There is very little sediment in the river to build any sustainable land. This project will make a lot of people rich at the cost of the environment.

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**Concern ID: 61782**

**Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.**

**Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 62083**

**Commenters suggested that shrimping, fishing, and oysters would disappear in the Barataria Basin because of the fresh water diluting the salinity to a level that cannot sustain breeding of these species.**

**Response ID: 16247**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS described impacts of the proposed Project on finfish and shrimp and oyster species. As described, impacts may include those associated with changes in salinity. As summarized in EIS Section 4.14.5 in Commercial Fisheries, as compared to the No Action Alternative moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative, primarily by accelerating the decline of species abundance that is also anticipated under the



No Action Alternative sometime after 2050. While abundance of shrimp and oysters would decline under the Applicant's Preferred Alternative (as compared to the No Action Alternative), the EIS impact analysis does not anticipate shrimp and oysters would disappear from the basin. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be

required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

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**Concern ID: 62696**

**Oysters are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.**

**Response ID: 16075**

The commenter correctly notes the impacts on oysters from low salinity. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the Draft EIS, operation of the proposed Project would result in a permanent, major adverse impact on oysters, due in large part to decreases in salinity.

To address Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). Mitigation measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture.

Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS (Appendix R) were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required

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as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62698**

**Brown shrimp are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.**

**Response ID: 16076**

The commenter correctly notes the impacts on brown shrimp from low salinity, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources; however, as noted in the Draft EIS, brown shrimp reproduce offshore and, although the number of shrimp surviving to reproduce may change, the reproductive success of surviving shrimp is not anticipated to change. Overall, the Draft EIS anticipated a permanent, major adverse impact on brown shrimp from the proposed Project, due in part to reduced salinity in portions of the Barataria Basin.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54

and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide

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the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Correspondence ID:4068**

Goimir Zupanovic

I am a 73 year old oyster fisherman and the proposed mitigation measures for my industry won't do any good for me because I'm too old to try new oyster harvesting techniques such as aquaculture. If I can't harvest anymore oysters then I'd like to be compensated for my losses until I retire which is not that far off. Thank you.

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**Concern ID: 62961**

**Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.**

**Response ID: 16532**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

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where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:4069**

Denice Fazende

My opinion of the diversion is that if this is built the majority of the shrimping industry will be destroyed along with recreational fishing. I am a commercial shrimper 68 years old and my husband is 71 years old and this has been our occupation for over 50 years. At our age we can NOT start over or buy bigger boats in order to go into deeper water. What good is it to put refrigeration equipment on our boats when the diversion will kill off the shrimp? The majority of the shrimping industry in Louisiana is worked by people over 50 years of age who have done this all their lives; it had passed on to generation after generation; but now it will die off if this diversion is built.

Thank you,

Denice Fazende

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**Concern ID: 63726**

**Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.**

**Response ID: 16702**

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA



TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:4073**

Thanary Oum

I am a Cambodian fisherwoman harvesting shrimp out of Buras, LA. I would like the government to help me by buying my smaller boat and financial assistance with buying a new bigger boat so that I can go out further and stay out longer. Of course having a bigger boat will incur more expenses, so I'd need some help with those expenses for at least 5 years. Also, there's an organization that helps so many fishermen like myself and especially for those who don't speak a lot of English and that place is Coastal Communities Consulting. I would even like to see the government set aside funds for them so that they can continue doing the work they do because without them I'd be lost regarding my fishing business and so would a lot of other fishermen too.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)

- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:4083**

Gavin Parria

Life-long fisherman here based out of Lafitte, LA. I think the government should implement a boat buyout program for those of us who want to sell to either get out the business or have to purchase bigger vessels. I'd consider the vessel refrigeration grant program but I definitely would like to be compensated for my brown shrimp losses. The white shrimp just aren't as profitable as the brown shrimp and they also don't hold up as well as the brown shrimp. As far as property concerns, I own 280 acres in Bayou Dupont and I'd be open to flowage easement rather than outright acquisition and I'd like to because I know that I wouldn't get much for it. Lastly, I wouldn't want to move and I know that flooding would be an issue, so home elevation would be a must in addition to road work too.

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**Concern ID: 63092**

**Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, "real estate plan" for impacted communities was not available.**

**Response ID: 16511**

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA's initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider

purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA's Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship

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Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)



- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:4116**

Brittany Verdin Jimenez

Hello,

I wanted to know why ONLY federally recognized tribes were invited, thus far, and participating in these talks. I understand there is no legal obligation, but state recognized tribes like the United Houma Nation, Pointe Aux Chiene Indians, and the Isle de Jean Charles Band of the Biloxi-Chitimacha-Choctaw-Muskogee Creek Indians are the MOST affected by this sediment diversion so it stands to reason that there is an ethical obligation to invite and collaborate with their council.

Not to mention, these communities listed are already designated as the first climate refugees of the rapidly disappearing Gulf Coast. Projects like these, that do not sell out the voices of the unheard, are what is keeping people from returning to Louisiana post- Katrina. (My family and I.) It would be in this project's best interest, as well as the community's, to collaborate with person's best suited to the task.

Warm regards,

Brittany Verdin Jimenez

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**Concern ID: 61932**

**Communities with environmental justice concerns, which include all communities who are vulnerable to racial, ethnic, economic, and ecological violence, should be “meaningfully involved” in “the development, implementation, and enforcement of environmental laws, regulations, and policies” during the proposed MBSD Project.**

**Response ID: 16285**

As discussed in Chapter 1, Section 1.6 Scope of the EIS, and Chapter 4, Section 4.15 Environmental Justice, the EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance to identify the impacts that would likely occur if the proposed Project were to be approved. USACE, the LA TIG, and CPRA have engaged communities with environmental justice concerns in development of the EIS. Examples of public outreach provided by USACE for the EIS include special public notices for the permit application, the scoping process and scoping meetings, and public review of and public meetings regarding the Draft EIS. Material and information related to the Draft EIS were made available through Federal Register notices, press releases, social media, the New Orleans District website, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries and community centers.

USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities, including communities with environmental justice concerns, regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the joint virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese. The consolidated pre-recorded public

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meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on communities with environmental justice concerns, including low-income and minority populations, such as cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:4333**

Louisiana FinFish Task Force

Acy Cooper III

I am against the Mid Barataria diversion project. This will kill marine mammals. Fresh water will kill our estuaries along with our finfish,shrimp,oyster and crab industries. Plaquemines parish will not be the only parish negatively affected. The future of the state economy is dependent on commercial fisheries. Culture and heritage on our coast will be lost. Jobs will be lost. DREDGE/DONT DIVERT!

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

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Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRAs and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in

Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits

prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the

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Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required

as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

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are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

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are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64057**

**The socioeconomic impacts would affect southeast Louisiana and the area impacted by the proposed MBSD Project for generations and ensure the end to the traditions and culture of south Louisiana and its families.**

**Response ID: 16230**

The EIS discusses impacts on the local communities and various quantitative and qualitative impacts from the proposed Project in Chapter 4, Section 4.13 Socioeconomics, including Community Cohesion (Section 4.13.5.6). Consistent with the concern of the commenter, the EIS does find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative.

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**Correspondence ID:4338**

Albert Johnson

Even though diversions are a good idea, bigger is not always better. This diversion will put an end to most if not all salt water recreational and commercial fishing in the Barataria basin. The communities of Myrtle Grove, Wood Park, Lake Hermitage, and many more will cease to exist. Therefore I must conclude that this project is not in the best interest of the people and the wildlife it will affect for a long time. Perhaps some smaller and less intrusive diversions would be better suited than one large one that changes everything destroys a way of life. ALBERT D JOHNSON

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**Concern ID: 61971**

**Commenters noted that consideration of multiple smaller and less intrusive diversions would be better suited than one large one that changes everything and destroys a way of life.**

**Response ID: 15973**

The EIS considered multiple small-scale diversions as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.7 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS, including the lack of appropriate range of sediment sizes and increased cost. Additionally alternatives with a single, smaller (50,000 cfs) diversion have been carried forward for detailed evaluation in the EIS; this includes the 50,000 cfs with terraces feature alternative.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:4353**

Theodore Mackenroth

I thought that CPRA was suppose to build land and protect the marsh. Don't understand how putting the diversion at Ironton will protect the barrier islands and Plaquemines Parish. How you can divert water that far up will build land along the Gulf. I understand that maybe 50 years from now we have a little land, but what about now. Unless you build land along the gulf you are now protecting anything.

Everyone that lives here, depends on the marsh, and enjoys this area knows that without slowing down the tide your not going to save anything. The oil industry destroyed a lot of land with their pipe lines. The storms have taken away a lot of land. We lost all of our island in the bays. The wind blowing across open water erodes land. We all see how much this area has changed.

Before you go to the expense of a diversion of this size, that you know will destroy more land and seafood, why not narrow the passes from the gulf first. Narrow the passes and move into the bays and build terraces or islands. This would slow the tide water and stop erosion. The islands will stop the wind and waves from eroding land. Start closing off the oil pipelines. Make the tide water go back down the main bayous. Close off all the wash out areas that broke thru the main bayous. There more work that needs to be done before you build this diversion. Starting at the gulf and build land coming in would help more then the diversion. Building land out further will help us in our life time. It would protect us and Plaquemines better.

Common sense should be used in the decision of wetlands rather then politicians goals. The people should come first. The local people and government is trying to tell you that we don't want the diversion. How is it right for the Government to force something on anyone in this country? We don't want this diversion to damage our area and way of life. You can not guarantee that this diversion will not destroy more land then it will build in 50 years. Dredging builds more land in less time without destroying our way of life.

Stop the diversion

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**Concern ID: 61885**

**Consider the alternative of reducing the size of Bay Long Pass and 4 Bayou Pass to slow the tide water and save land instead of implementing the proposed MBSD Project.**

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**Response ID: 15981**

This alternative as presented, specifically reducing or narrowing the passes, would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 61894**

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**Consider the alternative of tearing down spoil banks and backfilling abandoned canals before, in addition to, or instead of implementing the proposed MBSD Project.**

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**Response ID: 15987**

This suggested alternative would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. It would not re-establish deltaic processes between the Mississippi River and Barataria Basin through the delivery of sediment, fresh water, and nutrients. However, the EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the Final EIS), and has updated the analysis to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The EIS recognizes that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years.

This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan and the LA TIG through Natural Resources Damage restoration planning.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section



10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Correspondence ID:4617**

Steve

I am writing to state I am AGAINST the Mid-Barataria Sediment Diversion Project for the following reasons.

Based on the DEIS the environmental impacts outweigh the benefit of the land created. The harm done to the wildlife, livelihoods, and personal property of residents in Plaquemines Parish is unacceptable.

The DEIS did not provide adequate proposals to sediment diversion. All of the alternatives were in regards to various flow rates of the diversion or No Action. I support NO Action. Dredging for one would build more land at a faster rate than sediment diversion. Case in point both Phase 1 and Phase II of the Myrtle Grove Residential Subdivision was built with sand dredging being pumped in from the Mississippi River.

Also, I own property in Myrtle Grove Phase 1 subdivision. This residential neighborhood is composed of homes, Not Camps, many of which are valued in excess of 500K. The increase tidal range would severely negatively impact access, land values, number of times my property would flood, increase clean up cost, and accelerated deterioration of my dock and bulkhead. The DEIS did not provide specific details or guarantees to issues in the event the engineering models are wrong and projected impacts are worse than expected.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality

(CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood

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protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or

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will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating

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the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to

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comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA



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**Correspondence ID:4678**

Commenter

As an owner of a home in Myrtle Grove, it is evident in reading the draft EIS that the diversion will be, for all practical purposes, a condemnation of the subdivision.

EIS table 4.20-2, page 4-693, shows an increase of 119 days or more of tidal flooding because of the diversion. This is approximately one-third of the year if it stays at 119 days. Later, in Figure 4-20-3, page 4-694, it shows Myrtle Grove flooding two-thirds of the year by 2030 because of the diversion.

Whether one-third or two-thirds of the year, it gets even worse for the owners in Myrtle Grove. Appendix R provides that the diversion may fill Wilkinson Canal with silt and result in the loss of use of the Canal. The loss of the use of Wilkinson Canal will mean the owners in Myrtle Grove will still have waterfront property with boat lifts but will not be able to get out of Myrtle Grove with their boats.

Throughout the draft EIS, it states that the preferred remedy is a flowage easement. A flowage easement gives the Corps of Engineers the right to flood Myrtle Grove in connection with the operation of the diversion. Every flowage easement that I could find on the Corps of Engineers websites expressly prohibits the construction or maintenance of any structure for human habitation. If that is the preferred remedy, it is an express condemnation of Myrtle Grove since no one could continue to maintain their home.

While there is a need to protect and build the Louisiana coast, there must be another alternative to the diversion.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63092**

**Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, "real estate plan" for impacted communities was not available.**

**Response ID: 16511**

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The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA's initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA's Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the

Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63102**

**Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.**

**Response ID: 16640**

The commenters' concern regarding the adequacy of the funding for mitigation measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts of the Project on surrounding communities outside levee protection, including potential mitigation measures to address increased water levels due to the Project. In response to comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:4839**

Raymond Strohmeyer

I am writing to give you my opinion on the diversion project.

I am a homeowner in Myrtle Grove Marina Estates and have been for approximately 11 years. I attended the meeting last night at Belle Chase Middle School and some great points were brought up by the residents. However, I didn't hear many good responses to their concerns.

I believe all of us want to preserve our marsh lands and our increasable outdoor resources. However, I don't know if building the largest diversion ever by man is the way to go about solving this issue. Why not multiple smaller diversions that would more accurately mimic the natural flow of water and nutrients as it was before The Corps tried to tame the Great Mississippi River?

As residents of MGM, we are never all going to agree on what is the best solution for everyone, but our government has to come up with a solution that will make everyone whole. I have over a million dollars invested in my property, and it has been a place that me and my family have enjoyed and made many unforgettable memories! We built our place in accordance with all applicable codes at that time.

This project is going to lead to adverse effects for all residents and will be detrimental to the value of our properties.

I would love to come to some amicable agreement that will help benefit all residents of Plaquemines and the State! We need to do this in a way that doesn't leave us without the value we have worked so hard to create.

I had hoped that one day my kids and grandkids would enjoy our place for generations to come, but at this point, it seems that will not come to fruition.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the

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Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions,

would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61971**

**Commenters noted that consideration of multiple smaller and less intrusive diversions would be better suited than one large one that changes everything and destroys a way of life.**

**Response ID: 15973**

The EIS considered multiple small-scale diversions as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.7 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS, including the lack of appropriate range of sediment sizes and increased cost. Additionally alternatives with a single, smaller (50,000 cfs) diversion have been carried forward for detailed evaluation in the EIS; this includes the 50,000 cfs with terraces feature alternative.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the

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interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA

permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to

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moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable

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alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62805**

**Great questions have been raised at the public meetings; however not many good responses were provided.**

**Response ID: 16379**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. The USACE and LA TIG undertook a coordinated and concurrent public review process for the Draft EIS and the LA TIG's Draft Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public questions and comments received during the comment period are addressed in this Response to Comment Appendix. Revisions have been made to the Final EIS based on public comments received on the Draft EIS, input from the cooperating agencies, and continued Project evaluation. Changes between the Draft and Final EIS are identified through markings along the margins on the applicable pages, as described in Chapter 1, Section 1.7 Public Involvement Summary of the Final EIS. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

For a summary of public outreach efforts related to the Draft EIS refer to Chapter 7 Public Involvement of the Final EIS and for restoration planning see Section 1.8 of the LA TIG's Final Restoration Plan.

Independent of the joint Draft EIS and Draft Restoration Plan public meetings, CPRA held additional meetings with communities potentially affected to receive their input on how best to mitigate Project effects on water levels. Based in part on that feedback, CPRA updated the Mitigation and Stewardship Plan (Appendix R1, revised for the Final EIS) to specify the measures that would be implemented to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This mitigation includes a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures (for example, Project servitudes). The mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if the permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:4843**

Chris Branciere

Dear U.S. Army Corps of Engineers, New Orleans District,

This Earth Day, please coordinate a management program for the wetlands along The Gulf Coast. The mass deaths of manatees this year is concerning.

Thank you for considering as history will show your foresight.

Sincerely,

Chris Branciere

Jacksonville, FL 32224

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**Concern ID: 62333**

**Please support the restoration of vital wildlife habitat along the Gulf Coast.**

**Response ID: 15842**

The commenter's desire for habitat restoration is acknowledged.

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**Concern ID: 63119**

**The mass deaths of manatees this year is concerning to the commenter.**

**Response ID: 16268**

The 2020-2021 unusual mortality event (UME) was issued for manatees along Florida's east coast. The UME is being investigated to determine the cause, but preliminary information indicates that it is related to a reduction of food availability in portions of Indian River Lagoon (USFWS 2021). Although manatees transiting through the proposed Project area would likely be Florida residents, the UME is unrelated to the proposed Project and the proposed Project is not anticipated to result in injury or mortality of a manatee.

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**Correspondence ID:5160**

Sierra Club

Jean Wiggin

I have read a fair amount on the Mid-Barataria Settlement Diversion Project.

I am writing in support of moving the project along to try to decrease the amount of our coast being lost.

Thank you.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:5268**

Jay Powers

What I don't see as an alternative is a pumped system to place over dredging in the marsh. This would seem a more effective way to place soil with less fresh water. The goal would be salt water tolerant plants that would stay viable in tidal surges. I understand that past diversions have failed because fresh water plants failed in salt water surges.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Correspondence ID:5276**

Louisiana Department of Environmental Quality

Linda Piper

The Department of Environmental Quality (LDEQ), Business and Community Outreach Division has received your request for comments on the above referenced project.

After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this project, you should immediately notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.

- Please take any necessary steps to obtain and/or update all necessary approvals and environmental permits regarding this proposed project.
- If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
- If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater.
- All precautions should be observed to control nonpoint source pollution from construction activities. LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact the LDEQ Water Permits Division at (225) 219-9371 to determine if your proposed project requires a permit.
- If your project will include a sanitary wastewater treatment facility, a Sewage Sludge and Biosolids Use or Disposal Permit is required. An application or Notice of Intent will be required if the sludge management practice includes preparing biosolids for land application or preparing sewage sludge to be hauled to a landfill. Additional information may be obtained on the LDEQ website at <http://www.deq.louisiana.gov/portal/tabid/2296/Default.aspx> or by contacting the LDEQ Water Permits Division at (225) 219- 9371.
- If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps directly regarding permitting issues. If a Corps permit is required, part of the application process may involve a water quality certification from LDEQ.
- All precautions should be observed to protect the groundwater of the region.
- Please be advised that water softeners generate wastewaters that may require special limitations depending on local water quality considerations. Therefore if your water system improvements include water softeners, you are advised to contact the LDEQ Water Permits to determine if special water quality-based limitations will be necessary.
- Any renovation or remodeling must comply with LAC 33:III.Chapter 28, Lead-Based Paint Activities; LAC 33:III.Chapter 27, Asbestos-Containing Materials in Schools and State Buildings (includes all training and accreditation); and LAC 33:III.5151, Emission Standard for Asbestos for any renovations or demolitions.
- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to LDEQ's Single-

Point-of-Contact (SPOC) at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous constituents.

- The two unregistered free flowing water wells that were discovered in the pasture land during the site investigation and the corroded steel oil well pipe that was observed protruding from the water near the center of the West Access Canal need to be properly plugged and abandoned. The plugging and abandonment of these wells must be completed by a Louisiana Department of Natural Resources (LDNR) Licensed Water Well Driller, and be done in accordance with LAC Title 56 Regulatory Requirements.
- If any docks or pilings involve any treated wood elements, the treated timber must be reused, recycled, or properly disposed of at permitted facilities.
- If the project will involve the removal or disturbance of any soils which may have contaminant concentrations that exceed the Limiting Screening Option Standards established by the LDEQ Risk Evaluation/Corrective Action Program (RECAP) Regulation, these materials may be considered a waste and disposed of at a permitted facility, or might be managed as part of a Solid Waste Beneficial Use or Soil Reuse Plan in accordance with LAC 33:VII.Chapter 11. Alternately, a site-specific RECAP Evaluation might be conducted and submitted to the LDEQ.

Currently, Plaquemines Parish is classified as attainment with the National Ambient Air Quality Standards and has no general conformity determination obligations.

Please send all future requests to my attention. If you have any questions, please feel free to contact me at [REDACTED]

Sincerely,

Linda (Brown) Piper

Environmental Scientist Manager

Louisiana Dept. of Environmental Quality

Office of the Secretary

[REDACTED]

[REDACTED]

[REDACTED]

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**Concern ID: 62958**

**The Department of Environmental Quality (LDEQ), Business and Community Outreach Division has received your request for comments on the proposed MBSD Project.**

**After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this proposed Project, you should immediately notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.**

**Response ID: 15888**

Thank you for your comments. USACE solicited review according to 40 CFR Part 1503.1. If a permit is issued, CPRA would be required to obtain all applicable federal, state, and local permits before starting construction of the proposed MBSD Project.

**Correspondence ID:5300**

Joe Chedotal

The problem is there is way too much water intrusion from the Gulf of Mexico. Until the Gulf is slowed considerable the mid=barataria diversion will be a boondoggle just to spend money. There are so many issues with this project I can.t begin to list them all. I will name a few The diversion will kill shrimp, crabs, oyster, dolphin, etc. will raise the water table in myrtle grove, wookpark making property unusable during high river months. will impact a lot of peoples lives. will put most of lower placquemines out of business.

The money would be better spend building the barrier islands and fortifying them with sheet piles, bolders and rocks. No opening between barrier islands must be no more than 200 feet. Once this is completed, restore the inland islands like st mary, saturday island and grand isle point to name a few. Use dreggers in the river and gulf to pump silt and sand inland. Dam all pipeline canals, washed out marsh openings with concrete dams

Now that the barrier islands are restored and canals dammed pumping silt and sand will be beneficial to marsh growth.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants

and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term

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adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:5463**

Wilson Hildebrand

Dear sir

Please do not proceed with the mid-barataria sediment diversion project. Instead construct a plan that will use dredge material from the Mississippi River or the Gulf of Mexico to build Marsh instantly.

The proposed project will have too many negative effects on the fishing industry the marsh structure and also raising the sea level surrounding the project. Also this type of diversion is unproven so no one knows if it will actually work and build Marsh. At best we are looking at 10 to 50 years before any appreciable amount of Marsh may be built.

Dredged material from the Mississippi River or the Gulf of Mexico has been proven to immediately rebuild our coastline and our marshes. This is the way to go. Take the moneys from this project and put it towards dredged material reclamation and you will have something to show for your efforts immediately.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the

Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused

on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment

diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63038**

**It would be at least 10 to 50 years before any appreciable amount of marsh may be built.**

**Response ID: 16045**

The commenter correctly notes that the projected benefits of the proposed Project would not be immediate, but would occur over time beginning in the first decade of operations. The wetland acreages presented in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-3 of the Draft EIS represented the total acreage projected to be present in the Barataria Basin under each action alternative assessed.

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**Correspondence ID:6502**

Christine Wilt

Dear U.S. Army Corps of Engineers, New Orleans District,

Look, I know you don't read form letters. I want you to know I really care about restoring habitat for birds and other animals .

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

Thank you for considering my comments.

Sincerely,

Christine Wilt

Deland, FL 32724

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:7353**

Thomas Cassidy

Dear U.S. Army Corps of Engineers, New Orleans District,

As we learn more, sometimes at great cost, of the complex interactions constantly in process throughout the natural world of which we are small parts, we often find many of our past well-intended engineering projects, prompted in many instances by natural and economic dysfunctions/ disasters, have had unintended negative consequences which could be overlooked when the underlying infrastructure had excess capacity and resiliency but are now becoming recognized as obstacles to our continued well being and adaptation to our evolving world.

Particularly with respect to wetlands and waterways a better understanding of how they work unimpeded and how this would integrate more and better resources for the improvement and expansion of species, agriculture, among many other activities, at lower cost and greater returns has been developed and demonstrated in a credible manner. It is also likely the broader application of this natural infrastructure integration and regeneration approach would go far to perhaps shortstop and mitigate consequences of natural and other disasters, potentially more likely as climate and the natural world changes before our eyes.

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Thomas Cassidy

Clovis, CA 93611

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**Concern ID: 62663**

Decades of study demonstrate the MBSD is the optimal way to restore the sustainable functionality to the ecosystem injured by the DWH oil spill, including providing benefits to the northern Gulf of Mexico ecosystem injured by the spill. The Project would rebuild and restore coastal wetland habitat, which is vital to the health of the Gulf of Mexico ecosystem and the species that reside within it. It would address a multitude of concerns on an ecosystem-wide and economic scale, would work synergistically with ecosystem restoration projects in the basin, and would create jobs. The Draft Restoration Plan demonstrates the likely benefits of the Project, and the Project would likely help mitigate consequences of future natural disasters and climate change. Not implementing the Project would not only prevent the area from recovering, but would accelerate its degradation over time.

**Response ID: 16622**

The LA TIG acknowledges the comment and agrees that the Project would deliver fresh water, sediment, and nutrients to the Barataria Basin; reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin (for example, sediment retention and accumulation, new delta formation); and create, restore, and sustain wetlands and other deltaic habitats and associated ecosystem services.

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**Concern ID: 62890**

**The wetlands and coastal habitats of Louisiana are essential to the bird populations (both resident and migratory) and must be protected and restored. The proposed Project is important to maintaining and rebuilding important bird habitat.**

**Response ID: 16190**

Chapter 3, Section 3.9.2.1 in Terrestrial Wildlife and Habitat of the Draft EIS identified the importance of area habitats and resources to migratory, and other, birds in the Barataria Basin. Further, Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh, as well as initial land accretion and creation of mudflats, that is projected to occur as part of the proposed Project, and identified that the net addition of these habitats would generally be beneficial to waterfowl and shorebirds.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

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The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:7599**

Form Letter 7

Dear U.S. Army Corps of Engineers, New Orleans District,

More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

Thank you for considering my comments.

Sincerely,

Reid Miller

Viola, ID 83872

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from

the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:7622**

Diane Kastel

Dear U.S. Army Corps of Engineers, New Orleans District,

Eleven years ago today, the "Deepwater Horizon" exploded, killing 11 people, and, eventually, spilling millions of gallons of oil into the Gulf of Mexico. It became the largest environmental disaster in U.S. history that resulted in the deaths of as many as one million birds.

The oil spill exacerbated a, dire, land-loss crisis. Since the 1930's, the "Barataria Basin", an estuary in southeastern Louisiana, near New Orleans, has lost, nearly, 295,000 acres of land, displacing communities, threatening critical infrastructure and, jobs, and, devastating habitat for birds, and, other wildlife. Forty percent of North America's migratory bird species depend on this, disappearing, habitat.

"Barataria Basin" was, also, ground zero for the oil spill, causing wetlands to disappear three times faster than the rest of the state. We, now, have an opportunity to restore some of the damaged habitat.

We are submitting a comment in support of the "Mid-Barataria Sediment Diversion", the single-largest ecosystem restoration project in the history of the U.S.

This week also marks "Earth Day", which we celebrate this year with the theme "Restore Our Earth." Wildlife, fisheries, and, beautiful, natural places are at risk of, complete, collapse without large-scale, natural, infrastructure restoration projects like the "Mid-Barataria Sediment Diversion". Natural infrastructure is engineering with nature-restoring, and, mimicking, natural landscapes like wetlands to provide bird habitat, buffer coastal communities against flooding, and, to absorb carbon pollution-a win-win-win for birds and, people.

This project will build more wetlands than any other, individual, restoration project in the world. By reconnecting the Mississippi River with its marshes, the sediment diversion will mimic the natural spring floods that, once, replenished the marshes, benefiting birds, wildlife, and, fisheries.

This innovative, project is a, crucial, first step in turning the tide on the state's land loss crisis, and, protecting, vulnerable, communities from hurricanes, and, sea-level rise, while also ensuring the, long-term, health of the ecosystem in the face of a changing climate, and, coast.

To celebrate "Earth Day", we are demonstrating, overwhelming, public support for this project. We are telling the "U.S. Army Corps of Engineers" that we support restoration of Louisiana's "Barataria Basin".

Thank you for considering our, very, relevant comments.

Sincerely,

DIANE KASTEL

Wheaton, IL 60189

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**Concern ID: 61733**

**Barataria Basin land loss plus the BP oil spill has had and continues to have devastating impacts on communities, birds, and wildlife habitat.**

**Response ID: 16159**

The impacts that land loss and the DWH oil spill have had and continue to have on communities, birds, and wildlife habitat in the Barataria Basin were considered in the Draft EIS. These impacts are discussed throughout Chapter 3 Affected Environment. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Project is to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. This EIS serves as the environmental review required by NEPA to inform the LA TIG's OPA decision regarding funding the construction of the proposed MBSD Project using damages paid by BP following the DWH oil spill (see Section 1.6.1 The OPA and DWH NRDA Decisions of the EIS).

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:7743**

Pamela Weinstein

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

You are not naive enough to believe that the use of fossil fuels are not directly or indirectly ruining the habitat of our precious wildlife. It is shameful that people have to write letters like this, when you have it in your power to protect, what cannot be replaced. The old adage "People have to support their families" is just an excuse to cover up for the promises that you have made to big Oil, to get their huge donations. There are plenty of jobs rebuilding a world, not dependent on Oil for energy and deforestation for farmland or even more building. You are destroying our planet and justifying it, with weak excuses. You are short-sighted and you may not care about animals or the poor( who always bear the brunt of greed) but you will have grandchildren who will ask you why you allowed people to destroy their wild places. Laws must put on place or kept to protect what little wilderness there is. This beautiful, unique planet will not survive without lawmakers doing what they know is right and stop making excuses. Excuses don't cut it, in a desperate situation, and our wildlife is in danger of extinction.

Thank you for considering my comments.

Sincerely,

PAMELA WEINSTEIN

Port St Lucie, FL 34986



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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management

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governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts

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a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63360**

**The USACE is not naive enough to believe that the use of fossil fuels is not directly or indirectly ruining the habitat of local wildlife and notes that USACE has it in its power to protect what cannot be replaced.**

**Response ID: 16322**

The commenter's input is noted. Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the Draft EIS discussed the direct and indirect causes of wetland loss in the Barataria Basin, including wetland loss related to exploration, production and use of fossil fuels.

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**Correspondence ID:8782**

Greg Cahill

Dear U.S. Army Corps of Engineers, New Orleans District,

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group: please consider what you will all tell your children and grandchildren about your personal role in restoring or destroying their environment.

Thank you for considering my comments.

Sincerely,

Greg Cahill

Culver City, CA 90232

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:9259**

Joanne Day

Dear U.S. Army Corps of Engineers, New Orleans District,

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

This is important to me and to our future.

Thank you

Sincerely,

Joanne Day

Olympia, WA 98502

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:9387**

Form Letter 8

Dear U.S. Army Corps of Engineers, New Orleans District,

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Michael Wherley

Eugene, OR 97402

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for

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public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA



TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:9403**

Eileen Drenikowski

Dear U.S. Army Corps of Engineers, New Orleans District,

Please support the restoration of vital wildlife habitat along the Gulf Coast.

Thank you.

Sincerely,

Eileen Drenikowski

Clarkston, MI 48348

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**Concern ID: 62333**

**Please support the restoration of vital wildlife habitat along the Gulf Coast.**

**Response ID: 15842**

The commenter's desire for habitat restoration is acknowledged.

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**Correspondence ID:9461**

C. Men

Dear U.S. Army Corps of Engineers, New Orleans District,

The coastline of Louisiana has been decimated over the years because many departments and agencies have allowed businesses, real estate developers and fishing of the area run rampant without the needed regulations based on research of habitats and loss of native grasses and plants that help protect the shore. So it is up to the army corps of engineers to do something NOW TO REGULATE AND SAVE THIS AREA FROM RAPE AND PILLAGE BY GREEDY CORPORATIONS!!!! So do something for future generations for gods sake.

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

C. Men

Columbus, OH 43214

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3

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Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration,

Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

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In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from

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the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62434**

**It is up to USACE to do something now to regulate and save this area from decimation by greedy corporations.**

**Response ID: 15959**

Comment noted, but is outside the scope of this EIS. This EIS is focused on evaluating and disclosing the potential environmental impacts associated with the proposed Mid-Barataria Sediment Diversion Project.



**Correspondence ID:9710**

Form Letter 9

Mid-Barataria Diversion

Pro and Cons

Cons;

1. Only lower storm surge .5-1 in thirty years north of Diversion
2. Create only 17,300 acres of land at a cost of \$114,000 per acre while destroying the salt water marsh and decreasing Hurricane Protection
3. Kill more bottlenose dolphins and endanger sea turtles then the BP Oil spill did with BP monies
4. Destroy brown shrimp, oysters, crab, saltwater sports fishing industry
5. Create the largest (red tide) dead zone in our history with polluted waters and fertilizer run off from the Mississippi River
6. Destroy the communities, of Happy Jack, Grand Bayou, Lake Hermitage, Suzzie Bayou, Deer Range, Woodpark and Myrtle Grove.
7. Cemeteries of Deer Range and Lake Hermitage will be under water
8. No plan to compensate affected communities or raise affected communities to protect them from rising waters of 2 to 5 about normal tides
9. Zero Hurricane Protection
10. Reduce tax collects for the Plaquemines Parish, School Board, Sheriff Office and our Local Parish Government by reducing values of properties in affected areas
11. Change our culture for ever
12. No land gain in the first 20 years
13. Kill the two most productive estuaries in America that provide 25% of the entire countrys domestic seafood production and drive Louisianas seafood-based tourism/hospitality eco
14. Actually cause land loss further out from the structure and also destroy the brackish/saline marsh grasses which provide storm surge protection and replace them with less surge-resistant freshwater plants
15. Kill the immense dolphin stock that lives in these estuaries and has already suffered immeasurably from effects of the BP oil spill (the projects have already had to obtain a sneaky Congressional waiver to environmental reviews that would prevent them from receiving a permit);
16. Cause immense toxic algal blooms and dead zones directly in the estuaries
17. Cause 100s of millions of dollars in economic loss annually to no less than 3 other Gulf Coast states (TX and its shrimping industry, MS and its tourism/fisheries, and AL and its seafood processing/distribution industry)

Pros;

1. None
2. This is what CPRA has to offer

3. CPRA uses slick soundbites and marketing to push these projects forward to convince the Louisiana public and Legislature to allow them to dole out contracts for over \$2 billion in precious and limited coastal restoration dollars on these projects.

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**Concern ID: 61719**

**It would take 20 years for the Project to create land.**

**Response ID: 16168**

The commenter's concern regarding the timeline required for land building was considered in the Draft EIS in Chapter 4, Section 4.2 Geology and Soils. A discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS. In short, the diversion is projected to create 6,260 acres of land in Barataria Basin in its first 10 years of operation and 12,800 acres by 20 years of operation.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic "dead zone" in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic->

[zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.\)](#)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the

proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 61908**

**Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana’s attractiveness as a fishing area and place for swamp tours and authentic seafood.**

**Response ID: 16238**

EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant’s Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant’s Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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**Concern ID: 61927**

**The environmental justice aspects of the Project need further review because of the increase in flood conditions that would have disproportionate impacts on low-income or minority communities, including an American Indian village, outside of federal levee protection. These disproportionate impacts include devastating impacts on community culture.**

**Response ID: 16276**

The issues raised by the commenters were considered in the Draft EIS. The EIS Chapter 4, Section 4.15 Environmental Justice discusses potential impacts of the proposed Project on low-income and minority populations.

In addition, since the release of the Draft EIS, CPRA has engaged the public through outreach meetings with the communities projected to be impacted by the MBSD, including Grand Bayou, to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on low-income and minority populations, including cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to

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the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62014**

**The proposed MBSD Project would reduce tax revenue for the parishes located in the impacted area and the funds to support vital services in these areas.**

**Response ID: 16211**

The EIS considers and describes impacts on tax revenue in Chapter 4, Section 4.13.4 and 4.13.5 in Socioeconomics. There is also a discussion of Public Services and Utilities in this chapter (Section 4.13 Socioeconomics). As described, the proposed Project construction would have minor to moderate short-term benefits on sales and use taxes in local jurisdictions and the state associated with construction spending. Negligible to minor permanent adverse impacts on tax revenues from sales and use taxes, including associated with impacts on commercial fishing activities, as well as property tax collections associated with reduced property values are anticipated in Plaquemines Parish due to operation of the proposed Project. Potential adverse effects on utilities associated with reduced property taxes are also anticipated during the operations phase of the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the**

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**favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

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Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62084**

**Commenters believe that the proposed MBSD Project would cause economic loss annually to other Gulf Coast states. The Mississippi Gulf Coast seafood and fishing industry would be devastated.**

**Response ID: 16248**

Chapter 3, Section 3.1.1 Project Area of the Draft EIS identifies the analysis area for the EIS. This is the area in which the Project is anticipated to have discernable effects. For socioeconomic impacts, the EIS identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche and Jefferson Parishes, Louisiana. For Commercial Fisheries, the Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Final EIS has been revised to acknowledge this. Those commercial fishermen would be eligible to participate in the fishery mitigation programs discussed in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

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**Concern ID: 62221**

**The Project would not provide substantial protection from hurricanes or storm surge, nor would storm surge protection be provided in a timely manner. The area most likely to experience some increase in protection would be subject to increased water levels from diversion operations. The current diversion Project needs to be reengineered to create meaningful storm surge protection. The Project is a misuse of funds based on what the diversion would do versus what it purports to do, in part due to the Mississippi River not having enough sediment to build substantial land.**

**Response ID: 15756**

While the proposed Project would impact storm surge, the purpose and need of the Project is not storm surge protection. As described in the Draft EIS in Chapter 1, Section 1.4 Purpose and Need, the purpose of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill by reestablishing deltaic processes. However, as described in the Draft EIS in Chapter 4, Section 4.20.4 Public Health and Safety, the Project would have the ancillary benefit of storm damage risk reduction on communities north of the diversion due to the creation and maintenance of wetland habitat within the delta formation area; the increase in topography and land acreage would induce greater hydraulic friction and resistance, reducing the inland extent of storm surge and limiting wave heights in some communities north of the diversion, as compared to the No Action Alternative. The EIS acknowledges that storm surge and wave height reduction benefits for some communities north of the diversion would not be instantaneous, but that these benefits would increase over time as more land is created and maintained within the delta formation area. The EIS also acknowledges that some of the same communities that would experience storm surge reduction benefits, such as Lafitte, would experience an increase in non-storm inundation frequency due to increased water levels from diversion operations. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height.

The EIS recognizes the role of sediment load in land building. The river still carries a massive sediment load, but not as massive as it historically carried. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in Section 3.4.2.5 Sediment Transport. The Delft3D Basinwide Model used

Mississippi River sediment loads when computing the sediment load that would be delivered to the Barataria Basin. This is described in detail in the EIS, Appendix E Delft3D Modeling, Section 5.2.2.

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**Concern ID: 62493**

**The proposed Project operations will flood two cemeteries in the towns of Lake Hermitage and Deer Range, Louisiana.**

**Response ID: 16451**

The potential flooding impacts raised by the commenters were considered in the Draft EIS. According to the Louisiana State Historic Preservation Office (LA SHPO) database, the Lake Hermitage cemetery is identified as the Bieber Cemetery and the Deer Range Cemetery in Suzy Bayou is identified as the Deer Range Cemetery. As compared to the No Action Alternative, operation of the proposed Project would increase tidal flooding and storm surge in communities outside of federal levees within 20 miles of the outfall area, including the towns of Lake Hermitage and Suzie Bayou South (Deer Range) in which these cemeteries are located. Such events may result in sediment deposition (burial) and/or erosion of soils at each of these cemeteries. Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes and Section 4.13.3.1 in Socioeconomics detail these impacts.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62792**

**CPRA is using soundbites and marketing to convince the Louisiana public and legislature to allow them to dole out contracts for over \$2 billion in limited coastal restoration dollars on these projects. In reality, Barataria Bay is already connected to the river with existing diversions at Davis Pond, West Pointe à la Hache, and Naomi.**

**Response ID: 16373**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, the Draft EIS assesses the environmental and socioeconomic impacts of the proposed Project. To the extent construction spending would serve as an economic driver, those anticipated impacts are discussed in Chapter 4, Section 4.13.4.2 Economy, Employment, Business, and Industrial Activity. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Delft3D Basinwide Model, which was used in developing the proposed MBSD Project EIS, accounts for the existing diversions at Davis Pond, West Pointe a la Hache, and Naomi (see Appendix E [Delft3D Modeling], Section 5.1.1 of the EIS).

The USACE is neither a proponent nor an opponent of the proposed Project. It will make its decisions regarding the proposed Project based on the evaluations in the EIS and considering public comments and its determinations with respect to the public interest review, compliance with the CWA Section 404(b)(1) guidelines, compliance with other laws and Executive Orders, whether the Project would affect the ability of Corps projects to meet their authorized purposes and whether the project is injurious to the public interest. USACE's decisions will

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not be based in any respect on CPRA's public communications regarding the proposed Project.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit

many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of

its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63018**

**The proposed Project would cause land loss further out from the diversion structure and also destroy the brackish/saline marsh grasses, which provide storm surge protection, and replace them with less surge-resistant freshwater plants.**

**Response ID: 16030**

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the Draft EIS acknowledged that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations. Further, the Delft3D Basinwide Model projects inundation depths in the critical vegetation parameters to simulate vegetation losses and gains as a result of the diversion, as well as other sources of inundation (such as subsidence and sea-level rise).

However, salt- and brackish marsh vegetation would not be subjected to direct mortality due to the lower salinity of transported water. While saline and brackish species are associated with salinity ranges of greater than 18 ppt and between 18 and 5 ppt, respectively (see Chapter 3, Section 3.6.1.2 in Estuarine Wetlands of the Draft EIS), brackish marsh can fluctuate from fresh to saline conditions depending on tidal movement, and species such as *Spartina alterniflora* are common in both salt and brackish marsh (Conner and Day 1987). Salt is a stressor affecting osmosis and cell structure. Plants occurring in saline and brackish marshes have developed adaptations to either exclude uptake or excrete salt; however even salt marsh species grow better at lower salinities (Mitsch and Gosselink 2000; Teal et al. 2012). However, as described in Chapter 4, Section 4.6.5.1.2.1 Salinity of the Final EIS, in some areas of the Barataria Basin, the seasonal change in salinity due to operation of the diversion above base flow (primarily during spring and early summer) and lower-flow conditions during fall and winter months would be large enough to temporarily change the wetland hydrology from a brackish to fresh or from a saline to brackish system. In the southern basin, where salt marsh predominates, peak salinities would be within the range for salt marsh vegetation under the No Action and Applicant's Preferred Alternatives. Additional analysis regarding the potential impact of hurricanes and saltwater inundation on the extent of

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wetlands in the Project area during operations has been added to Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

The MAM Plan includes monitoring for inundation related effects on marsh vegetation in the Project area. The MAM Plan provided in the Draft EIS Appendix R was submitted by CPRA and represents a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63080**

**The Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems by obtaining a Congressionally-mandated MMPA waiver for the proposed Project. The waiver does not establish a quota for how many dolphins can be taken by the proposed Project, and it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, provided Congressional permission to break the law. It is critical for the protection of marine mammals that such a legislative waiver be a one-off occurrence.**

**Response ID: 16599**

The U.S. Army Corps had no role in seeking a Marine Mammal Protection Act waiver for this Project from Congress, nor did any federal agencies on the LA TIG. CPRA sought the waiver. Title II, section 20201 of the Bipartisan Budget Act of 2018 provides: "(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S. C. 1361 et seq., as

amended) regarding maintaining the health and stability of the marine ecosystem, within 120 days of the enactment of this section, the Secretary of Commerce shall issue a waiver pursuant to section 101(a)(3)(A) and this section to Section 101(a) and Section 102( a) of the Act, for such projects that will remain in effect for the duration of the construction, operations and maintenance of the projects. No rulemaking, permit, determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.”

The National Marine Fisheries Service issued the waiver in March 2018. Since that waiver in 2018, CPRA has not requested any additional waivers for coastal restoration projects. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA’s plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners’ properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner’s property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and

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the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:9763**

Dan Scheiman

Dear U.S. Army Corps of Engineers, New Orleans District,

Get on the right side of environmental history. Think of all the amazing natural habitats that exist today because they were protected by citizens and conservation organizations who stopped your plans to drain and ditch. The Corps' focus should change to conservation and restoration.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Dan Scheiman

Little Rock, AR 72205

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 61756**

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**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63356**

**All the amazing natural habitats that exist today are because they were protected by citizens and conservation organizations who stopped the USACE's plans to drain and ditch. The USACE should change its focus to conservation and restoration.**

**Response ID: 16318**

The commenter's input is noted. The mission of the USACE is outside the scope of this EIS.



**Correspondence ID:9831**

Ellen Skarin

Dear U.S. Army Corps of Engineers, New Orleans District,

I live in Washington state now, but I grew up in the Ohio Valley. I have been disappointed for many years as more wetlands were lost every year. I currently live on a bluff above a small estuary, and I see almost every winter when storms erode unprotected beaches and bluffs on the Hood Canal. Ten landowners here have protected this small area against future construction - so much more could be done with the Mississippi delta!

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Ellen Skarin

Hansville, WA 98340

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is

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discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 62801**

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through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

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**Concern ID: 63337**

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**Response ID: 16294**

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**Concern ID: 62428**

**Commenter gave example of local landowner efforts to protect local estuary in Washington state, noting that so much more could be done with the Mississippi Delta.**

**Response ID: 15872**

Comment noted. The scope of this EIS is limited to Louisiana, particularly the Barataria Basin and Mississippi River birdfoot delta.

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**Correspondence ID:9906**

Lynne Glaeske

Dear U.S. Army Corps of Engineers, New Orleans District,

More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

Given the environmental damage that Louisiana has sustained in recent years, and the damage expected in the near future from climate change, I would think that both the citizens of Louisiana, and the US Army Corps of Engineers should be focused on protecting human communities and wildlife habitat.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

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\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Lynne Glaeske

Denver, CO 80237

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the

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**Concern ID: 61756**

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In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders

and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public

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through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62427**

**Given the environmental damage that Louisiana has sustained in recent years, and the damage expected in the near future from climate change, the commenter thinks that both the citizens of Louisiana and the US Army Corps of Engineers should be focused on protecting human communities and wildlife habitat.**

**Response ID: 15964**

The EIS analyses utilized the best information and data available to USACE and the LA TIG at the time of writing. USACE is neither a proponent nor an opponent of the proposed Project. USACE's role is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under Section 404 of the CWA and Sections 10 and 14 of the RHA of 1899.

As explained in its Restoration Plan, the LA TIG's support for the proposed Project stems from its obligations under OPA to restore for the natural resource injuries incurred by the DWH oil spill. As an oil pollution incident, the DWH oil spill is subject to the provisions of OPA, 33 United States Code (USC) § 2701 et seq. A primary goal of OPA is to make the environment and public whole for injuries to natural resources, and services resulting from incidents involving an oil discharge or substantial threat of an oil discharge. The DWH Trustee Council and its Trustee Implementation Groups were established under the authority of OPA. The NRDA regulations under OPA (15 CFR § 990) establish a process for restoration planning, including the development and evaluation of restoration alternatives and the development of Restoration Plans. These OPA NRDA regulations establish criteria for identifying and evaluating restoration alternatives (see Section 3.1). Restoration activities under OPA are intended to return injured natural resources and services to their baseline condition (that is, primary restoration), and to compensate the public for interim losses from the time of the incident until the time resources services recover to baseline conditions (that is, compensatory restoration). To meet these goals, the restoration activities need to produce benefits that are related to or have a nexus (that is, connection) to the natural resource injuries and service losses resulting from the spill.

**Correspondence ID:10000**

Sharon Hallax

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

The most concerning to citizens like myself is habitat loss throughout the country and the world which should be addressed as soon as possible

Thank you for considering my comments.

Sincerely,

Sharon Hallax

Lakeland, FL 33810

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Correspondence ID:10002**

David Schafranka

Dear U.S. Army Corps of Engineers, New Orleans District,  
Keep the Port of New Orleans Open and navigable. Thank you.

Sincerely,

David Schafranka

Phoenix, AZ 85018

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**Concern ID: 61765**

**Keep the Port of New Orleans open and navigable.**

**Response ID: 16443**

The issue raised by the commenter was considered in the development of the Draft EIS. The construction and operation of the proposed Project would have negligible impacts on the Port of New Orleans, including, but not limited to, negligible impacts on dredging and operations at the Port. Chapter 4, Section 4.21.4.1.2.1 Maintenance Dredging has been updated in the Final EIS to include a discussion of negligible impacts on the Port of New Orleans as a result of construction and operation of the proposed Project. Impacts to navigation are also discussed in that section.

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**Correspondence ID:10246**

Form Letter 10

Dear U.S. Army Corps of Engineers, New Orleans District,

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

I ask that the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Thank you for considering my comments.

Sincerely,

Susan Grant

Eden Prairie, MN 55346

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:10641**

Elizabeth Lambert

Will yall allow the document be combined as one PDF by posting it as unsecured? It is difficult to scan 6200 pages without it not being presented as one PDF. If each section is uploaded as an unsecured PDF, the document can then be combined once each section is downloaded hence the scanning of the document will be readily available as one document.

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**Concern ID: 66931**

**Please either post the entire Draft EIS to the USACE website as one PDF or remove the PDF security restrictions. It is difficult to conduct searches for particular text/topics in multiple PDFs. If the restrictions are removed, the PDFs can be downloaded and combined into one PDF, making it much easier to search.**

**Response ID: 16858**

The USACE applied security settings on the Draft EIS for document control so that chapters/sections would not be edited.

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**Correspondence ID:12162**

Charli Lau

Dear U.S. Army Corps of Engineers, New Orleans District,

The Deepwater Horizon oil spill, along with a variety of other human activities, has caused the wildlife and habitats of Louisiana, specifically the Barataria Basin, significant distress. Many species of plants and animals are in a perilous situation- but just as careless human activity has caused this, certain thoughtful and diligent human activities can help alleviate much of this.

As a citizen of this nation, and a neighbor to Louisiana, it is my sincere hope that the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Thank you for considering my comments.

Sincerely,

Charli Lau

Guthrie, OK 73044

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:12651**

S. Eisert

Dear U.S. Army Corps of Engineers, New Orleans District,

Please do all you can to restore and preserve the Brataria Basin, a place critical to the balance of nature - and thus us.

The major oil spill 11 years ago is still impacting the people of the area as well as threatening nearly half of our migratory birds. They are simply the tip of the iceberg we can see – but eventually won't be able to see if serious steps aren't taken. Once this natural balance is broken, the fallout from indifference now will cost us even more in the years ahead – in actual dollars.

There are so many things in this country that we now need to restore and repair – from infrastructure to support for struggling and marginalized citizens to crises in mental health issues, which often connect to larger personal tragedies like addiction, gun issues and suicide and to immigration issues and more. We have thought there was little cost to mild indifference to these matters. So now we are at a real tipping point in this country on many issues. The bill has come due in many arenas. And I understand that the list of priorities is long. But we have no choice but to deeper, work harder, sacrifice more – or it all and we too will be gone.

The Mid-Baratari Sediment Diversion is just one of those must-dos. The ecosystem and the people who live there are still struggling from the massive oil spill.

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and, as I mentioned earlier, there is a massive impacet on all migratory birds in North America which spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital environments these birds depend. But more than birds that depend on what's done in this area where there has been costal loss, displaced communities and other impacted wildlife.

So please support the preferred alternative in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

>>> Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

>>> Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project proceeds, federal and state decision makers need to do the following:

>>> Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

>>> Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Our planet is now very fragile and growing more so by the day, so these are critical issues. And everything is connected— wildlife, people, even oxygen, whether we can see and understand those connections at this moment or not.

This is a system that has taken hundreds of thousands of years to balance. If we don't actively restore, some day soon we risk unknowingly pulling out the final lynchpin that holds it together.

I hope you will deeply consider these points as you proceed.

Sincerely,

S. Eisert

Redmond, WA 98052

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and

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Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:12900**

Michael Wiseman

My opinion is that natural gas exploration started the problem with coastal erosion so therefore, more money from the oil and gas industries needs to be allocated for continued restoration efforts. There are chemicals in the water that may also be contributing to eroding coastlines and of course damage to the ecosystem. Diverting freshwater is not going to help solve those problems. Marine life will forever be harmed because of that, so fishermen are going to need continued, monetary support for years to come because the industry as a whole has been severely impacted because of man-made accidents.

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**Concern ID: 61727**

**One major cause for the loss of wetlands over the last 50 or 60 years is mining and drilling operations that were not required by regulatory agencies to replace the marsh loss they caused. So money from the oil and gas industries should be allocated for continued restoration efforts.**

**Response ID: 16027**

The impacts of the oil and gas industry on wetland loss in the Barataria Basin were described in the Draft EIS. This EIS serves as the environmental review required by NEPA to inform USACE's decisions on the Section 10/404 permit and Section 408 permission and the LA TIG's OPA decision regarding funding the construction of the proposed MBSD Project via damages paid by BP following the DWH oil spill (see Section 1.6.1 The OPA and DWH NRDA Decisions of the EIS). USACE requires compensatory mitigation in the form of replacement habitat for its Section 10/404 permits (including those involving oil and gas exploration and production) that will result in wetland losses.

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites. As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and

other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take

advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:12948**

Floyd Robin

I have been a commercial fishermen for most of my 80 years of age. I have looked over the proposed mitigation measures and I would be interested in the gear improvements grant program. Even though I'm 80 years old, I feel good and I'm not yet ready to retire, but I would need to improve the equipment on my boat to withstand stronger waters should I need to go out further and chase shrimp. I'd also need financial assistance thereafter to maintain the new equipment until I can make a decent profit to sustain myself.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).



CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:13876**

Form Letter 11

CRAB FISHERMEN ARE BEING LEFT OUT!!! The proposed mitigation measures mention nothing about crabbers and how we'll be impacted by this diversion. We would need new, bigger boats to stay in business too. And why doesn't CPRA and these other agencies dredge instead of implementing this diversion project? Dredging builds land too and doesn't hurt us fishermen. PLEASE HELP THE CRABBERS.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

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Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 63136**

**Commenters were concerned that proposed mitigation does not include measures for crab fishermen.**

**Response ID: 16520**

As noted in Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, impacts on blue crab from the Project are anticipated to be neutral to beneficial. In addition, as stated in Section 4.14 Commercial Fisheries impacts on the blue crab fishery are anticipated to be negligible to minor beneficial. This determination considers potential impacts on blue crab abundance as well as the anticipated response from the commercial fishing industry. In response to public comments, CPRA has included \$1 million in funding for a crab marketing and outreach program and improvements to crab fishing gear as part of the Final Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA)

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Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:15267**

Sandy Sanders

Dear U.S. Army Corps of Engineers, New Orleans District,

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which 40%-400 species-of migratory birds depend.

I urge the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group to take the following significant steps, both immediate and ongoing, toward addressing this crucially important ecological crisis:

- 1) Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.
- 2) Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.
- 3) Develop a robust adaptive management program incorporating knowledge gained from monitoring the project over time and taking into consideration input from key stakeholders.
- 4) Work with potentially impacted communities to develop ideas and proposals for adaptation and mitigation.
- 5) Be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my concerns and request on behalf of both birds and humans, who are an integral, interdependent part of the web of life, whether we believe it or not. Whatever hurts other species in the web, hurts us. Even if mainly for the sake of self-preservation, this vital habitat must be restored. Morally and ethically, its also the right thing to do.

Sincerely,

Sandy Sanders

Lawrence, KS 66044

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public

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through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement**

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**fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:15334**

Julie Wagner

Dear U.S. Army Corps of Engineers, New Orleans District,

PLEASE support the restoration of the Mid-Barataria Sediment Diversion - it is essential to rebuild vital habitats on which these birds depend.

PLEASE:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Thank you for doing everything within your power to restore this habitat that helps HUMANS as well as wildlife.

Thank you.

Sincerely,

Julie Wagner

Branford, CT 06405

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:15887**

Dennis Jepps

Dear U.S. Army Corps of Engineers, New Orleans District,  
Louisiana's coast is fine . People first!!!!

Thank you for considering my comments.

Sincerely,

dennis jepps

Brigham City, UT 84302

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**Concern ID: 62341**

**The people of Louisiana should be prioritized over the coast because the coast is fine.**

**Response ID: 15845**

The commenter's views are acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

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**Correspondence ID:16115**

Marta Bechtel

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group to work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Marta Bechtel

Harrisonburg, VA 22801

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure

that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:16410**

Leda Beth Gray

Dear U.S. Army Corps of Engineers, New Orleans District,

I'm writing to ask you to please select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion, and to fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan. This will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend. Birds are a part of the natural heritage of all Americans!

In addition I am asking the following- -

that the Army Corps of Engineers commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders; and to

work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the whole mitigation planning process.

Thank you for considering my comments.

Sincerely,

Leda Beth Gray

Blue Hill, ME 04614

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision**

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**making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the

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Project through public meetings to solicit input on mitigation and stewardship strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:16512**

Edward Valeska

Dear U.S. Army Corps of Engineers, New Orleans District,

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion to restore wetlands. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project.

Thank you for considering my comments.

Sincerely,

Edward Valeska

Galena, OH 43021

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:16950**

Kaitlyn Wright

Dear U.S. Army Corps of Engineers, New Orleans District,

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which migratory birds depend. Bird populations are more vulnerable than ever with continued loss of habitat from human developments and climate change combined.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders. Monitoring is an essential part of ecological restoration because it gives information about the quality of the habitat and the longevity of the impacts both positive and negative.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process. Communicating with people from diverse backgrounds will bring new solutions to practical issues.

Thank you for considering my comments.

Sincerely,

Kaitlyn Wright

Fall Creek, OR 97438

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.



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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

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The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62827**

**Monitoring is an essential part of ecological restoration because it gives information about the quality of the habitat and the longevity of positive and negative Project impacts.**

**Response ID: 16659**

CPRA and the LA TIG acknowledge that monitoring is critical for understanding the positive and negative impacts of the Project over the long term. Accordingly, the importance of monitoring was considered as part of the LA TIG's Restoration Plan and in the MAM Plan included with the Draft EIS (Appendix R2). CPRA and its LA TIG partners have further revised and refined this MAM Plan prior to issuance of the Final EIS partially in response to public comments. As part of the Project implementation, CPRA would undertake substantial monitoring as explained in the MAM Plan (see Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61758**

**Commenter recommended communicating with people from diverse backgrounds to bring new solutions to practical issues.**

**Response ID: 15894**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan.

As part of the Draft EIS process, USACE coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings. The Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in coastal restoration. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to individuals and communities to gather information and feedback related to the proposed MBSD Project. In addition, since the release of the Draft EIS CPRA has held numerous in public meetings with the communities impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS.

**Correspondence ID:17957**

Paula Narbutovskih

Dear U.S. Army Corps of Engineers, New Orleans District,

Our wildlife is disappearing at an alarming rate. When they become extinct, they are not coming back. We humans must do everything in our power to protect the wild creatures. Do your part and rebuild the wetlands so vital to the survival of the birds who depend upon it.

Sincerely,

Paula Narbutovskih

Abiquiu, NM 87510

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**Concern ID: 62892**

**The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.**

**Response ID: 16191**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Correspondence ID:18136**

Margie Parker

Dear U.S. Army Corps of Engineers, New Orleans District,

More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft EIS for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

I ask the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group to choose the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

This will make a huge, positive difference for migrating birds and the local coastal communities.

Sincerely,

Margie Parker

Coupeville, WA 98239

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed

Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:18707**

Ellea Concha-Leafequus

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana.

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which many birds, resident and migratory, depend. Let's restore most of the bird habitat ruined by the Deepwater horizon spill. This includes vital fisheries and forested wetland ecotones.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the vital ecosystem that was nearly destroyed by the US's largest oil spill. Ecosystem restoration is the difficult priority of my and the ACE efforts.

With that in mind, I ask the following of you, the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project sufficiently and completely (if no other funds can be added) from Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

\*Commit to developing a robust adaptive ecosystem management program that incorporates knowledge gained from monitoring biodiversity changes over time.

\* Consider inputs from key stakeholders. Eg:

\*Work proactively and collaboratively with impacted communities to develop their proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout these processes.

\*Incorporate Research results from the last 11 years and prior, to attempt as close to pre-spill Biodiversity Restoration as is possible as an end goal of habitat restoration.

\*Adaptive ecosystem management not only monitors water and nutrient cycles but adapts restoration and utilization by stakeholders to the changing climate, biodiversity, and utilization by Migrators and other stakeholders.

Thank you for considering my comments. Please keep me informed on the progress of this restoration and mitigation.

Sincerely,

Ellea Concha-Leafequus

Richmond, CA 94804

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62833**

**CPRA should incorporate research results from the last 11 years and earlier to ensure that restored ecosystems attain close to pre-spill conditions.**

**Response ID: 16660**

The LA TIG's strategy for restoring the ecosystem impacted by the DWH oil spill to pre-spill conditions is the subject of the Deepwater Horizon Oil Spill Programmatic Damage Assessment and Restoration Plan and Programmatic Environmental Impact Statement (PDARP/PEIS). The PDARP/PEIS describes the Deepwater Horizon Oil Spill Natural Resource Damages Trustees', including CPRA's, ecosystem approach to restoration. The PDARP/PEIS also includes a robust Monitoring and Adaptive Management Framework for ensuring that the collective suite of restoration activities undertaken pursuant to the PDARP/PEIS meets the Trustees' restoration goals of fully restoring for injuries from the oil spill. That Monitoring and Adaptive Framework, which is described in Section 5.5.15 and in Appendix 5.E of the PDARP/PEIS, incorporates research undertaken both before and after the oil spill. Additionally, in September 2021, the LA TIG released a Monitoring and Adaptive Management Strategy that describes the LA TIG's objectives, processes, and priorities to support restoration planning, implementation, and evaluation through monitoring and adaptive management activities applicable to all LA TIG activities. That Strategy improves the LA TIG's ability to achieve effective and efficient restoration of natural resources injured by the DWH oil spill in the Louisiana Restoration Area—with more than \$200 million from the DWH monitoring and adaptive management funding allocation dedicated to that effort.

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**Concern ID: 62834**

**Adaptive management should adapt restoration actions to incorporate human utilization response to climate and biodiversity changes.**

**Response ID: 16661**

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS) considered the adaptive management issues raised by the commenters. The MAM Plan calls for monitoring of the socioeconomic parameters set forth in the State's System Wide Assessment and Monitoring Program (see Section 3.7.3.24 [Socio-economic Data] of the MAM Plan in Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project

alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:18890**

Kenneth Smith

As a home owner I get flooded 12 to 15 times a year and some times 5 to 6 days at a time. When that happens I do not get mail or garbage pickup, and not able to leave my home. So with this said every thing I have is here. Please do not impose more water on me, I do not have the money to move. I am not for the plan. Pump in the sand from the river. The tide never brings land in but when it goes out it takes land with it. Fix the beach first to slow down the tide, that's the fix.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4)

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providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:19105**

Donald Rice

Dear U.S. Army Corps of Engineers, New Orleans District,

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which local economies and wildlife like fish and birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group to please select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and fund the project using Deepwater Horizon settlement monies as outlined in the Restoration Plan.

This project has the potential to preserve the Louisiana bayou for future generations while supporting wildlife critical to the local economy and providing a buffer for flooding of high population areas and the funding is available. This sort of opportunity is rare and can not be missed.

Thank you for considering my comments.

Sincerely,

Donald Rice

Barrington, RI 02806

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the**

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**creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:19221**

Kristie Eglsaer

Dear U.S. Army Corps of Engineers, New Orleans District,

I support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group to select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

As the project advances, I urge federal and state decision-makers to put environmental justice at the forefront and work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process. Please develop an adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

Thank you for considering my comments.

Sincerely,

Kristie Eglsaer

San Mateo, CA 94402

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**Concern ID: 62835**

**Federal and state decision makers and the Trustees should work proactively, transparently, and collaboratively with communities with environmental justice concerns and stakeholders to develop ideas and proposals for adaptation and mitigation as environmental conditions change.**

**Response ID: 16662**

CPRA undertook substantial community outreach, particularly aimed at soliciting input from low-income and minority populations, during the period between the Draft and Final EIS and LA TIG's Draft and Final Restoration Plan. CPRA engaged the communities potentially impacted by the Project, including low-income and minority community members, through public meetings to solicit input on mitigation and stewardship strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. CPRA also used a survey tool to gather feedback from low-income and minority community members regarding Project impacts and on mitigation concepts. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. If the Project is implemented, CPRA plans to continue outreach to the communities and stakeholders with environmental justice concerns through Project construction and operations.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:19584**

Henry McAnespy

I live in Myrtle Grove and my home and businesses will be directly impacted by this diversion project. I am an oysterman and shrimper and my businesses have suffered enough. I'm at the point where I'm too old to start over, so the start-up assistance for AOC is not an option for me. Additionally, the mitigation measures for shrimpers aren't applicable to me necessarily because 1. I don't want a bigger boat outfitted with a chill cool system; 2. I'm close to retirement and 3. what's the point of even continuing to fish when all of the oysters and brown shrimp will be KILLED BY THE INFLUX OF FRESH WATER? What would help me is a COMPLETE BUYOUT of my property at the FAIR MARKET VALUE. I never thought I'd have to sell my property and businesses when I decided to settle here, but with this diversion I will have to. And when I say a complete buyout, I mean my businesses too and all of the expenses that come with that. And there needs to be complete equity and transparency when compensating commercial fishermen; there shouldn't be millions spent on studies. Lastly, since this project looks like it'll get approved, USACE, CPRA and other stakeholders NEED TO HIRE LOCAL LOUISIANANAS FOR THIS WORK. Just because we don't have degrees from Harvard doesn't mean that we're not capable of doing the work. HIRE LOCAL!

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that

are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take

advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64089**

**Commenters asked that the jobs that are created by construction of the proposed Project spur inclusive and equitable economic development. The Louisiana State and local economic development authorities should focus efforts through communication, recruitment, and training activities, into creating jobs for local residents, including minority residents. The same type of focused workforce development effort is likely necessary in order for these local jobs to translate into longer term economic benefits for affected communities. Work with the community to identify future needs of this workforce, including: providing adequate emergency and routine medical care for workers, facilitating the start and growth of small business to provide services to this workforce, and educating skilled workers who can later pivot to other jobs along our coast long after construction is complete.**



**Response ID: 16234**

With respect to the award of contracts, CPRA is required to follow the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 (Public Contracts). CPRA has sought and regularly seeks engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS.

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**Correspondence ID:19589**

Darlene McGarry

I follow-up to discussions at a recent meeting in Port Sulphur for Happy Jack residents, I have the following comments regarding the Draft EIS and am in opposition to the diversion project.

1) The structure itself does not have any flood gate on the backside to stop tidal flooding during hurricanes. The levees along the structure are not at a level to stop that tidal flow from flooding areas along Hwy. 23. Use MRGO as an example. The 25' depth of the structure is far deeper than the water in Barataria Bay. The flow will create a deep hole for water to wash away current marsh. The diversion will create an open area for further threat from hurricane tidal surges.

2)The increase in water levels will impact Happy Jack roads, lift stations, residences, docks, boat houses and bulkheads. There is no option in the mitigation to have property values assessed prior to approval of projects with a guaranteed buy out option as well as a plan with budgets to cover all areas/properties affected by the project. The Draft EIS mentions \$305million in the mitigation budget...a drop in the bucket.

3)The Marine Mammal Protection Act forbids projects such as this from harming or killing dolphins. The exemption that was approved without input from the community, requires five years of dolphin monitoring after the diversion is completed. The Draft EIS estimated that the project would kill an estimated 34% of the dolphin population, but have seen others estimate killing up to 75% of the bottlenose dolphin population in the area.

4)The substantial loss and permanent damage to the commercial and recreational fisheries.....eliminating all oysters and shrimp, and affecting the trout and other species in the area of the diversion, does not support any positives that this diversion would net. The draft EIS estimates the creation of 13,500 acres (21 square miles) of marsh after 50-years of the operation of the diversion. According to the U.S. Geological Survey in 2019, Louisiana loses 16.5 square miles (10,500 acres) a year or 1 football field of coast every hour. in 50 years, Louisiana will have lost an estimated 825 square miles of marsh and this \$1.4Billion project will have created 21 square miles.

This projects economic consequences, the consequences on the environment and ecosystem, the projected damage to properties, and permanent impact on the pure enjoyment of this sportsman's paradise far outweigh the positive impacts of the diversion.

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**Concern ID: 61853**

**The amount of acres of habitat that would be restored through the preferred alternative would not justify its high cost. Given Louisiana's annual coastal habitat loss rate, investing in a nearly \$2 billion Project that would provide relatively little benefit compared to this annual loss is not justifiable.**

**Response ID: 16618**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has conducted its own economic evaluation of the costs of a proposed Project. USACE will conduct a public interest review as part of its permit decision-making process, which weighs the anticipated harms of a project against its anticipated benefits.

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As part of the OPA analysis, LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and successfully develop deltaic habitats that connect nearshore and offshore ecosystems. Wetlands are one component of a restored ecosystem to be achieved. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The creation of marsh habitat would provide substantial benefits to nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, terrestrial wildlife, and offshore marine ecosystems (see Section 3.2.1.6 [Benefits Multiple Resources] of the Restoration Plan). Given the high rates of erosion and land loss, the land created by the Project would become even more important to the coastal ecosystem over time.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

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final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would

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be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be

adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63080**

**The Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems by obtaining a Congressionally-mandated MMPA waiver for the proposed Project. The waiver does not establish a quota for how many dolphins can be taken by the proposed Project, and it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, provided Congressional permission to break the law. It is critical for the protection of marine mammals that such a legislative waiver be a one-off occurrence.**

**Response ID: 16599**

The U.S. Army Corps had no role in seeking a Marine Mammal Protection Act waiver for this Project from Congress, nor did any federal agencies on the LA TIG. CPRA sought the waiver. Title II, section 20201 of the Bipartisan Budget Act of 2018 provides: "(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S. C. 1361 et seq., as amended) regarding maintaining the health and stability of the marine ecosystem, within 120 days of the enactment of this section, the Secretary of Commerce shall issue a waiver

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pursuant to section 101(a)(3)(A) and this section to Section 101(a) and Section 102( a) of the Act, for such projects that will remain in effect for the duration of the construction, operations and maintenance of the projects. No rulemaking, permit, determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.”

The National Marine Fisheries Service issued the waiver in March 2018. Since that waiver in 2018, CPRA has not requested any additional waivers for coastal restoration projects. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Correspondence ID:19687**

Steven

I believe the diversions are a great idea and a great testimony to the creative ideas and solutions that engineers come up with to reverse the years of our degrading marsh land. I approve as a Plaquemines Parish resident!

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:19853**

Rod Lincoln

I grew up in the Nairn community below Port Sulphur and my family continues to own property there. I recognize what this initiative is designed to do, it has many advantages, but I have a real concern about the motives this group has and the incredible environmental damage they will do.

Historically the people of New Orleans and Louisiana have always put their wants over the needs of the people in Plaquemines. This was particularly apparent during the 1927 floods when the parish was lied to by public officials and then had their levees on both sides of the river destroyed supposedly to protect New Orleans. Very few got reparations despite the public promises. I believe this is a similar event.

In addition to the damage identified in this document, which is substantial, it will virtually destroy lower Plaquemines Parish. Land below the Chevron refinery will become worthless as the river silts in, the land sinks more and the state and federal government decide it does not want to maintain the highway and infrastructure below the diversion. Access to the lower part of the parish will be restricted and many families will be displaced because of loss of property and jobs.

Back in the late 1800s Captain James Eads built his jetties to increase the velocity of the water to keep the jetties (and river) clear. People were told it was necessary to closed off nearly all outlets from the river to have enough water to keep the river clear. Over the past century the amount of land build-up along the river has been minimal. During high water no problem, but a lack of a strong consistent flow has made the river more treacherous due to silting. By diverting more water from the river during low water periods, this will further reduce the flow/velocity...despite what your experts say, thereby eventually making the river too shallow to pass. Just like the St Bernard delta, the Plaquemines deltas will die. The new diversion will establish the new seashore. This will also make lower Plaquemines far more vulnerable to hurricanes. Like the Chandelier Islands, lower Plaquemines will just disappear into the Gulf with this plan. The upper parish will be too small to be a justified parish and would have to be merged with either Orleans or Jefferson for survival. What may be good for New Orleans is not good for its neighbors or Louisiana.

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**Concern ID: 61754**

**Commenter expressed the view that decision makers prioritize the proposed Project benefits for New Orleans and disregard how the Project would impact Plaquemines Parish residents.**

**Response ID: 15890**

As discussed throughout Chapter 4 Environmental Consequences of the EIS, operation of the proposed Project would have various beneficial (and adverse) impacts throughout the Barataria Basin that would not be restricted to those experienced by the greater New Orleans area. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. Further, based on the evaluation in the EIS and its OPA evaluation, the LA TIG considers the impacts of the proposed Project, both beneficial and negative to both the environment and the community, including Plaquemines Parish.

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**Concern ID: 61766**

**The commenter expressed concern that a lack of a strong consistent flow in the Mississippi River has made the river more treacherous due to silting. Diverting more water from the river via the proposed MBSD diversion during low-water periods would further reduce the flow/velocity despite what the Draft EIS states, thereby eventually making the river too shallow to pass.**

**Response ID: 16444**

The commenter's concern about the proposed Project's impacts on the safety and efficiency of vessel traffic was addressed in the Draft EIS. Operation of the proposed Project above 5,000 cfs would be limited to periods of higher flows in the river, as stated in Draft EIS Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis, when water depth and vessel clearance is less of an issue. However, the EIS recognizes that changes to sedimentation rates might persist into the low-water season, as the commenter correctly notes. The several modeling efforts described in the EIS Chapter 4, Section 4.4 Surface Water and Coastal Processes and 4.21 Navigation, as well as in Appendix E Delft3D Basinwide Modeling and in Appendix Q Navigation/Dredging analysis, include projections of channel sedimentation impacts resulting from operation of the proposed diversion. The conclusion stated in those sections is that operation of the Applicant's Preferred Alternative is projected to cause "moderate, permanent, adverse impacts on dredging operations from Venice to the Gulf of Mexico."

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**Concern ID: 61780**

**The commenter expressed concern that the proposed Project would cause detrimental land loss in the birdfoot delta that would cause the birdfoot delta and lower Plaquemines Parish to disappear. All that would be left would be upper Plaquemines Parish, which would be so small that decision makers would merge the parish with Orleans Parish.**

**Response ID: 16177**

The commenter's concerns regarding projected land change in the birdfoot delta and the Barataria Basin (both located in lower Plaquemines Parish) due to diversion operations were considered in the Draft EIS. As explained in Chapter 4, Section 4.2.3.2 Geology and Soils, Operational Impacts, the Project would increase the amount of land in the Barataria Basin, but land in the birdfoot delta would decrease. Under the No Action Alternative, land area in the birdfoot delta would be reduced from 62,800 acres in 2020 to 6,640 acres in 2070 due to sea-level rise and subsidence (see the Final EIS, Chapter 4, Section 4.2.3.2.1 No Action Alternative, Table 4.2-3 Model-projected Total Land Area under the No Action Alternative). By diverting sediment and water upriver, the proposed Project would result in an increased rate of loss in the birdfoot delta, as illustrated in Figure 4.2-7 (Model-projected Change in Land Area). The Project specifically is projected to result in a loss of 3,000 acres in the birdfoot delta by 2070 as compared to the No Action Alternative. Examples of reasonably foreseeable restoration projects aimed to retain sediment in the birdfoot delta are provided in Chapter 4, Section 4.25.2 (Geology and Soils section of Cumulative Impacts). To address concerns related to descriptions of land-change impacts of the proposed Project, a discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This

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discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

In the Draft Restoration Plan, the LA TIG recognized the potential collateral injuries associated with the Project, including potential land loss in the birdfoot delta. In selecting the preferred alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in the OPA evaluation criteria in 15 CFR §990.54. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process. See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the LA TIG's Final Restoration Plan for more information about the LA TIG's selection of the Preferred Alternative.

Other restoration efforts in the Barataria Basin that are not part of the proposed MBSD Project may benefit land creation in the Barataria Basin. These are discussed in the EIS, Chapter 4, Section 4.25 Cumulative Impacts.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or

will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62282**

**Diversion impacts, including land loss in the birdfoot delta, would make lower Plaquemines more vulnerable to storms.**

**Response ID: 15805**

Draft EIS Chapter 4, Section 4.6.5 in Wetlands and Waters of the U.S. described the projected acceleration of wetland loss in the birdfoot delta caused by the proposed Project and Section 4.20.4.2 in Public Health and Safety acknowledged lower Plaquemines' increased vulnerability to storm hazards that would result from operation of the proposed Project. While the Draft EIS acknowledged the role that land loss plays in increased storm hazards, it did not explicitly acknowledge the role this accelerated land loss in the birdfoot delta could play in increased storm hazards. Section 4.20.4.2.2.2 in Public Health and Safety has been edited in the Final EIS to include acknowledgement that this accelerated loss of wetlands in the birdfoot could increase storm hazard vulnerability depending on the storm path and intensity.

In the LA TIG's Draft Restoration Plan, the LA TIG recognized the potential collateral injuries associated with the Project, including potential land loss in the birdfoot delta. In selecting the Applicant's Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative

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that would provide what it believed to be the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the Final Restoration Plan for more information about the LA TIG's selection of the Applicant's Preferred Alternative.

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**Correspondence ID:20089**

William Hamilton

I strongly support this measure. Action needs to be taken ASAP to save our coastline. MBSD needs to be replicated on a massive scale in many other locations.

Thank you!

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:20163**

CCA

William Fabre

Please follow through with the current diversion plans. Freshwater feeds our marsh and sediment builds our land back. Without action on this we will continue to sink and erode until a storm destroys what little healthy habitat we have left.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:20229**

Coast Builders Coalition

Scott Kirkpatrick

I am writing on behalf of the Coast Builders Coalition, a non-profit trade association with the mission of advancing coastal restoration and hurricane protection efforts along the Gulf Coast. As an industry association, our membership consists of those companies doing restoration or protection work in the gulf states.

Coast Builders Coalition (CBC) supports the Mid-Barataria Basin Sediment Diversion. Our members are involved in the variety of the projects being undertaken to protect and restore the Louisiana coast. We understand the importance river diversions play as a tool in the toolbox to restore the coast. It is critical we use these diversion tools as part of our overall plan to protect and restore the coast.

Many of our members have been involved with restoration plans in Louisiana for several decades. They understand the extensive research and deliberations that have gone into this diversion project. This project has been through extensive vetting and represents an excellent output of the scientists, engineers, consultants and contractors who have been involved over the decades.

While this is a large project, the draft EIS takes a very detailed look into all aspects of the project and does a good job of accounting for various impacts. The mitigation measures outlined in the draft environmental impact statement are very robust and fairly apportioned.

Our members and their thousands of employees stand ready to support this important project in any manner possible. We expect thousands of people in southeast Louisiana will be needed to work on this project. It will represent a major economic development project for the region. We urge this project be approved and constructed with all urgency given the land loss emergency we have along the Louisiana coast.

Sincerely,

Scott Kirkpatrick

Executive Director

Coast Builders Coalition

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**Concern ID: 63357**

**The commenter indicates that the proposed Project would represent a major economic development project for the region and urges that this Project be approved and constructed with all urgency given the land-loss emergency along the Louisiana coast.**

**Response ID: 16319**

The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.13 Socioeconomics of the Draft EIS indicated that construction of the proposed Project would result in a major economic benefit within the Project area. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider

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public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:20309**

Michael Schramm

Today I am writing to support strong protection, restoration, and stewardship of bird habitat sites in the Mid-Barataria region. We must be loyal to ancestors, and to our future generations by passing along the gifts of nature we have been blessed to receive. We should regard the pollution and destruction of these sites as disgusting, and a tragedy to address.

Restoring, and crucially supporting/stewarding, these wetlands into the future will provide significant positive impacts for birds (in terms of nesting and feeding sites), and humans (in terms of tourism dollars, and mental well-being).

Now, more than ever, this projects are critical to support birds and other important species, many of which are dwindling. We know stewarded sites can support bird population growth of 2-34x more than un-stewarded, or unprotected sites.

At a time of national political division, this also serves as a means to bring people together, put people to work supporting their local communities, and create mutual goodwill for something we all love: the stunning landscapes and wildlife we are blessed with in the US.

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**Concern ID: 62346**

**Restoring and protecting these wetlands into the future would provide significant positive impacts for birds (in terms of nesting and feeding sites), and humans (in terms of tourism dollars and mental well-being). Projects like these are critical for wildlife and serve as a means to bring people together.**

**Response ID: 15791**

The Draft EIS acknowledged the benefits of the proposed Project to wetlands and birds. See EIS Chapter 4, Section 4.6 Wetlands and Waters of the U.S. and 4.9 Terrestrial Wildlife and Habitat for a description of those benefits. The proposed Project's anticipated effects on communities are discussed in EIS Chapter 4, Section 4.13 Socioeconomics and 4.16, Recreation and Tourism.

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**Correspondence ID:20734**

John Berlinghoff

I am writing in support of the Mid-Barataria Sediment Diversion. There was a recent notice about native Indians who are being relocated by the government because their land is going under water. We need the Diversion project before more of the heritage of Louisiana is lost.

The Coastal Master Plan will help support and enhance the lifespan of other coastal restoration and protection projects.

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**Concern ID: 63358**

**The commenter supports constructing the Mid-Barataria Sediment Diversion before more Louisiana heritage is lost, and references a recent notice about native Indians who are being relocated by the government because their land is going to be under water.**

**Response ID: 16320**

The commenter's support for the proposed Project is noted. Chapter 4, Sections 4.2 Geology and Soils and 4.6 Wetland Resources and Waters of the U.S. of the Draft EIS discussed the land building/marsh creation projected to result from the proposed Project, and Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discussed the projected impacts of the Project on flooding and storm hazards in Barataria Basin. Any ongoing actions regarding the relocation of Tribal Nations in coastal Louisiana is not associated with the proposed MBSD Project.

As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, historic resources consultations have been conducted in accordance with Section 106 of the NHPA. Appendix K Cultural Resources Information of the Final EIS includes the PA negotiated between the NHPA Section 106 consulting parties regarding the proposed Project. The PA explains the outreach conducted by the CEMVN to Tribal communities, identifies the Tribal Nations that decided to participate in the Section 106 Process, and explains that the CEMVN has and would continue to consult with any interested Tribal Nation who may have not yet requested to consult.

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**Correspondence ID:21817**

Welldone LLC Museums, Culture, Nature designers

Gordon Linge

The Mid-Barataria Diversion Project is critically important to restoring the natural environmental T with impacts both locally and globally.

It is totally self-centered ignorance to object. This is the river's nature. Levees are not. Leaves and wood chips barged in after storm debris clean up could be deposited in shallow waters and let wave action push these organic materials into the diversion sediment to expedite land building. Today's river does not have the amount of driftwood and organic materials as it did 150 years ago.

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**Concern ID: 61890**

**Consider suggestions such as barging in wood chips and placing in shallow waters, and using old sunken ships and barges to build land.**

**Response ID: 15984**

Suggestions such as barging in wood chips and other organic material to the sediment deposited by the diversion or building upon old sunken ships and barges would not meet the scope and the scale of the proposed Project or its purpose and need, and therefore, would not be practicable. While alternative materials such as these may fill in small-scale areas, fill material such as these would not address the proposed Project's purpose of restoring deltaic processes to the Barataria Basin. Therefore, they were eliminated from further consideration. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:21896**

Don Saucier

This project will not succeed because of the following :

The "land" produced by this diversion project will not be sufficient to maintain a sustainable root system .Top sediment produces swamp land. This diversion flow only captures the top 20 ft. of sediment which does not contain the material necessary to establish land . That material lies beneath the top 20 ft. and the river depth is too great for the flow at this point to carry this sediment to the top 20 ft.The first hurricane will destroy this fragile " swamp " .

Instead , pump dredge material into key areas and in patterns designed to accrete sediment during high water due to storms .

Although pumping bottom material may to more costly initially , the results will be more sustainable .

When one considers the net costs of of both approaches , pumping bottom sludge will last and not necessitate in subsidizing a fishing industry so vital to the economy and culture of Louisiana.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale

sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process. CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63040**

**The diversion flow would only capture the top 20 feet of sediment from the river, which does not contain the material necessary to establish land and maintain a sustainable root system. That material lies beneath the top 20 feet and the river depth is too great for the flow to move the land-building material. The first hurricane would destroy this fragile "swamp."**



**Response ID: 16047**

The issues raised by the commenter were considered in the Draft EIS. The commenter's description of diversions designed to extract water from the top of the river pertains to existing freshwater diversions (Davis Pond and Caernarvon Diversions). The proposed MBSD Project differs from these because it is not a freshwater diversion; it is a sediment diversion designed to capture larger-sized sediments from a lower portion of the river. As described in Chapter 2, Section 2.1.1 in Introduction of the EIS, the proposed MBSD Project intake structure is designed, and located at a sufficient depth, to capture a higher concentration of coarse-grained sediment transported along the riverbed to allow for a more rapid vertical accumulation of organic material, resulting in quicker emergence of wetlands in the outfall area that are then able to support vegetation that traps available sediment across a range of particle sizes. Although capture of these larger sediments is critical, the proposed MBSD Project would also convey organic material and finer-grained sediments (less than 32 microns) intended to disperse farther into the basin to sustain and nourish existing wetlands. Table 5.2-1 in Appendix E Delft 3D Modeling of the EIS lists the sediment classes that the Delft3D Basinwide Model projects would be transported to the basin via the diversion. Additional analysis regarding the potential impact of hurricanes on the extent of wetlands in the proposed Project area during the period of diversion operations, and additional detail regarding the resiliency of marsh created by the proposed Project has been included in Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

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**Correspondence ID:21944**

Commenter

Over the years conservationists have been fighting to make changes to better our fisheries. From size and creel limits on fish to even closing or shortening seasons on reef fish. We in South Louisiana, especially in Happy Jack, have been making changes sour kids and grandkids can enjoy what we have today.

I fully understand and agree with the rebuilding the marsh and most importantly the coast islands of South Louisiana. With this being said, there must be a different and better way to accomplish the task. With the resources and technology of today it should not take 50 years to accomplish these projects. Why not use dredges and pumps to pump sand from the Gulf of Mexico inland to rebuild the marshes. Some of the coastal islands have been rebuilt with this process and look much better and hopefully more of the coastal islands can be rebuilt as well.

With the diversion yes, we will build some land over a 50-year period but definitely not enough for the impact to the fisheries as well as raising the water levels up to a foot. I was under the assumption the rebuilding of the marshes was to help with the sinking and lose of marsh land. Seem like this project is going to make us lose more than we gain.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to

define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:21964**

Sergio Merino

The Draft EIS link does not work, page doesn't load.

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**Concern ID: 66932**

**The Draft EIS link does not work.**

**Response ID: 16859**

The USACE webpage may have temporarily been down at some point during the Draft EIS comment period. If so, it was only a temporary outage.

**Correspondence ID:21997**

Form Letter 12

Dear U.S. Army Corps of Engineers,

The ongoing loss of its coastal wetlands, which has already claimed an area equal in size to the state of Delaware, makes communities increasingly vulnerable to stronger hurricanes and sea level rise. In the face of these challenges, we have an opportunity to harness the natural land-building power of the Mississippi River to maintain vital wetlands and restore the health and vitality of the entire ecosystem.

I support the Mid-Barataria Sediment Diversion, which is the cornerstone of Louisiana's Coastal Master Plan and will enhance the lifespan of other coastal restoration and protection projects. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation, and regional economic impact during construction. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. Decision makers must work with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation.

Finally, to ensure the project meets its restoration goals in response to changing environmental conditions, state and federal decision makers must develop and implement a robust adaptive management program.

A future without the Mid-Barataria Sediment Diversion is a future we cannot afford.

Sincerely,

Aloysius Cunningham



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**Concern ID: 61716**

**The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.**

**Response ID: 16026**

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision**

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**making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the

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Project through public meetings to solicit input on mitigation and stewardship strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:22170**

Joseph Owens

Each time I have gone fishing, I have personally witnessed the slow decay of the march in Barataria and other areas around the coast. Over the last 50 years land has slowly eroded away during most of my lifetime.

I have read Project 2050 over thirty years ago, and I am personally disgusted that it has taken this long to get another fresh water diversion built. I am extremely happy that common sense is starting to make its way into decision makers in this state. They need more of these up and down the river, building marsh. They need to construct more of these every couple miles up and down the river. Let the Mississippi do what nature intended it to do in the first place. These diversions do not need to be big, just functional.

No get off your asses and get it built!

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**Concern ID: 61737**

**The construction of levees along the Mississippi River precluded land-building sediments from entering Louisiana estuaries, which has caused a loss of Louisiana's coastal wetlands and other problems, such as making properties more vulnerable to hurricane damage and decreasing property values.**

**Response ID: 16024**

The impacts raised by the commenters were considered in the Draft EIS. Information about historic causes of land loss can be found in Chapter 3, Section 3.1.4 Overview and History of the Project Area and Section 3.6.2 in Wetland Resources and Waters of the U.S. The importance of maintaining wetlands for the protection of coastlines, coastal communities, and wildlife resources is discussed in Sections 3.6 Wetland Resources and Waters of the U.S. and 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Applicant's Preferred Alternative is to implement a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 63359**

**More diversions (size notwithstanding) are needed up and down the Mississippi River to build more marsh.**

**Response ID: 16321**

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.3.7 in Step 1: Evaluation of Functional Alternatives of the EIS includes an analysis of multiple, smaller (5,000-10,000 cfs) diversions up and down the Mississippi River; this discussion indicated that the smaller-scale diversions would not reestablish sustainable deltaic processes because the appropriate volume and range of sediment needed to meet Project objectives would not be captured and/or transported into the basin. Further, assessment of locational alternatives for the larger-sized project indicated that locations in the upper and lower basins would not meet the purpose and need of the proposed Project, and that other locations in the middle basin would not be as effective in meeting the purpose and need (see Section 2.4.1 in Step 2:

Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow). However, the Louisiana Coastal Master Plan contemplates additional sediment diversions to help restore the marsh and estuaries; those diversions that are reasonably foreseeable are discussed in Chapter 4, Section 4.25 Cumulative Impacts of the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS. Other projects outside Barataria Basin or that are not yet reasonably foreseeable (as defined in Section 4.25.1.3 in Cumulative Impacts) are beyond the scope of this EIS.

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**Correspondence ID:22448**

Kim Mao

I am commercial Fishermen I need help if there any programs available.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take

advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:22498**

Sambo Kang

I am a commercial Fishermen question is if there no job for a commercial Fishermen is there any program out there they can help out?

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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**Correspondence ID:22511**

Sovan Sean

I am commercial Fishermen I want to know if there any programs are available?

**Concern ID: 63131**

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**Correspondence ID:22513**

Lekhena Mead

I am a commercial Fishermen I want to know if there any program that help us it's is hard to shrimp cause of Covid 19 and hurricane

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**Concern ID: 63131**

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**Correspondence ID:22515**

Allen Sreiy

I want to know is there any program that can help commercial Fishermen?

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**Concern ID: 63131**

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**Correspondence ID:22610**

Mark Comeaux

..we live at the above address Its our permanent address that we have owned since 2000.

..right now we incur occasional flooding over our dock and in our backyard from strong south winds or storms

..the Project will cause increased rising waters we will be forced to change the elevation of our property

...the Project will cause restricted access and usage of our property

..our Property value will decrease and our quality of life

...we will have to travel farther towards the gulf in our boats to catch speckled trout, and brown and white shrimp

...our family won't be able to swim or ski in our lakes due to the dirty Mississippi River water introduced by the Project

...access from our property through navigable waterways will require dredging in order to continue to utilize our property for the intent for which it was purchased.

...with the Project causing higher water, the parish owned roadways will require increased elevation, as well as the roads off the main road leading to our homes

...this Project has the potential for us to incur unexpected and unaffordable expenses such as::::

- - --raise our bulkhead

- - --raise our dock

- - --raise our roof over the dock

- - --raise our boat shed

- - --raise the slab under our house

- - --raise the elevation of our yard

- - --raise the elevation of our road crossing our property

As far as us moving, with the project forthcoming, our property value is unstable and decreasing in value , as well as unattractive to any buyers who would be willing to pay what we have invested,we would be hard pressed to find something comparable and affordable..

**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of

the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites. As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 62010**

**Sediment transported by the diversion into the basin would cause the main waterways to have increased shoaling, become too shallow to pass through, and would require dredging in order to access personal properties. This plan should address the potential loss of access for homes, camps, and businesses due to the increased shoaling.**

**Response ID: 16208**

The impacts raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. The EIS describes impacts on marine transportation and maintenance dredging in Chapter 4, 4.21 Navigation. This section also describes potential impacts on access due to delays when dredging. In addition, refer to Section 4.13 Socioeconomics for a discussion of socioeconomic impacts due to potential sedimentation in Barataria Basin navigation channels and canals. The proposed Project would have moderate, intermittent but permanent, adverse impacts on marine traffic efficiency and safety for shallow-draft vessels. The proposed Project would also cause minor to moderate, permanent, adverse impacts in dredging requirements for portions of the Mississippi River Navigation Channel and the birdfoot delta due to Project-induced changes to typical shoaling patterns and locations. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the proposed Project area during Project operations. In acknowledgement of commenters' concerns regarding sediment and shoaling impacting navigation, the Mitigation and Stewardship Plan in Appendix R1 in the Final EIS includes measures to mitigate impacts on navigation in the basin resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm

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hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be

required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62085**

**Concerns were raised that the proposed MBSD Project would affect fishermen with smaller vessels. Fishermen would have to travel farther towards the Gulf in their boats to catch some species such as speckled trout, and brown and white shrimp. Most inshore fishing vessels are not large enough or equipped to go any further outside the basin.**

**Response ID: 16249**

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts on brown shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential adaptive responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, as well as increasing the length of fishing trips. CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project.

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CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits

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prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for**

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**lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties

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and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:22698**

Tommy Moore

Tommy Moore

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The 2 above addresses comprise my main property. I also purchased an investment property next to my lots, which I don't think have an official address. These 3 lots are used as trailer rental spaces (4) which I rent to plant workers, levee construction workers, etc.

I have 2 questions if you could answer. I called and left a message, so if someone calls back I will ask them. Will our property be transferrable after receiving any mitigation? Will we continue to be able to purchase insurance for our houses, property, and improvements if we receive mitigation?

I attended and watched your presentation on Wednesday, April 14, 2021. Projections for increased water levels seem lower than what would be expected because the river water levels quoted are much lower than the river has averaged in recent years. I also noticed that the increases in water levels were "averages". I am not disputing your calculations, but if these are the "average" increases, there will be times when the level will be increased much more. These "peak water level" occurrences will prove to be the most challenging times with the most potential for damage to our property.

I will send pictures of the construction of my bulkhead, dock, boathouse, and house for reference.

I would expect that opportunity cost / time missed enjoying our property because of construction should be compensated.

My boat house is constructed of class B "commercial" pilings and a metal roof. I have 3 boat slips and a concrete covered area as well as a fish cleaning table with plumbing, electricity, green led lighting, and 3 boat hoists. Electric and water lines will have to be re-run or altered. My bay boat, mud motor boat/shallow drive, and aluminum flat boat are kept in the 3 boat slips with hoists for each boat. The boats are kept high in the slips so that when the tide rises very high due to a south wind or typical storm (not a hurricane), the boat and motor will remain above the water line. If the diversion raises the water level, these boats would have to be raised higher than the current level so boats can fit under roof when water rises (based on your estimates, 2 additional feet). I expect that in order to do so, the current boat house and pilings would have to be removed and longer pilings would have to be installed and a new boat house built. Also, the current concrete covered area and cleaning table will have to be removed and replaced.

We paid a company to construct a bulkhead made with "sheet piles", using "dead men" pilings with metal rods running to the back of the wall (on my property). The current bulkhead would have to be removed and replaced to raise the level of the bulkhead 2'. Behind this higher wall would have to be back filled with dirt. Doing so would upset the grade and flow of water from

the property, so the land would have to be raised and the concrete slabs which are currently "stepped down" would have to be removed and re-worked. My current fishing dock, built from the bulkhead out over the water, would have to be removed and replaced. My property is just over 100 feet wide along the water side, and there are 3 piers that extend over the water. All dock area would have to be removed and replaced 2 feet above the current level.

The road across the side and back of my property would have to be raised 2'. Currently, I have installed crushed concrete and limestone. Concrete would be required if the water level will be raised and water will be flowing across this road. My driveway meets the current level of the current road, so the driveway will have to be removed and replaced at a higher level where it will meet the road. I have maintained and paid for the current road. My lot is 246.52' across Orange Ln, plus there is a distance between my lot and the road that the Corps of Engineers installed along the wall they installed. There is 63.77' of road along the back of my property.

The boat launch used by my neighbor and I who co-own the road, will have to be raised/reworked to meet the raised Orange Ln. FYI, I have an option to purchase the remaining property of my neighbor, and I already purchased the 3 lots on the highway side of his property where I currently have 4 trailer rental spots.

All of my property will have to be raised 2'. I trucked in around 100 loads of river sand and premium dirt fill to raise the area where my home was built (to account for storm flooding), and raised the rest of my property so it would not flood during typical high tide and/or typical storms. My neighbors have parked their vehicles on my property for past storms. Remove and replace perimeter fence after land has been raised.

Install steps/ladders along dock and by boat hoists for increased height during low tide situations so we can step down into boats. Compensation for low tide inconvenience of higher docks and land. (Difference between high water mark and low water mark will increase.)

Orange trees. 5-7 Years of growth. Loss of fruit. Can't grow citrus in low areas.

I installed St. Augustine Sod - approximately 4 pallets. If the land is raised, new sod will be required.

There is a 20' x 24' storage shed with electric on the property which sits on pilings. Raise shed and install steps.

Raise house 2 - 3 feet to be above flood level required by govt. When we custom built this home, we built the home according to the government's requirement of the home being built so many feet above sea level. Raising the house will require installing additional hardy plank etc. Caulk, seal, paint exterior house walls. Stairs will have to be replaced/re-worked to meet the new height of the house, sheet rock repairs and repaint interior of home if damaged during raising (if damaged/compromised). Install concrete pilings because of extra height. It would not be structurally sound to try to piece together something over existing pilings. Interior garage walls fill in gaps. (Walls are next to current pilings. Will they have to be removed and replaced along with 3 garage doors?)

Compensation for when entry is flooded and land is flooded, when we can not access our house.

Decrease in property value because brackish/salt water species gone. Shrimp and fish/crabs I get in trade from Mark and Gary who park their boats on my property. I provide fish for my parents and family. The trout and redfish I currently harvest will not be present in the areas I fish. I will also have to learn how to fish new areas which takes many years to learn.

I have spent an abundance of money, time and effort to create my "dream retreat". I did not want this diversion, but I realize that something must be done for the good of our parish, the state, and even the country. Will I be made whole?

I purchased this as an investment combined with it being a pleasurable recreational fishing second home. I am including a picture of the advertisement from 2004 when I purchased this property. I paid \$175,000.00 for the land in 2004. Recreational property and all real estate has appreciated. Water front lots here almost never come up for sale, and have been passed to generations from those who were able to purchase the lots the formerly leased. I was considering doing like many of my neighbors, earning retirement income from my launch, bait traps, shrimp and camp rental.

This is my "dream home". I hope you are going to compensate us fairly. If you would research the cost of 100 feet of bulkhead sheet pile, plus a dock over the water with 3 piers, plus a boat house for 3 boats with a covered concrete area, along with a lot that's 246 feet deep with 100 feet of water front, where we literally catch redfish and trout off the dock (I will send pictures). Where else can I purchase that? I don't think anywhere. And this is 45 minutes from my home in Metairie. So I can jump in my car and be in my boat or fishing off my dock within one hour. This is priceless. If you have a boat, you know what it feels like to take off and see the sunrise and the water and marsh. I guess I would consider either a buy out or mitigation sufficient enough to lower my investment in this property to the point that I would feel like I could stay there and be OK if I couldn't be there because of the water level on land or lack of saltwater fish.

I also purchased 3 lots from my neighbor, which would be [REDACTED]. I had many truck loads of crushed concrete trucked in and spread, and also poured a slab, installed 4 electrical services, water lines, and connected a septic tank, so I could rent trailer spaces. I have 4 spaces and I rent them for \$500.00 per month. Workers would not want to rent spaces if the water level was increased 2'. A 2' rise in water level would put water on the lots. I am interested in learning how/if you would be able to mitigate the loss of income for this investment because of the increased water level.

I catch many fish, as can be seen in a picture from a week and a half ago when we fished 5 minutes from my house. I would be glad to take you fishing minutes from my home to show you what I will lose because of the diversion. It's not only the food sustenance, but the joy and fun of fishing so close to my house. My grandchildren and children fish with me often. We will lose these opportunities, and again, I would hope you would fairly consider this and compensate us for taking this away for the good of the state and country.

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# Mid-Barataria Sediment Diversion Community Outreach Survey

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## SECTION 1: WE WOULD LIKE TO ASK SOME QUESTIONS ABOUT YOU AND YOUR COMMUNITY.

1. Where do you live? Please check the most appropriate neighborhood/community:

- Myrtle Grove
- Woodpark
- Suzie Bayou
- Deer Range
- Hermitage
- Grand Bayou
- Happy Jack

2. How long have you lived in your community? \_\_\_\_\_

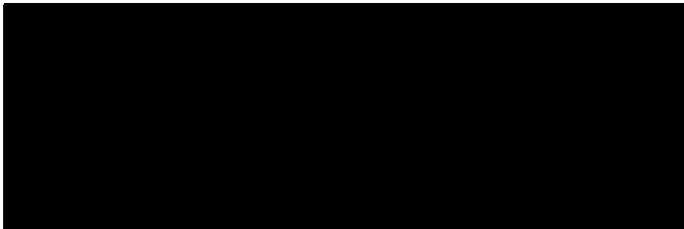
3. Do you own the property where you live?

- Yes
- No – if you check this option, what is your living situation? (for example, renting, live with family)

4. Do you live here year-round or just sometimes? Please check your response:

- All the time
- Sometimes – during Weekends and some week nights season/months

5. Are you single (live alone and don't share money with others where you live), or do you live in a family that shares money?



6. Which race/ethnic groups do you identify with (check all that apply)?

- American Indian or Alaska Native
- Asian
- Black or African American
- Hispanic or Latino
- Native Hawaiian or Other Pacific Islander
- White
- Other: \_\_\_\_\_

7. Is English your first language?

- Yes
- No

8. Does your family depend on fish from Barataria Basin for food?

- Yes
- No

9. Is fishing in Barataria Basin the main way you or your family make money?

- Yes
- No

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## SECTION 2: NOW WE WANT TO ASK ABOUT FLOODING IN YOUR COMMUNITY

NOTE: These questions are asking you about flooding in your community not during a tropical storm, tropical depression, and/or hurricanes.

10. Does the property where you live flood?

- Yes *roads + sometimes land when tide is very high + a south wind.*
- No

11. Does your neighborhood/community flood?

- Yes
- No

12. If yes, how many times a year? \_\_\_\_\_ times per year.

*during bad storms*



13. How deep is the flooding? Just a guess is fine. \_\_\_\_\_  
14. How long does the flooding last? Just a guess is fine. \_\_\_\_\_

15. Do you leave when it floods or do you stay where you live?

- Leave
- Stay

16. Have you changed your house to prevent flooding (e.g., did you elevate or flood proof your house?)

Yes – if yes, what changes have you made to your house to avoid flooding?

Tucked in ~~in~~ 100 loads of mud before building, and built a raised home on the mound we created by purchasing dirt.

No

17. If flooding gets worse because of the Mid-Barataria Sediment Diversion, would you stay or move?

- Stay NOT SURE. Depends how bad it gets.
- Move

18. If flooding gets worse because of the Mid-Barataria Sediment Diversion, CPRA would like to work with community members to help. Mark any of the items you would be interested in:

- Elevate homes and structures
- Reduce flooding of their septic/sewer systems and other utilities
- Elevating roadways or utilities
- Pay property owners for losses in property value because of flooding, if any

19. Are there any other ways CPRA can help you and your community with flooding that may result from the Mid-Barataria Sediment Diversion?

elevate bulkhead and dock + boat house to account for rise in water level caused by diversion.

**SECTION 3: WE WANT TO ASK YOU ABOUT THE FISHERIES AND FISHING IN YOUR COMMUNITY:**

20. What fish/seafood do you mainly fish in Barataria Bay?

- White Shrimp
- Brown Shrimp





- Oysters
- Blue Crab
- Red Drum
- Speckled Trout
- Other *Sheepshead, Bass, Flounder*

21. Where do you fish in Barataria Bay?

*all over Barataria Bay. The marsh close to my house mainly during the winter. Round Lake, Lake Lamerie, Bayou Dupont, Wilkinson Bay, Bay Jimmy, Bay Long, Manilla Village, St. Mary's Point,*

22. Do you fish by boat or on the shoreline?

- Boat *Both (3 Boats)*
- Shoreline

*through my, Chené Fleuve, etc.*

23. How many times a week do you or your family eat fish/seafood from the Basin? 4 times/week

24. If fishing conditions or fisheries change because of the Mid-Barataria Sediment Diversion, CPRA would like to work with community members to help. Mark any of the items you would be interested in:

- Help with new equipment (i.e. upgraded vessel refrigeration or gear improvements) *larger boat to travel further.*
- Help for small business/startup support (i.e. grant programs)
- Training programs
- Small business development and operations training

25. If CPRA can add new access points for fishing, where should they go? (like a kayak or small boat launch, shoreline fishing dock, pier, etc.)

*I prefer the private area the residents have, without crowding from the general public.*

26. Are there any other ways CPRA can help you and your community with potential changes in fisheries from the Mid-Barataria Sediment Diversion?

*Fairly compensate us for what we will lose, including the "paradise" we have created.*



SECTION 4: FUTURE OUTREACH REGARDING EIS AND RESTORATION PLAN

27. How can we give you more information in the future? If you would like to provide us your phone number, email address, or any other contact information, enter it here.

[Redacted area]

28. The Draft Environmental Impact Statement and Draft Restoration Plan about the diversion will be available in March 2021. How can we help you submit comments on those documents?

Be specific about where I should send comments.

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**Concern ID: 64832**

**A commenter is concerned about the negative impacts of the diversion on fishing near their home and request compensation for this loss.**

**Response ID: 16700**

The Draft EIS considered how changes in the Project area both with and without implementation of the Project will potentially impact commercial fisheries in Chapter 4, Sections 4.14 (Commercial Fisheries) and recreational fisheries in Section 4.16 (Recreation and Tourism).

CPRA's proposed Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on potential fisheries mitigation, including mitigation that would be undertaken before Project construction. In response to public comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including providing additional detail on several fisheries mitigation and stewardship efforts that would be undertaken before Project construction, including funding for public and private oyster seed ground enhancement, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence and recreational fishing access (see Appendix R1 to the Final EIS for additional details). Specific to recreational fishing, CPRA will provide public access opportunities within the Barataria Basin and Mississippi River Basin. This is intended to address effects on proximity of resources for both consumptive and non-consumptive use. These effects will be primarily addressed through the provision of public shoreline access and watercraft launching around the Project area to assist recreational and subsistence fishing. In total, \$54 million would be allocated for mitigation and stewardship measures to address impacts to commercial and recreational fisheries.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61905**

**Commenters expressed that residents' way of life including living off of and recreating in the water would be impacted by an influx of fresh water due to the MBSD Project.**

**Response ID: 16235**

The issues raised by the commenters were considered in the Draft EIS. As described in the Existing Conditions in Chapter 3, Section 3.16 Recreation and Tourism, as well as Appendix H1 Socioeconomics Technical Report, the Draft EIS acknowledges the importance of recreational use in the region, describing many types of outdoor recreational activities, including fishing, hunting, boating, wildlife viewing, and general shoreline use, among others. The EIS further acknowledges that extensive estuarine and freshwater wetlands provide habitat for many kinds of fish, birds, reptiles, and mammals that are an integral component of recreation in the region. The evaluation of environmental changes in the basin under the No Action Alternative shows that the abundance of target recreational species, including spotted seatrout and red drum, would decline over time. Access to recreational boating sites would also increase from negligible impacts in the early decades to major, adverse impacts in the later decades, leading to decreases in recreational use in the southern portions of the basin even without the Project. Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe how changes in the amount of fresh water due to the MBSD Project would impact recreation and tourism. As noted, there would be adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to tidal flooding, sedimentation, and invasive plants. There would be adverse impacts on recreational fishing for spotted seatrout and beneficial impacts on recreational fishing for red drum.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62284**

**Projections for increased water levels seem lower than what would be expected because the river water levels quoted are much lower than the river has averaged in recent years, and showing the “average” water level increases means that there would be higher peak water levels that are most damaging.**

**Response ID: 15812**

The Delft3D Basinwide Model represents the best tool currently available to inform the impact analysis for the EIS. Draft EIS Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the No Action Alternative.

While Draft EIS Section 4.4.4.2 in Surface Water and Coastal Processes referenced average water levels to generally illustrate impacts to water levels for each alternative, Section 4.20.4.2 in Public Health and Safety used daily projected peak water surface elevations to estimate potential tidal (non-storm) flooding in communities outside federal levee systems.

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This analysis of daily peak water surface elevations utilized model outputs that were based on the 2011 Mississippi River Hydrograph, which was a “high flow” year when the diversion was projected to be operating at or near maximum capacity for several months.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA’s MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of

the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude

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would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63101**

**Commenter requests information on whether property will be transferrable after receiving mitigation and whether insurance will continue to be available.**

**Response ID: 16639**

Details regarding CPRA's planned mitigation and stewardship measures are explained in CPRA's Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS. Any property that is subject to a Project servitude would remain transferrable, however, subsequent transfers of that property would remain subject to the terms of the servitude. Similarly, if CPRA were to implement structural mitigation measures on a landowner's property (such as improving the bulkhead), the property would remain transferrable, however, subsequent transfers of the property would remain subject to the terms of any servitude or other agreement granted to CPRA.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

CPRA and the LA TIG would not place any restrictions on the ability to obtain or receive insurance as a condition to implementation of any mitigation measures.

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# A Geological Evaluation of the vicinity of the Mid-Barataria Sediment Diversion

submitted as comments on Draft Restoration Plan and Environmental Impact  
Statement

Chris McLindon  
4/17/2021

These comments are being submitted on the Draft Restoration Plan and Environmental Impact Statement: Mid-Barataria Sediment Diversion (the “Draft EIS”). Comments submitted prior to drafting this Statement ([McLindon et al, 2017](#)) recommended: “that a thorough subsurface geological evaluation of the vicinity of MBSD [Mid-Barataria Sediment Diversion] be conducted to attempt to determine the location of geological faults, the recent history of fault movement and the effects of active faults on subsidence rates and variations in the thickness of highly compactible soils.” This recommendation included evaluation including the use of oil and gas industry seismic data, the acquisition of high resolution seismic data, the acquisition of sediment cores, and the development of subsidence measuring capabilities. The Draft EIS concluded in response to this recommendation that “there is insufficient information on which to evaluate the impact of faulting on the proposed Project or the impact of the proposed Project on the future fault movement.” It was the intention of the McLindon et al (2017) recommendation to collect the information necessary to make such an evaluation.

The comments submitted here are in the form of a geological evaluation of the vicinity of the MBSD. There are two principal objectives to this evaluation:

1. To provide a framework within which to develop the ability to forecast a probabilistic distribution for the frequency and magnitude of fault slip events in the vicinity of MBSD and other large infrastructure projects on the coastal plain, and
2. To provide insights into the historical relationships between sediment loading, fault slip events, and fault-induced subsidence that may be incorporated into predictive models for land elevation and land area gain in the MBSD project area.

This evaluation has been constructed with the best available data, and is in no way intended to replace or substitute for the thorough geological evaluation recommended in McLindon et al (2017). The subsurface geological maps used here represent a compilation of geological interpretations over many decades. Inputs to the interpretation have included well logs, biostratigraphic data from micropaleontology, seismic data, gravity data, published subsurface geological interpretations from peer-reviewed technical literature and atlases constructed by the New Orleans and Lafayette Geological Societies, and interpretations submitted to the Louisiana Office of Conservation in support of oil and gas unitization

### **The Ironton fault**

The Ironton fault is the most likely geological feature to have a direct impact on the MBSD Project. The fault plane has been mapped in the subsurface, and it is expressed on subsurface structural contour maps as a fault trace delineating the intersection of the fault plane and the mapped stratigraphic horizon. The fault can also be seen in cross sections constructed with oil and gas well logs, as well as 2-D and 3-D seismic data. Gagliano (2003) described this fault and other faults and salt domes in the area as being part of a “linked tectonic system”. This implies that individual elements within the system may be impacted by activity on other elements such as episodic fault slip events, diapiric salt movement (halokinesis), or salt dissolution. It also implies that faults within the system are likely to share similar characteristics. There is not adequate data available on the Ironton fault to derive the objective



Figure 1. Surface fault traces

framework for modeling fault slip activity and its impacts, so data from other faults in the system and within the basin will be used here to construct the framework.

This evaluation will consider aspects of the ten faults labeled here to derive a set of characteristics that may be applied to the Ironton fault. Taken together this set of characteristics can be used to make reasonable estimates of a probabilistic distribution of the frequency and magnitude of episodic slip events on the Ironton fault. The map of surface fault traces shown in Fig.1 is a compilation of numerous individual interpretations including university theses and dissertations and peer-reviewed publications ([Akintomide & Dawers \(2019\)](#), Armstrong et al (2014), [Bullock et al \(2018\)](#), [Culpepper et al \(2019\)](#), [Frank \(2017\)](#), [Johnston et al \(2017\)](#), [Levesh et al \(2019\)](#), McLindon (2017)). A portion of this map is available in a [GIS application](#) on the Louisiana Department of Transportation and Development website.

A subsurface contour map of the Ironton fault plane is shown in Fig. 2 along with subsurface contours on the top of salt at the Lafitte and Lake Hermitage salt domes. A fault plane map is constructed by integrating the interpretation of biostratigraphy, well log correlation and seismic data. The values in blue in Fig. 2 are the depths at which the fault can be interpreted on a well log by the “missing section” in the log relative to surrounding well logs. A cross section of six well logs across the fault plane is

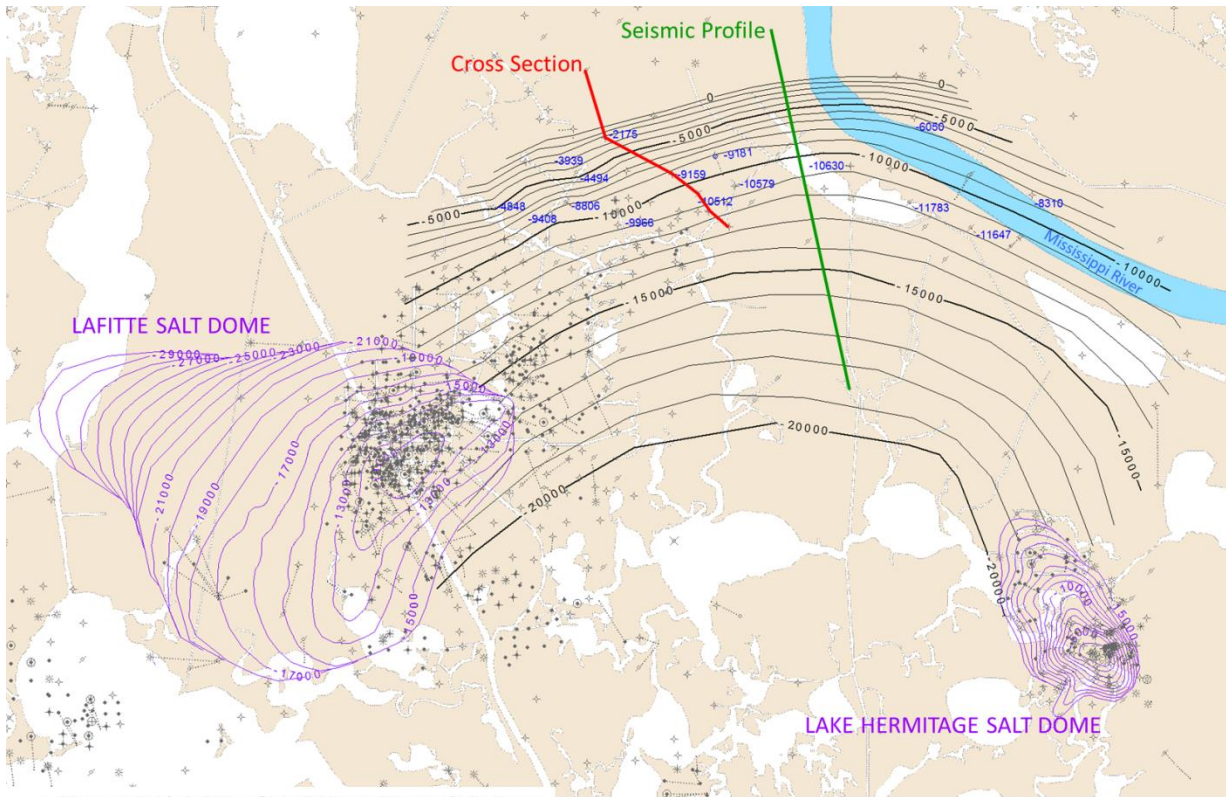


Figure 2. Ironton fault plane; Lafitte and Lake Hermitage top of salt contours

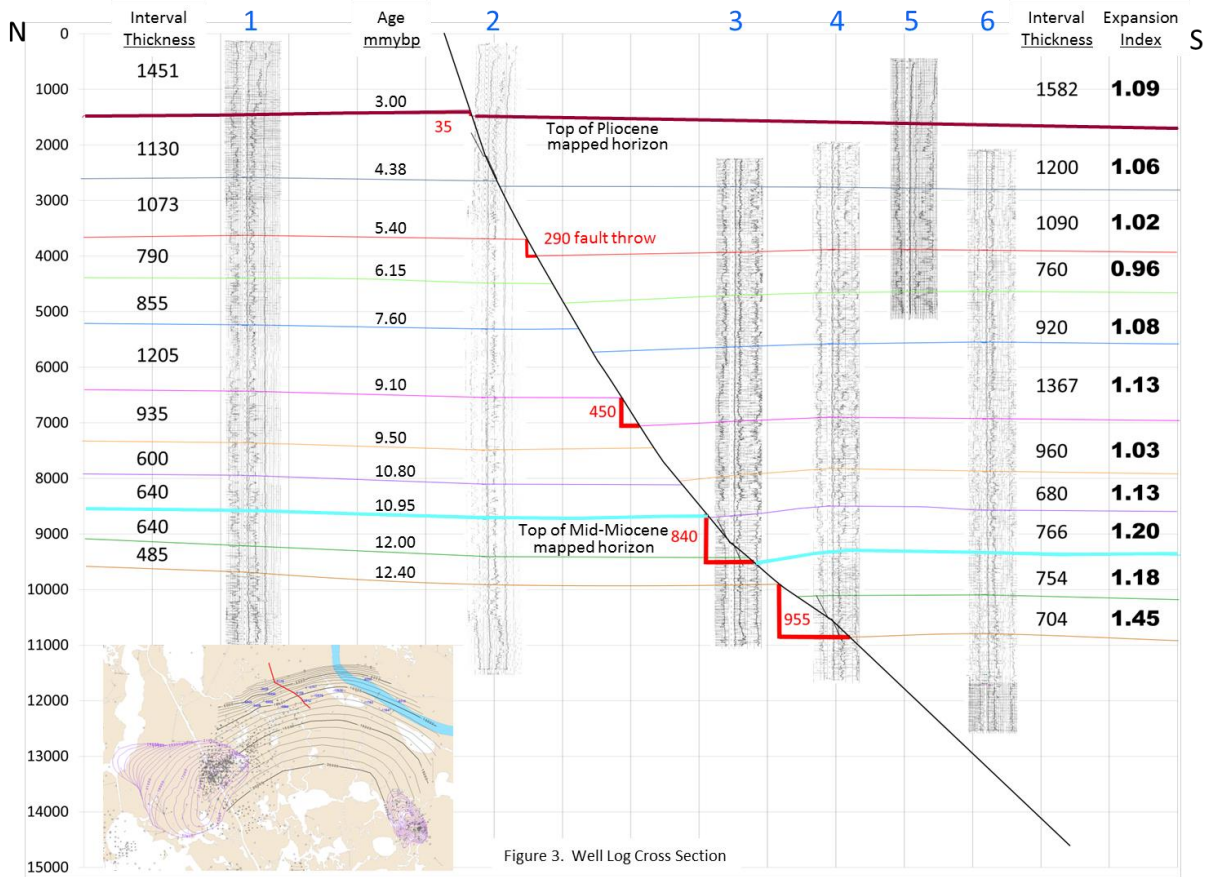


Figure 3. Well Log Cross Section

shown in Fig. 3. Wells 2, 3 and 4 exhibit missing stratigraphic section due to the fault at depths of -2175, -9,195', and -10,512' respectively. These values are integrated with those from other wells that intersect the fault plane along with seismic data interpretation to construct the fault plane map. The tops of the biostratigraphic intervals are shown as colored lines on the cross section. Each of these interval tops is correlated between the well logs and could be a potential mapping horizon. Mapped horizons at the top of the Pliocene and top of the Mid-Miocene Epoch are indicated on the cross section. The subsurface structure maps for these horizons are shown in Figs. 6 and 7, respectively. The vertical change in elevation across the fault, or fault throw, is shown for 5 horizons. The throw of the fault is 35' and 840' for the top of Pliocene and top of Mid-Miocene horizons respectively. These values could be measured from the cross section or by comparing the values of the subsurface elevation contours on either side of the fault on the subsurface structure maps. The throw of the fault continually increases with depth in the classic form of a Gulf Coast "growth fault". Increasing throw with depth indicates that the fault has been continually, if episodically, moving throughout the geological timespan measured by biostratigraphic control.

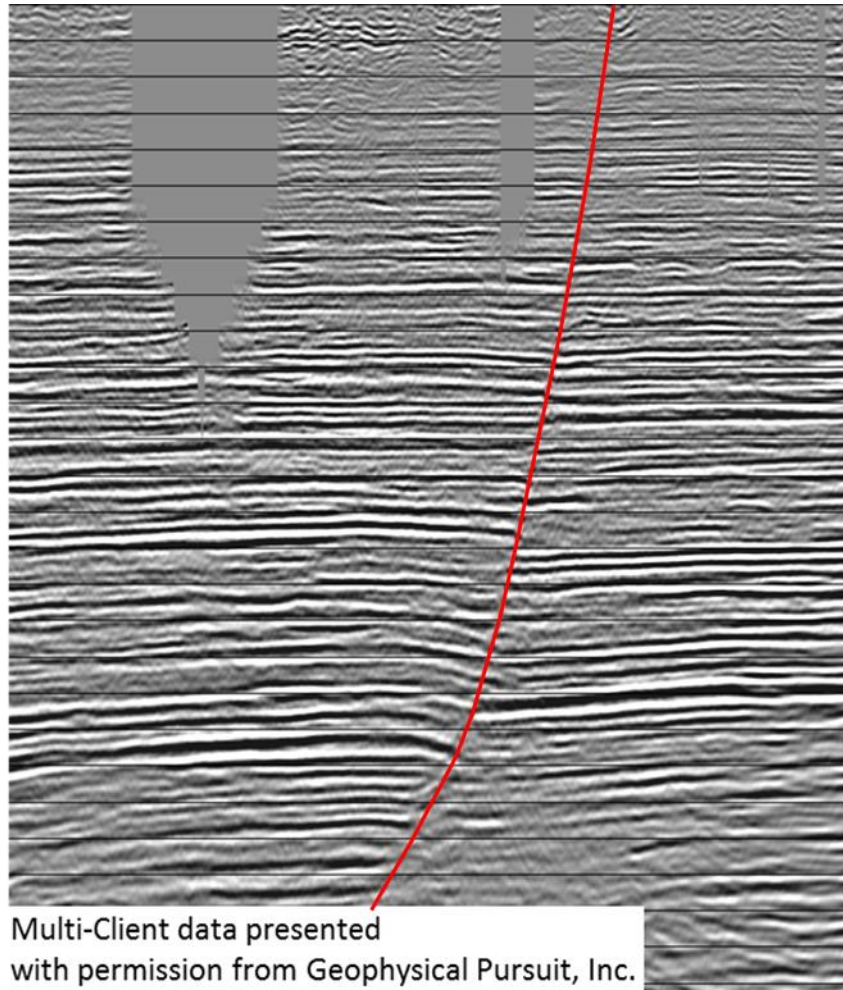


Figure 4. 2-D seismic profile

The interval thickness between each horizon is shown for a well on the upthrown, or foot wall side of the fault, and one on the downthrown or hanging wall side. The ratio of the hanging wall thickness to the footwall thickness for any interval is called the “expansion index”, and it is used gain insight into historical fault movement. The deepest correlated interval is 485’ thick on the foot wall side and 704’ thick on the hanging wall side. The expansion index across the fault at this interval is 1.45, or the hanging wall side is 145% thicker than the foot wall side. The cross section also shows that the Ironton fault has a classic listric shape, which flattens with depth. The magnitude of the horizontal component of fault displacement increases with depth relative to the vertical component as the fault plane flattens. This illustrates the significant lateral movement that is associated with fault slip over time. It is likely that the horizontal vectors of movement measured at CORS stations in Fig. 33 are due to fault slip.

Fig. 4 is a portion of an oil and gas industry 2-D seismic profile across the Ironton fault. Seismic data can be integrated with subsurface well log interpretations in the construction of the fault plane map and subsurface structure maps within the interval of biostratigraphic control. It can also be used to map the fault plane and subsurface structure below this interval, allowing for the projection of fault plane contours to depths of up to 20,000 feet. Oil and gas industry seismic data is acquired and processed to optimize imaging of the subsurface between depths of about 2,000 and 15,000 feet below the surface, where most oil and gas is found. Seismic profiles such as that shown in Fig. 4 are less than optimal for imaging the near-surface extent of a fault, and interpretations generally have to be extrapolated to the surface. The acquisition of new high resolution seismic data across the Ironton fault recommended in McLindon et al (2017), and reiterated here, is intended provide the necessary imaging to evaluate the near-surface extent of the fault.

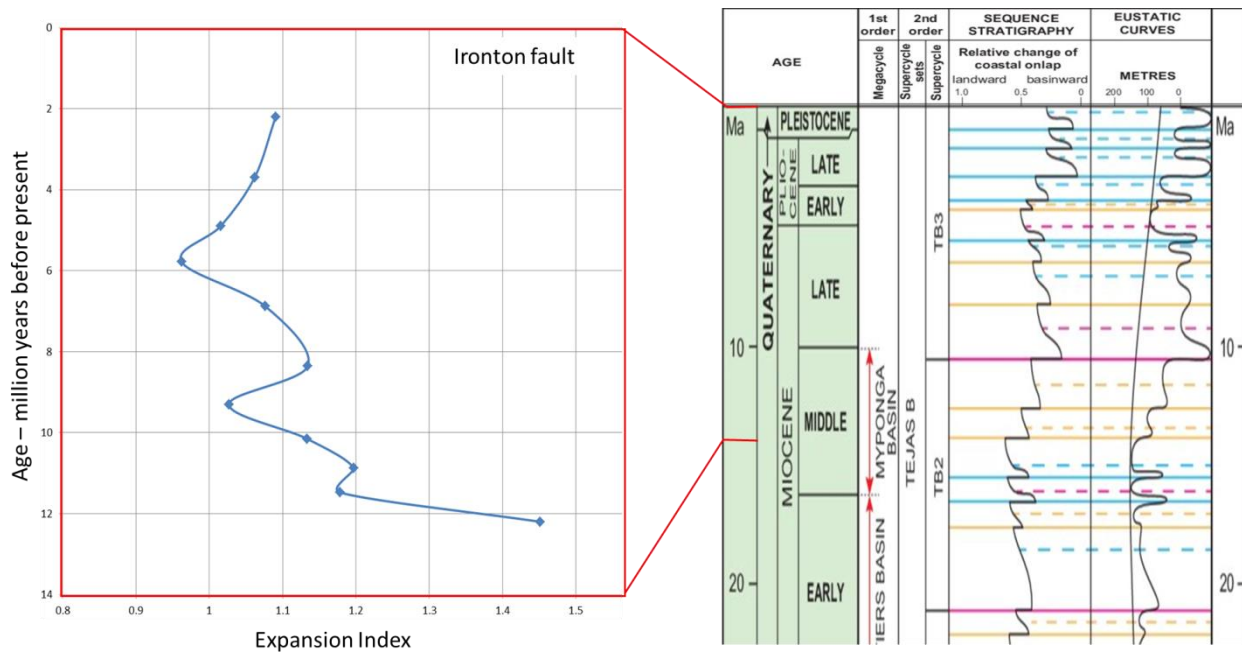
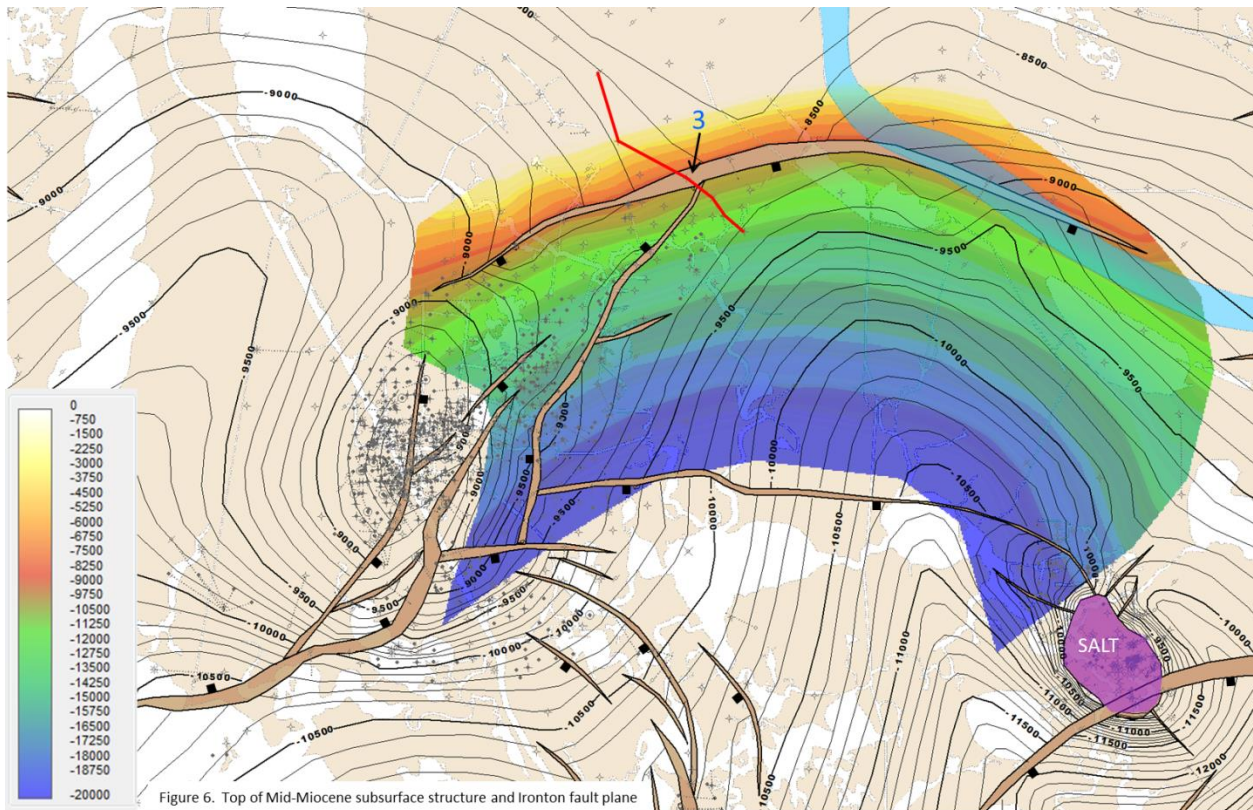


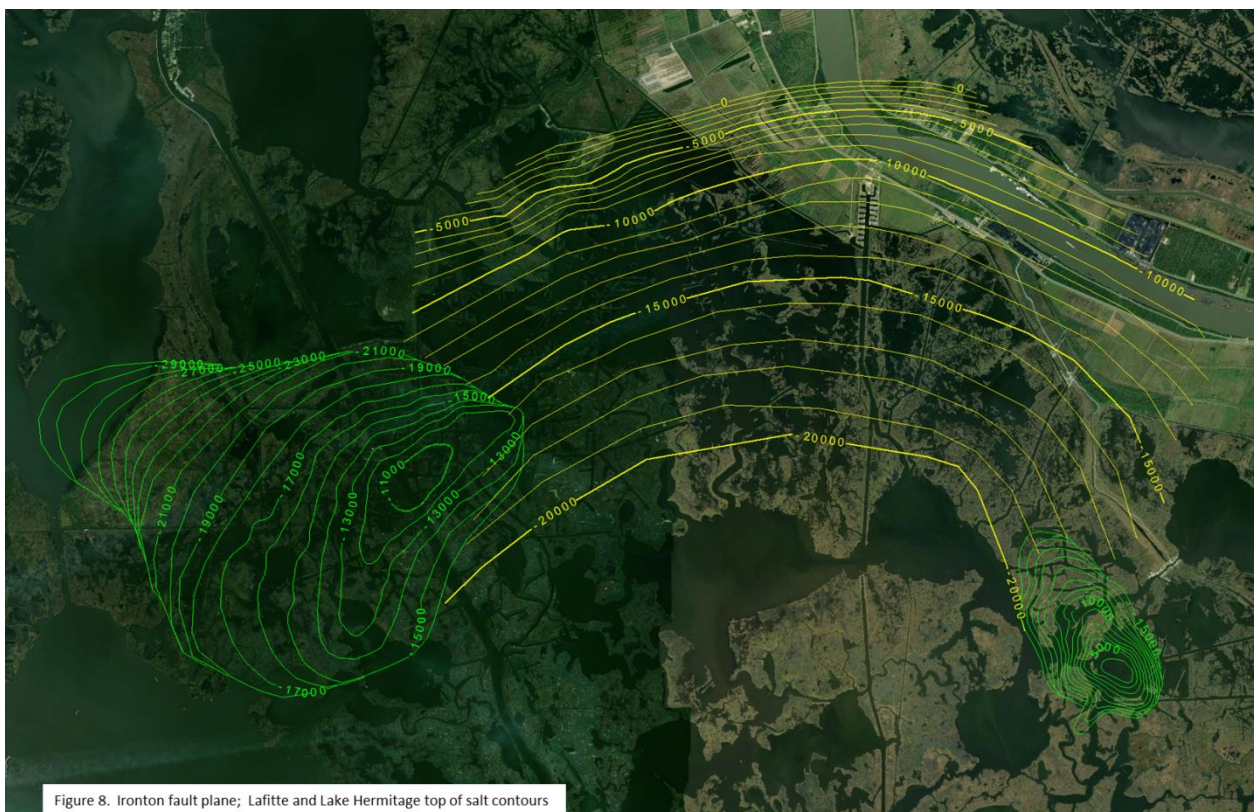
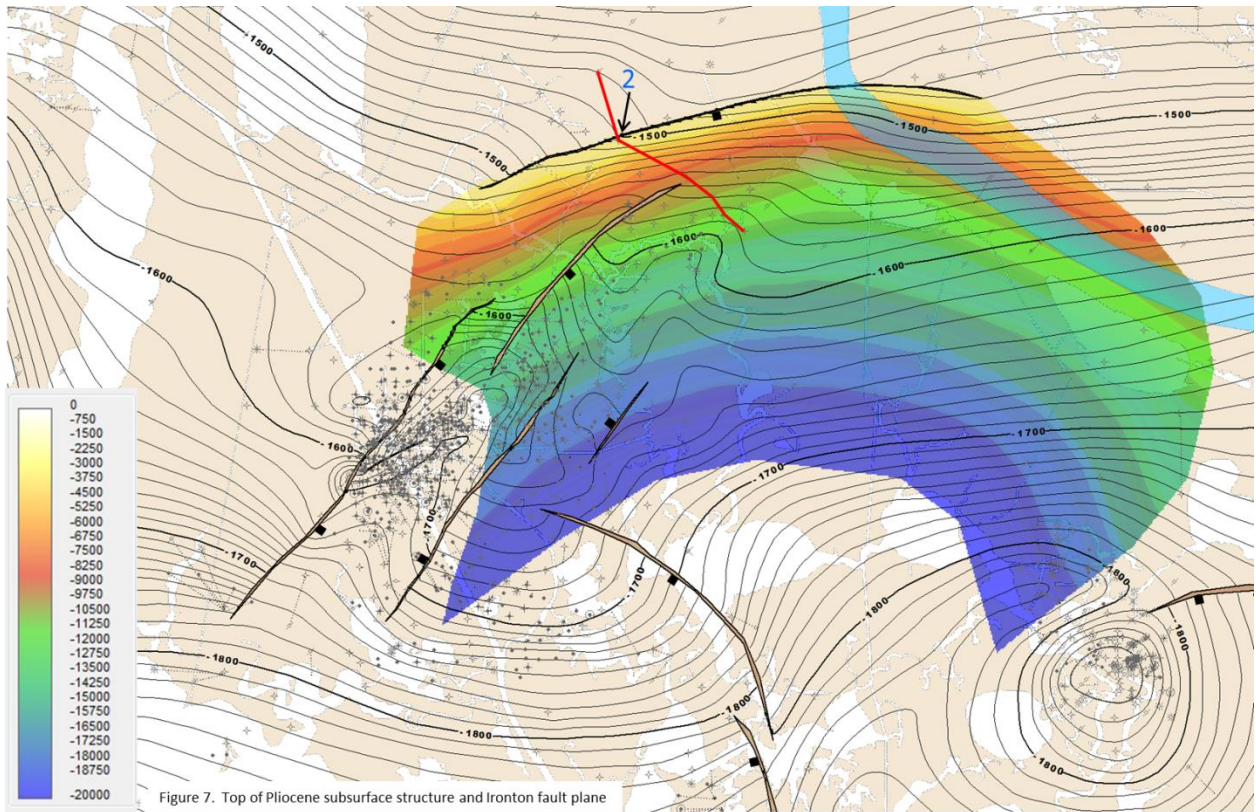
Figure 5. Ironton fault – Expansion Index vs Age



Fig. 5 is a graph of the variation of the expansion index across the Ironton fault through the span of geological time between the Mid-Miocene and Pliocene mapping horizons. The expansion index is generally above the value of 1 throughout most the time span indicating continual movement of the fault. As will be discussed in more detail in a subsequent section, the higher values of expansion index on the fault can be related to periods of increased sedimentary loading associated with an active delta system. Graphs like this can be used to assign a generalized relative quantitative value to the distribution of fault slip events over geologic time. It is likely that the history of fault movement has consisted of a distribution of individual events over time whose variation in magnitude is similar to other natural phenomenon such as earthquakes, floods and hurricanes. Unlike tectonic fault movement associated with earthquakes, the movement of listric faults in a passive margin setting is generally aseismic. The relative distribution of the magnitude of slip events over time may, however, be similar. In other words, fault slip on these faults may consist primarily of low magnitude slip events that manifest as a creeping motion on the fault, but larger events may occur sporadically over time. The primary intention of a thorough geological evaluation is to attempt to put ranges on the magnitude and frequency of slip events on the Ironton fault.

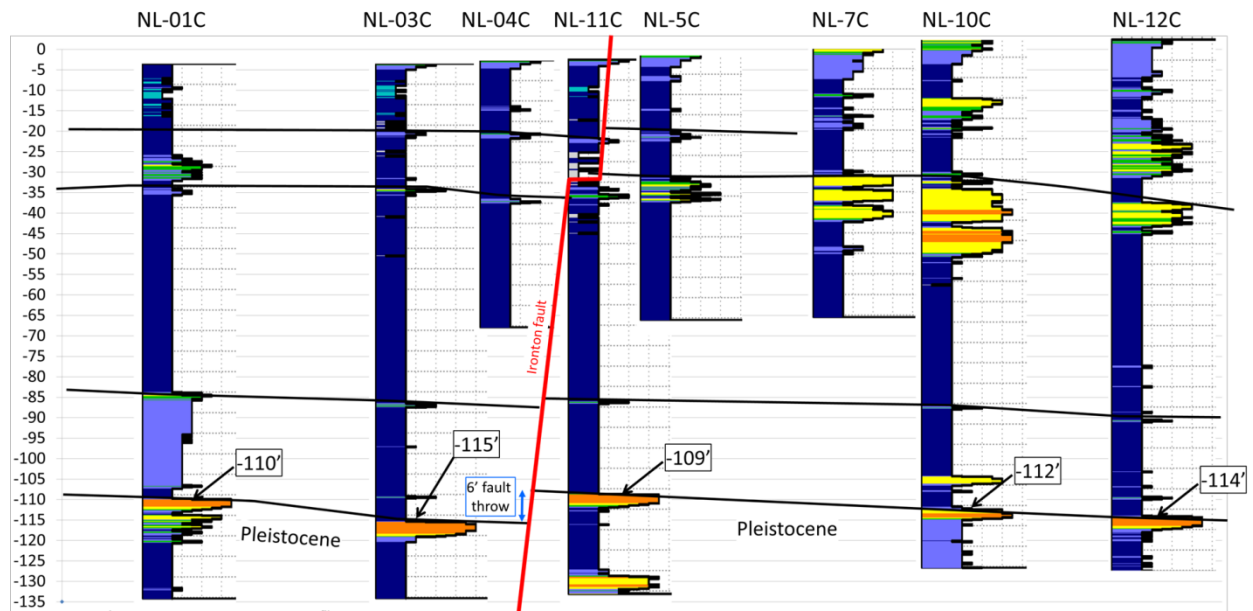


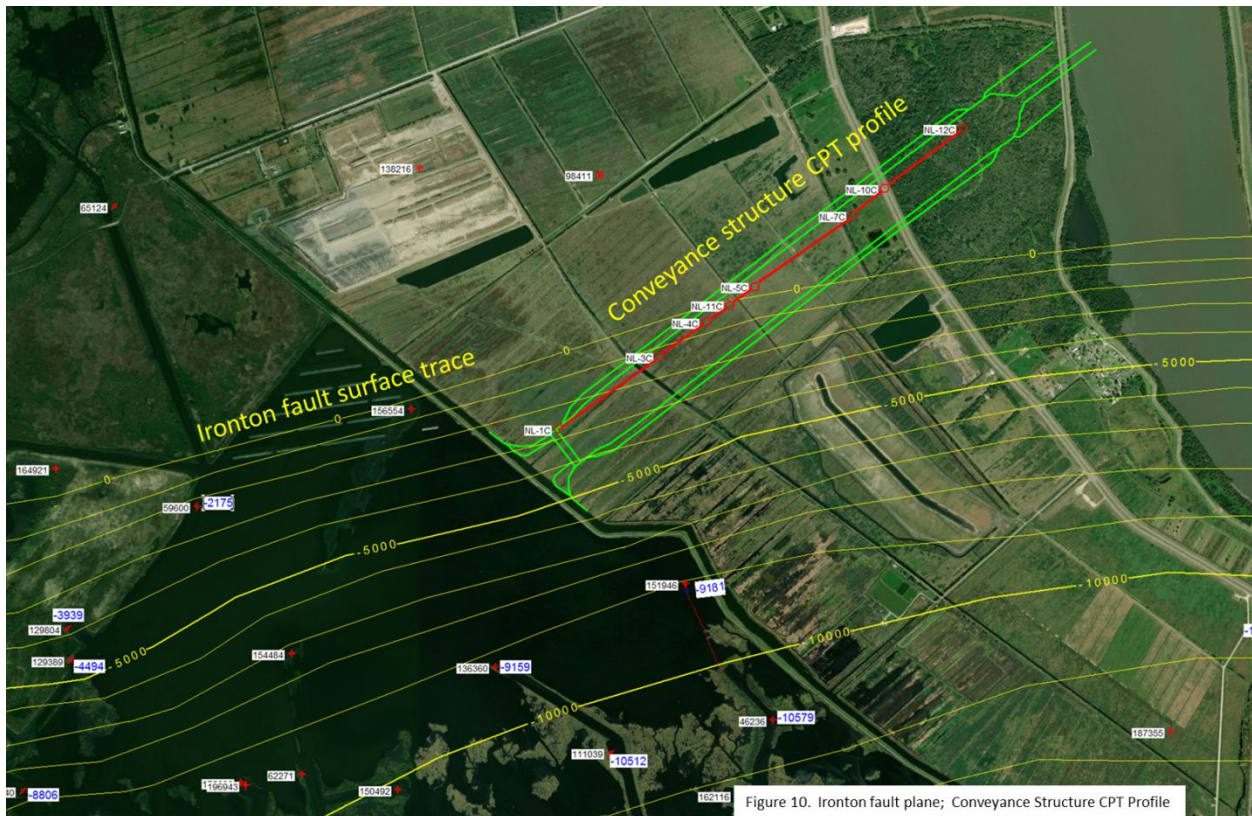
The Ironton fault plane is represented as a colored grid overlain on the subsurface structure map for the top of Mid-Miocene mapped horizon in Fig. 6. The subsurface trace of the fault is the brown polygon on the structure map based on the lateral component of displacement. Black squares indicate the down-dropped side of the fault. Well 3 from the cross section falls within the fault trace polygon for the Ironton fault on this horizon meaning that the horizon is “faulted out” of the well. It can be seen on the



cross section that the Mid-Miocene mapped horizon is not present in the well, as it has been displaced vertically and laterally by the fault. A comparison of the Mid-Miocene map in Fig. 6 and the Pliocene map in Fig. 7 shows how the trace of the fault on the map reflects the decrease in throw with depth. Subsurface geological structures generally become simpler and flatter at shallower depths. At the depth of the Pliocene mapped horizon only the major faults are still active. These are the same faults that appear to reach the surface. The 0'-depth contour of the Ironton fault plane is coincident with the surface trace of the fault shown in Fig. 1. The most significant impacts of a potential future fault slip event should be expected along this trace, and future geological evaluation of the fault should be focused on more fully delineating the near-surface fault plane with high resolution seismic and sediment cores. Fig.8 also shows the connection of the Ironton fault plane to the Lafitte and Lake Hermitage salt domes. These are elements of the linked tectonic system described by Gagliano et al (2003). There is likely to be a genetic relationship between the structural evolution of the fault and the salt domes. It is probable that halokentic salt movement on the domes has affected the history of movement on the fault. It is also possible that the dissolution of salt at the domes may have contributed to triggering fault slip events. Halokinesis and salt dissolution should be considered as potential causes for future slip events on the Ironton fault.

A near-surface expression of the Ironton fault can be seen in a profile of cone penetrometer tests (CPT) taken along the proposed conveyance structure for the MBS. Interpreted images of a profile including the same tests were published in the Geotechnical Baseline Report for 30% Design (CPRA, 2014). These interpreted images indicated the correlation of the top of the Pleistocene interval with an overlying deposit of "Near Shore Gulf" sand shown in orange in Fig. 9. This sand layer is likely to represent a basal Holocene transgressive unit associated with the first submergence of the Pleistocene surface by rising sea level.





Frazier (1967) interpreted borings taken along the Barataria Waterway, and defined the top of deposits associated with the Bayou Families Delta at between 30 and 40 feet below the surface in this area. The sandy, silty layer in this depth range on Fig. 9 is likely to be associated with this delta lobe. These approximate ages may be used to generally approximate rates of fault slip on the Ironton fault, however much more accurate age determinations from sediment cores used in association with high resolution seismic profiles would be necessary to provide estimates accurate enough to be used in predictive modeling.

Fig. 9 indicates 6 feet of throw on the Ironton fault at the top of the Pleistocene surface. If the more detailed geological evaluation recommended here supports this interpretation, it may be concluded that the 6 feet of throw is consistent with the pattern of throw versus depth seen on the cross section in Fig. 3. It is likely that the magnitude of this throw is the result of the cumulative effect of multiple fault slip events that have occurred since the deposition of the basal transgressive sand. Fig. 10 shows the fault plane contours of the Ironton fault crossing the CPT profile at the interpreted location of the fault on the profile. Oil and gas wells in the area are identified by their Louisiana DNR serial number, and the depth of the Ironton fault is indicated in blue.

## Characteristics of other faults in the area

Each of the nine other faults shown in Fig. 1 will be considered here to provide a collective characterization that may be used as a framework within which to develop the ability to forecast a probabilistic distribution for the frequency and magnitude of fault slip events on the Ironton fault. Each of these faults exhibits some indication of recent fault movement. Some reveal the potential impacts of faults on infrastructure, and some document differential rates of Holocene sediment accumulation across the fault.

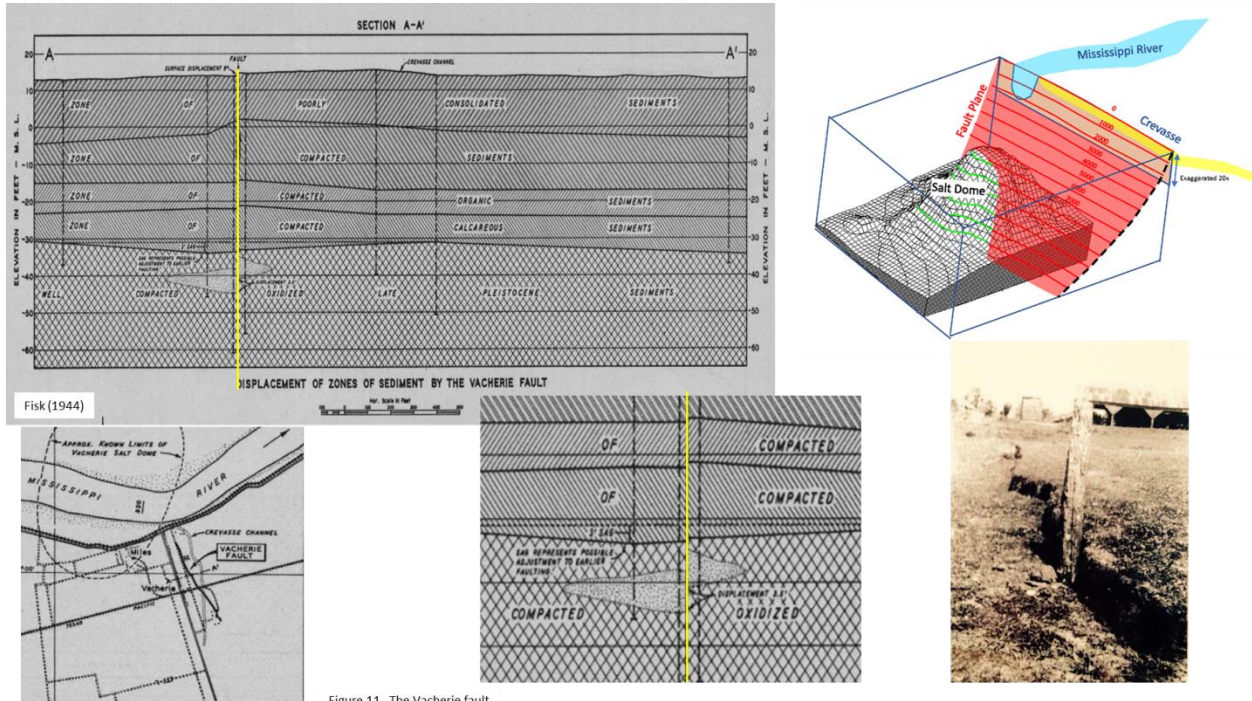


Figure 11. The Vacherie fault

The Vacherie fault (Fig. 11) provides the highest quality data point for the magnitude of a recent individual fault slip event. The event occurred between April 12th and 15th, 1943, and the magnitude of the vertical displacement was reported by Fisk (1944) to be 8 inches. There was some reported local ground shaking, but there was no detection of seismic activity at the Loyola University seismometer only 50 miles away. This appears to have been an aseismic fault slip event. Fisk used a boring profile across the fault escarpment to measure 3 feet of vertical displacement across the fault at the top of the Pleistocene. He interpreted this to indicate recurrent movement on the fault. Fisk also noted “Of particular interest is the fact that faulting occurred at a place along the river where repeated crevasing took place.”

It is probable that the 3 feet of displacement at the top of the Pleistocene is representative of the cumulative total of all of the recurrent fault slip events throughout the Holocene. If each recurring event produced a displacement of 8 inches, then there could have been three previous events over the 7,000 year span that is likely to be represented by the Holocene sediments. Some of the displacement could have been taken up by compaction of the poorly consolidated sediments, which may allow for more events of the same magnitude, but it may also be true that larger magnitude events in the past

would have been necessary to cause a crevasse of the river. If the history of movement on the Vacherie fault could be accurately reconstructed, it would likely show a log-normal distribution in the magnitude of the fault slip events. Subsurface mapping indicates that the fault has been active since at least the early Miocene. Movement since the deposition of the first Holocene sediments would probably be represented by many small slip events that would have propagated a creeping movement on the fault, and a few large events, perhaps with magnitudes of a foot or more vertical displacement adequate to cause a crevasse of the river.

The correlation of the fault and the site of the historical crevasses of the river is significant. The 1943 fault slip event occurred during flood stage on the river. It is likely that the dilation of near-surface aquifers near the river channel during flood stages may alter the stress fields within the near surface sedimentary layers, and provide a potential trigger mechanism for fault slip events. The 6 feet of vertical displacement at the top of the Pleistocene seen on the CPT profile in Fig. 9 is twice the value seen on the Vacherie fault. This may suggest that the Ironton fault has had more and higher magnitude fault slip events during the Holocene. There is no evidence of historical crevasses of the river at the Ironton fault, but some effort should be made to evaluate the magnitude of an event that would be necessary to cause a crevasse of the river, and the probability that such an event could occur using predictive modeling based on a likely distribution of the magnitude of historical events. This is particularly true given that differential sedimentary loading across the fault, as intended by the MBSD project, may provide a trigger mechanism for a fault slip event.

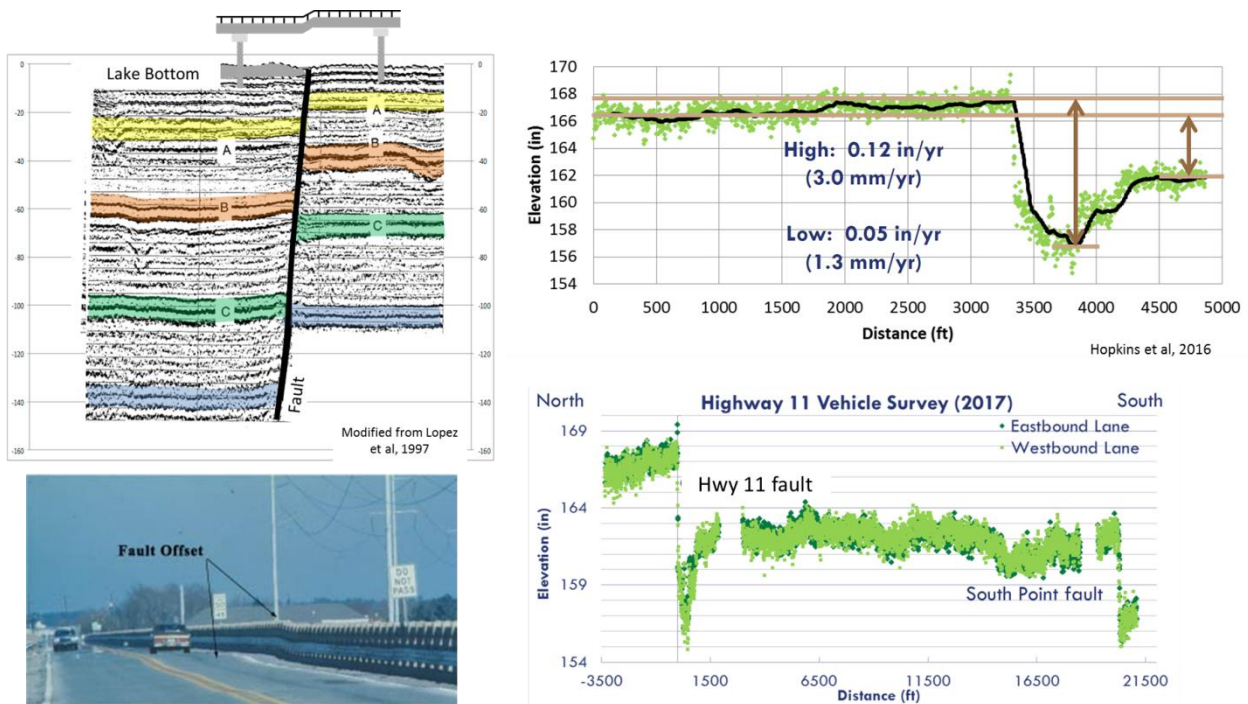


Figure 12. The Hwy 11 fault

The Highway 11 fault (Fig. 12) provides the most tangible evidence for the impact of a fault on infrastructure in the area. The fault also provides valuable insights because it is the single place in south Louisiana where a fault is crossed by a high resolution seismic line capable of measuring near-surface fault throw on multiple horizons (Lopez et al, 1997). Vertical displacement on the fault at the surface has also been measured by elevation surveys across the Highway 11 Bridge (Hopkins et al, 2016).

The seismic profile across the fault exhibits high-quality imaging of Pleistocene sedimentary layers to a depth of about 150 feet with a vertical resolution of less than a few feet. This type of imaging capability is necessary to evaluate faults in the near-surface, and is recommended for a geological evaluation of the MBSD project area. Lopez et al (1997) provided interpreted correlation of seismic horizons associated with sedimentary layers across the fault. The fault exhibits increasing throw with depth and thickening of stratigraphic intervals on the hanging wall side up to the surface. It is likely that this pattern extends to all faults delineated on Fig. 1, and it suggests continual episodic movement on the faults throughout the Quaternary. If this seismic profile had been combined with high resolution dating of sediment cores, it would have been possible to reconstruct a detailed history of fault movement. A reconstruction of fault movement from this type of data is likely to reveal averaged movement over intervals of time rather than individual episodic fault slip events, but it would be valuable for putting reasonable ranges on the magnitudes of individual events within a given interval.

The elevation profiles from Hopkins et al (2016) indicate the magnitude and span of displacement across the fault, and valuable estimates of average rates of fault slip. The lower of the two elevation profiles in Fig. 12 shows the entire span of the Highway 11 Bridge. It is important to note that while there is a localized increase in offset immediately adjacent to the fault, the entire hanging wall side of the fault has a lower elevation than the footwall side. This indicates that subsidence due to cumulative fault slip has affected an area of up to 100 square miles or more. The average rate of subsidence associated with fault slip is between 1.3 and 3.0 mm year over the time span measured. This is likely to be the result of cumulative slow slip movement, as there have been no reported episodic events on the fault over the past few decades. Lopez et al (1997) did however document the occurrence of two small earthquakes associated with the South Point fault near the end of the bridge in 1987.

The St. Rose fault (Fig. 13) also appears to exhibit the impact of faults on infrastructure. The surface trace of the fault is clearly delineated by a sharp tree line in the cypress swamp. Trees on the hanging wall side of the fault have mostly died. The plane of the fault can be mapped in the subsurface with well log correlation and 3-D seismic data interpretation. One possible explanation for the death of the trees is the migration of saline fluids to the surface along the fault plane. A similar configuration exists at the Montegut fault (Fig. 16) where Kuecher et al (2001) measured a distinct anomaly in total dissolved solids in soils adjacent to the fault. Saline fluid migration has also been documented on faults in the Baton Rouge fault system.

The clearly defined surface trace of the St. Rose fault very closely coincides with two apparent impacts on infrastructure. An elevation survey on Highway 626 shows a vertical offset on the road bed. The trace of the fault also coincides with a crack and vertical offset in a T-wall in the St. Rose drainage structure.

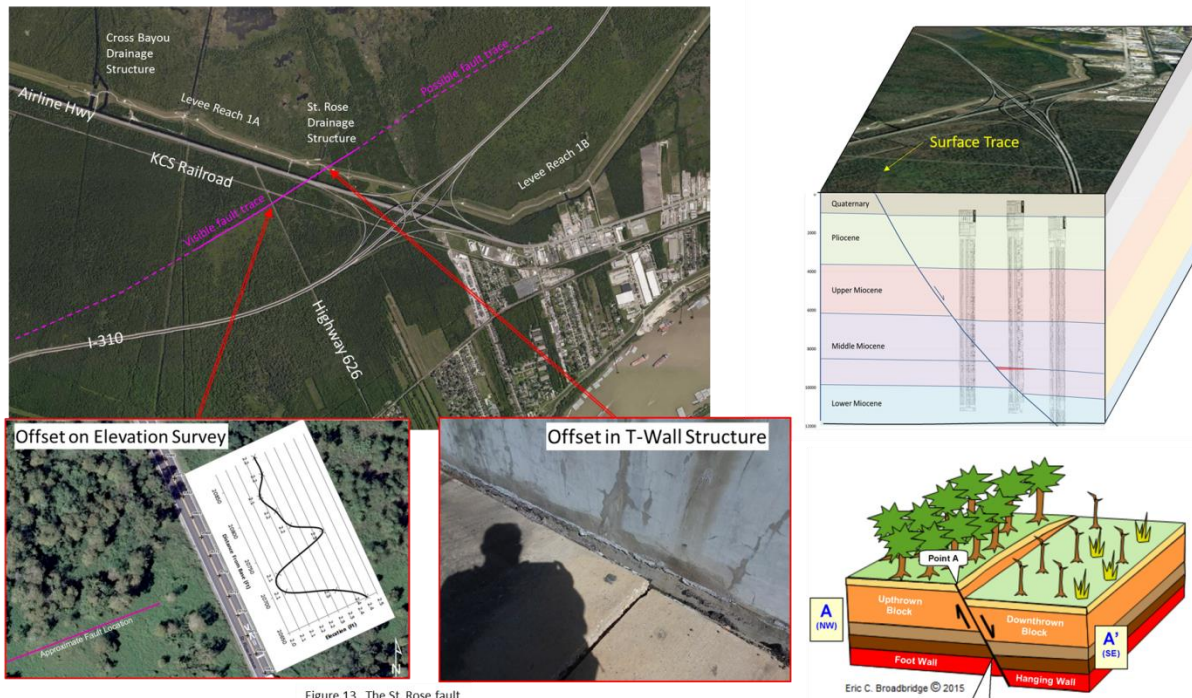


Figure 13. The St. Rose fault

The Gently fault (Fig. 14) was identified in a boring profile by Fisk (1944). The vertical offset at the top of the Pleistocene (blue on the profile) is nearly 20 feet. As a result, the Holocene sediments, and in particular the organic clay and peat deposits near the surface are thicker on the hanging wall side of the fault than they are on the foot wall side. A map of peat thickness across the area by Gould and Morgan

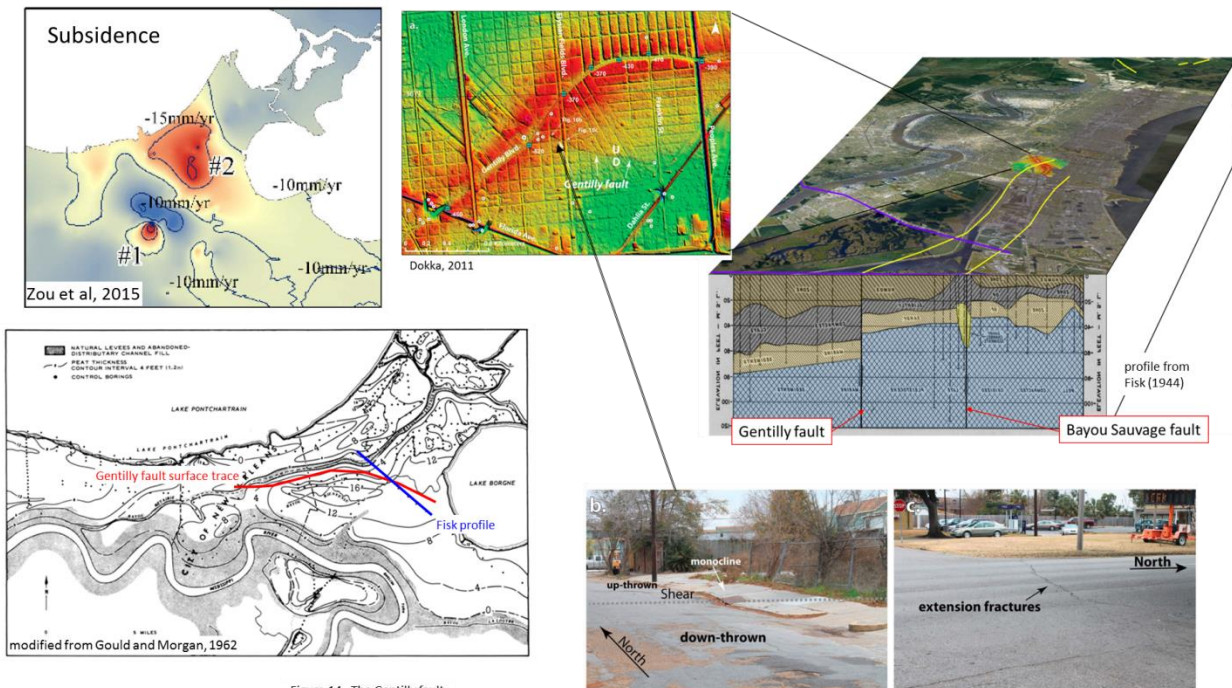


Figure 14. The Gently fault



(1962) shows that the thickest accumulation of peat in the area is on the hanging wall side of the fault.

Zou et al (2015) used US Coast and Geodetic Survey data from repeat surveys of elevation benchmarks in the area to delineate a high subsidence anomaly that coincides the thick accumulation of peat on the hanging wall side of the Gentilly fault. This is likely to be a result of a feedback loop between fault slip and sediment accumulation. Subsidence rates are logically higher across an area of thick peat accumulation because sedimentary layers composed primarily of poorly consolidated organic material are likely to exhibit higher rates of compaction resulting in subsidence expressed at the surface. A consideration of why the peat layer is thick in the first place would lead to the recognition that peat accumulation is itself a response to subsidence. The accumulation of peat has both a cause and effect relationship with subsidence in the area. Marsh and swamp ecosystems on a delta plain maintain elevation through organic growth with some input of mineral sediment from river flooding or tidal flux. As plants in the ecosystem die and are submerged new plants grow on top of them. The rate of the accumulation of organic material is controlled by the rate of subsidence. Areas with the high subsidence rates, such as the hanging walls of faults, tend to have thicker peat accumulations.

The total vertical displacement of 20 feet at the top of the Pleistocene suggests that the Gentilly fault has had higher magnitude and possibly more frequent individual slip events than either the Vacherie or Ironton faults. Possible ranges for values of a distribution of magnitude and/or frequency of fault slip events can be considered. If a distinct fault slip event occurred an average of once a century over the 7,000 year span representing the accumulated Holocene sediments, then there would have been 70 individual slip events and the average magnitude of each event would have been about 3.4 inches of vertical displacement. If distinct slip events occurred once a decade, then there would have been 700 events with an average magnitude of about 1/3 inch. Given the size distribution patterns of other natural phenomenon like earthquakes, floods and hurricanes, it is more likely that fault slip events have not occurred at evenly spaced intervals of time with equal magnitudes. It is more likely that the historical distribution the magnitude of slip events on the Gentilly fault exhibits a log-normal pattern, and that high-end magnitudes with less than a 1% chance of occurrence may have values of 2 feet or greater, while low-end magnitudes may be fractions of an inch. The cumulative effect of all of the individual fault slip events since the beginning of Holocene deposition accounts for the 20 feet of vertical offset at the top of the Pleistocene.

The Central Wetlands Unit, which overlies the thick peat accumulation on the hanging wall side of the Gentilly fault is recognized as a hot spot of wetlands loss. It is likely that subsidence associated with fault slip and differential compaction of the peat layer across the fault has contributed significantly to the submergence of the wetlands. The magnitude of the rate of subsidence is evidenced by the submergence of Old Paris Road, which as constructed in the 1930s, and is now 2 feet below the water's surface. This is an obvious impact on infrastructure. It also appears likely that the surface trace of the Gentilly fault can be extrapolated to connect with a fault segment documented by Dokka (2011). He used a LIDAR digital elevation model to reveal the escarpment of a fault crossing Gentilly Blvd. in eastern New Orleans. Dokka also documented shear and extension fractures in the streets that coincided with the location of the fault.

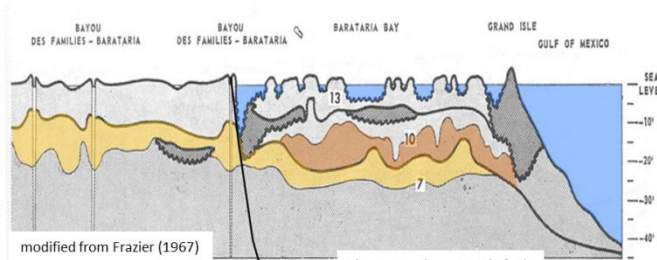
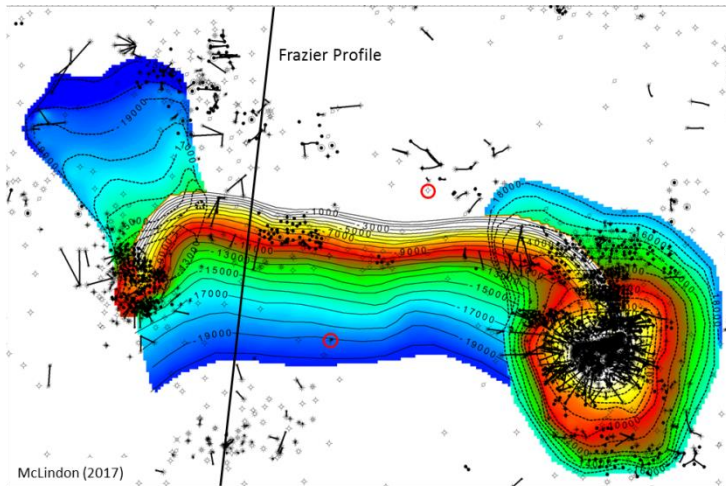
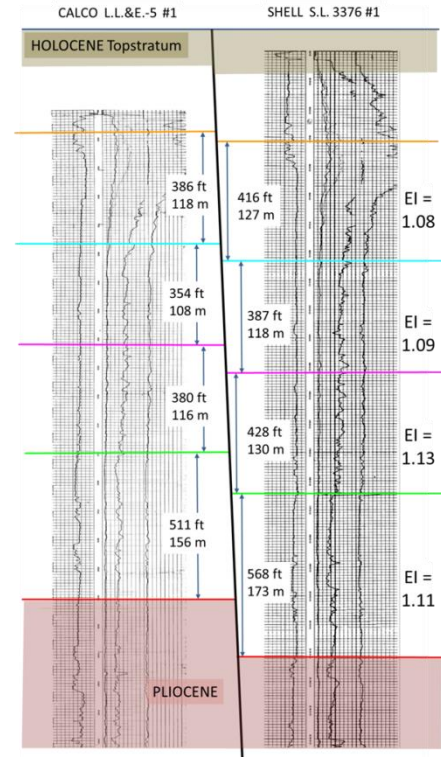
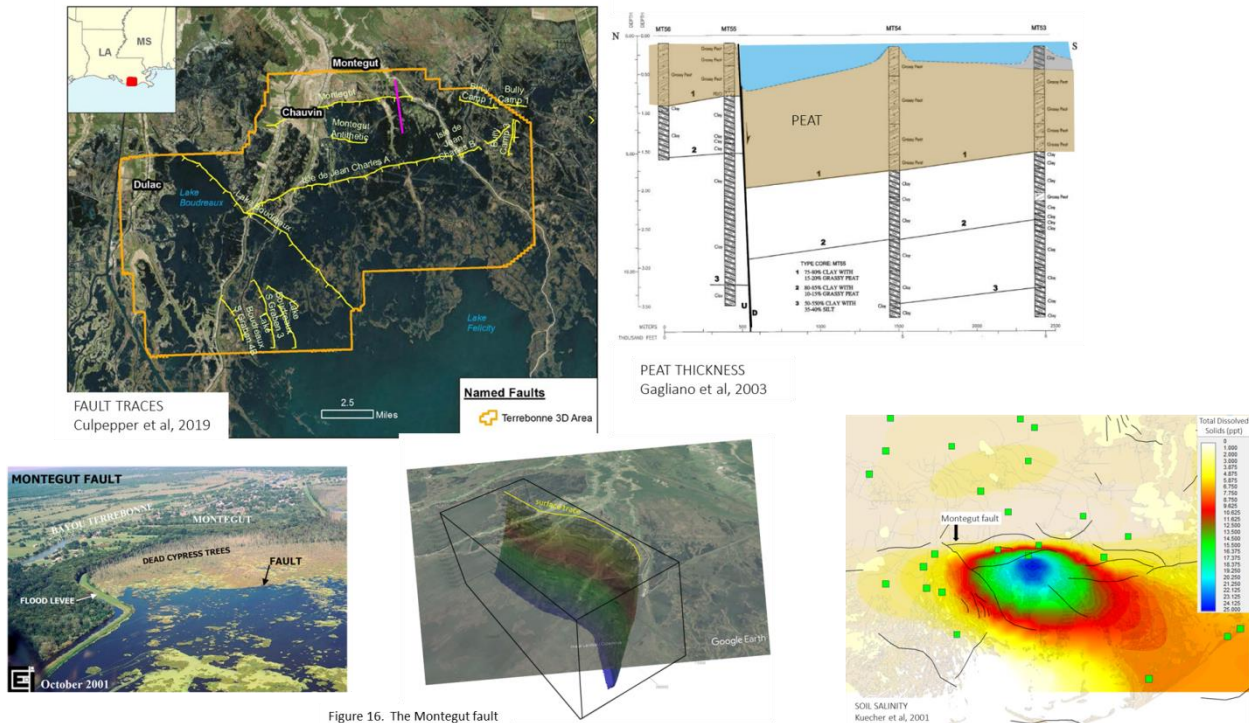


Figure 15. The Barataria fault



The Barataria fault (Fig 15.) is a critical component of the linked tectonic system that includes the Ironton fault. The fault plane connects the Bay de Chene and Lake Washington salt domes at the western and eastern ends of the fault plane respectively. It is probable that the domes and the fault have interacted throughout the Cenozoic Era, and that halokinesis and salt dissolution have played a causal role in fault slip events. Expansion index evaluation across the fault indicates continual episodic movement of the fault throughout the Pleistocene, but there is not adequate data to determine the vertical offset at the top of the Pleistocene. A boring profile from Frazier (1967) crosses the fault near its western edge. Frazier interpreted the sedimentary layers associated with the Bayou des Families (#7), Bayou Blue (#10) and early Mississippi (#13) deltas. The vertical trace of the fault has been superimposed on the profile to highlight the offset of the sedimentary layers across the fault. It is likely that each of the Holocene deltas defined by Frazier interacted with the components of the linked tectonic system, and that the architecture of each delta lobe reflects its interaction with the structural system. As will be discussed in a subsequent section, there is good evidence that sedimentary loading associated with the Miocene deltas that were active across this area caused accelerated slip on certain faults. It is probable that the deposition of deltaic sediments in the Holocene also contributed to fault slip events, and fault slip probably played an important role in the submergence of the delta lobes. The same depth interval associated with the Bayou des Families delta on the boring profile in Fig. 15 can be seen in the CPT profile in Fig. 9, and it appears that this interval has been offset by the Ironton fault.



The Montegut fault (Fig 16.) is along a trend of faults that extend westward from the Barataria fault that Gagliano et al (2003) called the Golden Meadow fault trend. The fault is one of several faults that were mapped in the subsurface with 3-D seismic data and extrapolated to surface traces that coincide with lineations in the marsh (Culpepper et al, 2019). Gagliano et al (2003) used a boring profile to document thicker peat accumulations on the hanging wall side of the fault, and related the fault to a lineation in the marsh surface and an area of dead cypress trees. Keucher et al (2001) identified a distinct anomaly in total dissolved solids in the soils adjacent to the fault. It is likely that saline fluid migration along the fault plane is associated with the soil salinity anomaly, and may have contributed to the death of the cypress trees.

The Bastian Bay fault (Fig. 17) parallels the Empire fault (Fig. 18), and both extend from the eastern flank of the Lake Washington salt dome. The fault plane has been mapped in the subsurface with well logs and 3-D seismic data, and it can be extrapolated to a surface trace that coincides with a distinct lineation in the marsh. A profile of well log correlations across the fault shows increasing fault throw with depth throughout the Pleistocene, and a vertical displacement at the top of the Pleistocene can be reasonably estimated at about 40 feet. Martin (2006) also documented expansion indices across the fault in the same depth range that indicate continual fault movement. The magnitude of the vertical offset at the top of the Pleistocene also suggests that it may be the result of larger and/or more frequent fault slip events that those previously discussed here. The nature of one of these events may be revealed in a comparison of the marsh surface across the area in images from ProPublica (2014). In the period between 1973 and 1975 a large area across the hanging wall of the Bastian Bay fault submerged and converted from mostly saline marsh to open water. Gagliano et al (2003) estimated that the vertical

displacement on the fault at the surface was 3.0 to 3.5 feet, and reported anecdotal evidence from oyster fishermen and camp owners.

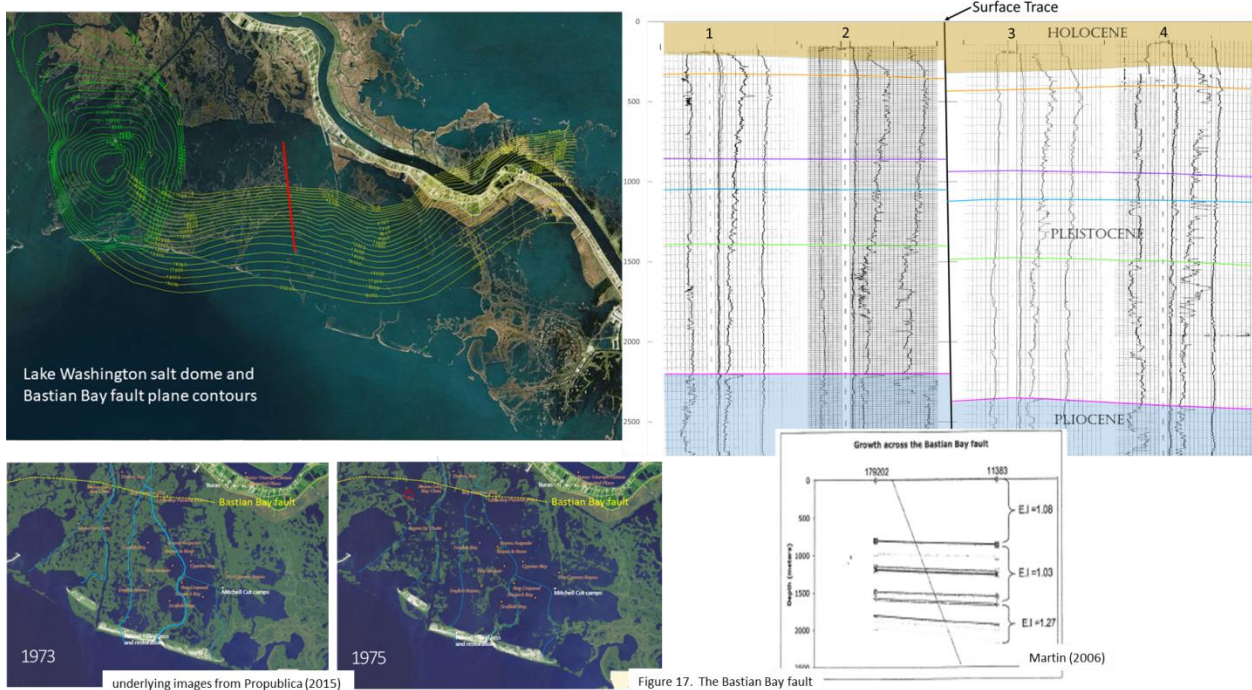


Figure 17. The Bastian Bay fault

This pattern of rapid subsidence across a large area would be consistent with a fault slip event, but it may be possible that the “event” lasted for several weeks or months. In this type of scenario the entire magnitude of the fault slip would not be contained in a single catastrophic slip event, but it may have distributed over time as a series of smaller slip events or an extended period in which the rate of a continuous slow-slip motion was accelerated. Much more investigation is needed to understand the potential for this type of fault movement in the delta plain environment, but it should be considered in an evaluation of the Ironton fault.

The Empire fault (fig 18) was named by Gagliano et al (2003). The same fault has also recently been referred to as the Adams Bay fault, but the original name is used here to avoid confusion. The Empire fault is parallel to and just north of the Bastian Bay fault. The Empire fault plane has been mapped in the subsurface with well logs and 3-D seismic data, and it can be extrapolated to one of the most distinct surface escarpments on the delta plain. Expansion indices across the fault indicate continual movement throughout the Pleistocene (Martin, 2006) Gagliano et al (2003) constructed an auger boring profile across the fault to illustrate a vertical offset across the fault of 3.0 to 3.5 feet at the surface. Martin (2006) also quoted anecdotal evidence from Greg Linscombe of the Louisiana Department of Wildlife and Fisheries that the marsh break associated with the fault escarpment formed between 1976 and 1977. The magnitude and pattern of this fault slip event are similar to that associated with the Bastian Bay fault, but they appear to be separated in time by 3 or 4 years. The relationship between these two apparent fault slip events may provide insights into the nature of the connection between elements in the linked tectonic system. It may be possible that the Bastian Bay fault slip event changed

the stress fields in the near-surface in a way that affected and contributed to the cause of the Empire fault slip event. Much more work is needed to understand these relationships, but the possibility for other components of the linked tectonic system to affect the Ironton fault should be considered in the evaluation.

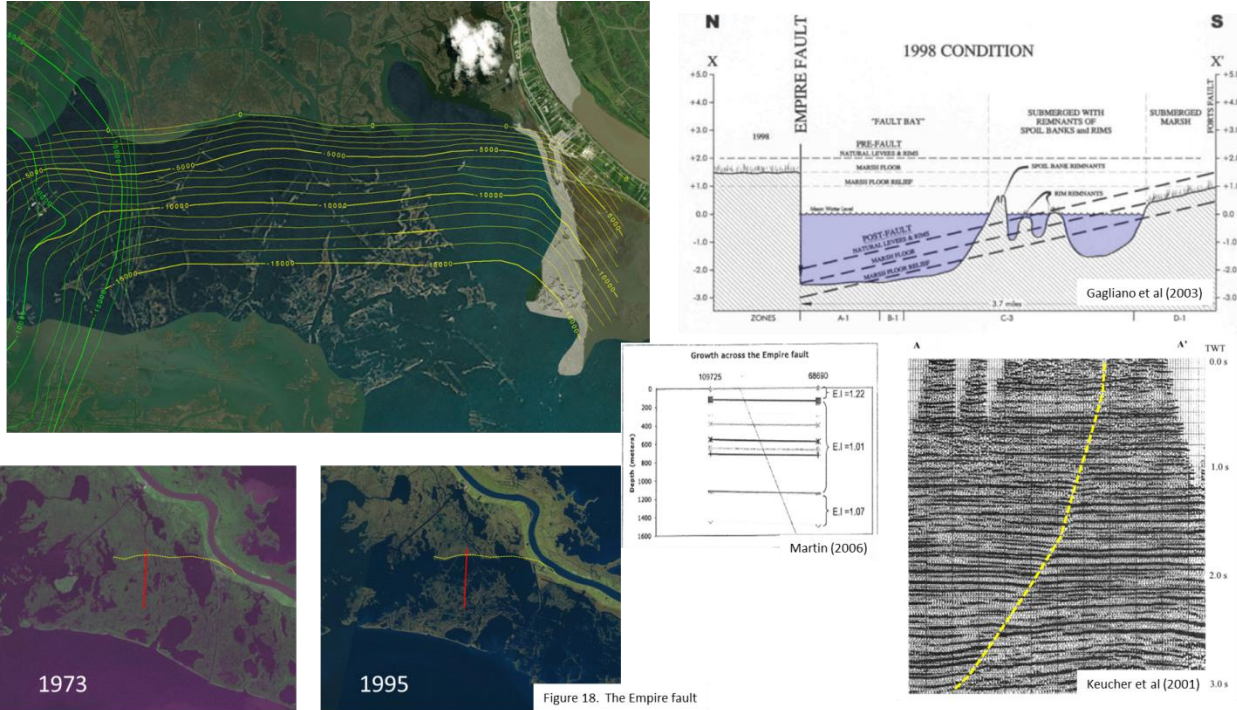


Figure 18. The Empire fault

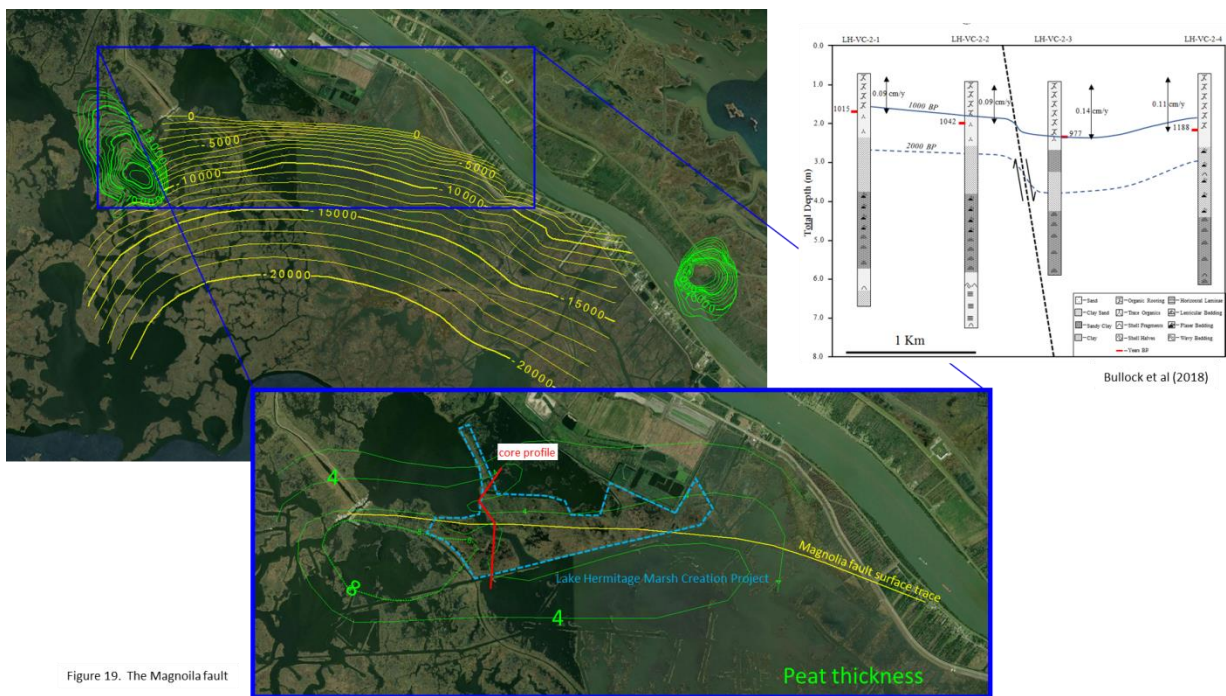


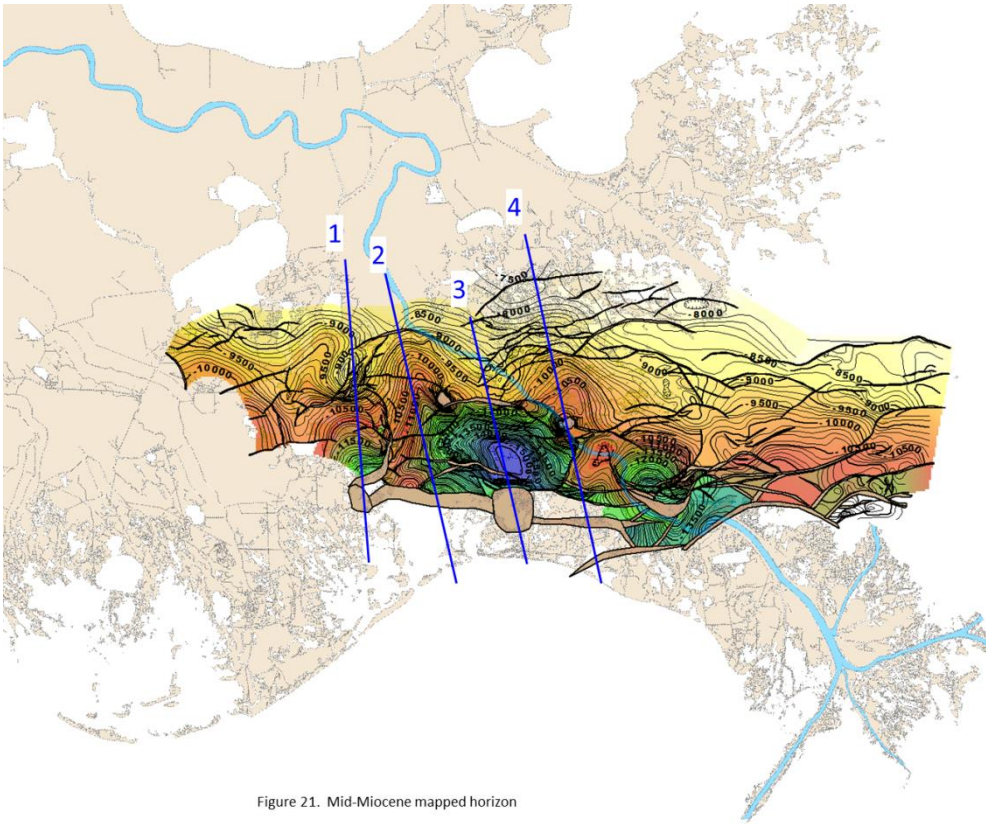
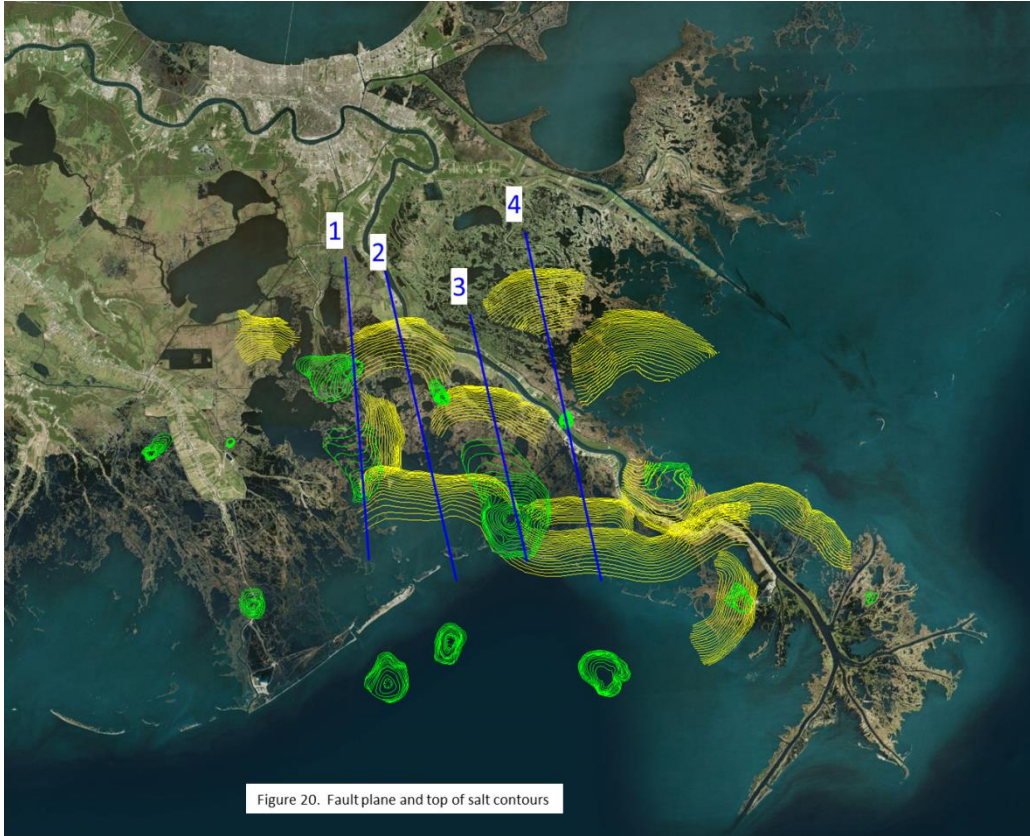
Figure 19. The Magnolia fault

The Magnolia fault (Fig. 19) appears to be linked to the Ironton fault through a connection with the Lake Hermitage salt dome. The Magnolia faults extends out of the eastern flank of the dome toward the Potash salt dome, but it not clear if it connects directly to the Potash dome from available data coverage. The plane of the Magnolia fault has been mapped with well logs and 3-D seismic data (Bullock et al, 2018) and the fault plane has been extrapolated to a surface trace which coincides with a fairly distinct lineation in the marsh. Bullock et al (2018) used a sediment core profile to illustrate the near surface offset of the fault and increased thickness of sedimentary layers on the hanging wall side of the fault. The upper layer of accumulated peat is thicker on the hanging wall of the fault, and higher average subsidence rates over about the last 1,000 years have also been interpreted by the incorporation of carbon dating of the organic sediments.

The surface trace of the Magnolia fault crosses the Lake Hermitage Marsh Creation Project. A reasonable peat thickness map can be constructed from the geotech cores from this project and cores taken by Bullock et al (2018). Peat thickness is greater on the hanging wall side of the fault, and it is likely that this reflects a cause and effect relationship with fault-induced subsidence. This configuration also provides valuable insights into the effect of sediment loading across the fault, as emplaced fill from marsh creation project extends across portions of the footwall and hanging wall sides of the fault. Simoneaux et al (2016) reported that “the magnitude of lateral displacement of these soft organic soils after fill material placement (aka ‘mudwaving’) was grossly underestimated.” It is not clear if lateral displacement of organic soils was greater on the hanging wall side of the fault, but that would be a reasonable assumption given the evidence of their thickness. This phenomenon should be further investigated, and some effort should be made to evaluate the potential for the lateral displacement of thick deposits of highly organic soils in the vicinity of the MBSD Project the as a result of mineral sediment deposited by the MBSD Project. This will be discussed in more detail in a subsequent section.

### **Subregional geological structure**

To meet the objective of providing insights into the historical relationships between sediment loading, fault slip events, and fault-induced subsidence that may be incorporated into predictive models for land elevation and land area gain in the MBSD project area, this evaluation will review the sub-regional geological structure in the vicinity of the project area. It will also examine the interactions between the structural system and four major Miocene delta systems. Fig. 20 shows an expanded scope of the linked tectonic system around the MBSD project area with a map of fault plane contours in yellow and salt dome contours in green. The contours are not labeled, but the contour interval is 1,000’ feet, and each of the faults extends to the surface with a 0’-depth contour. Figs. 21-23 show the extent of the mapped horizons at the Mid-Miocene, Pliocene and Pleistocene respectively. The Pleistocene map as derived from subsurface depth contours on the maps in the Coastal Plain section of the USACE Engineering Geology Mapping website. Faults that appear to reach the surface were integrated with the contours, and the contours were adjusted to reflect reasonable amounts of throw at the depth of the Pleistocene. Four sub-regional profiles are indicated on each map. These profiles are shown in block diagram form in Figs. 24-27.



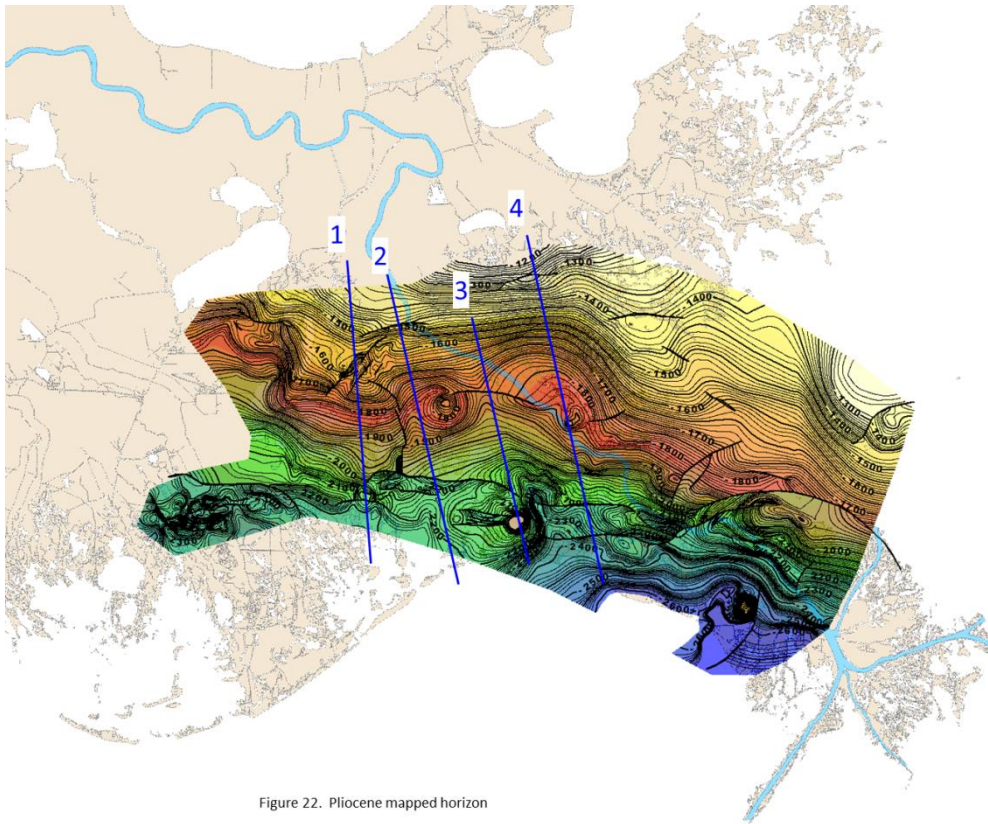


Figure 22. Pliocene mapped horizon

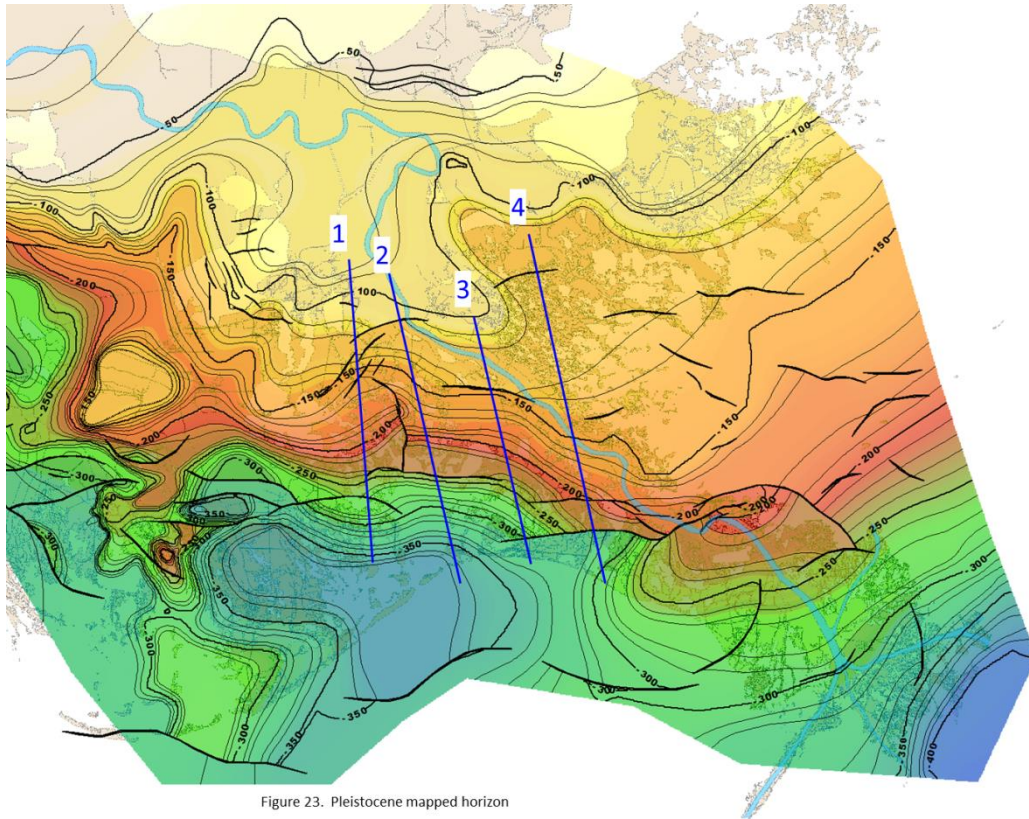


Figure 23. Pleistocene mapped horizon



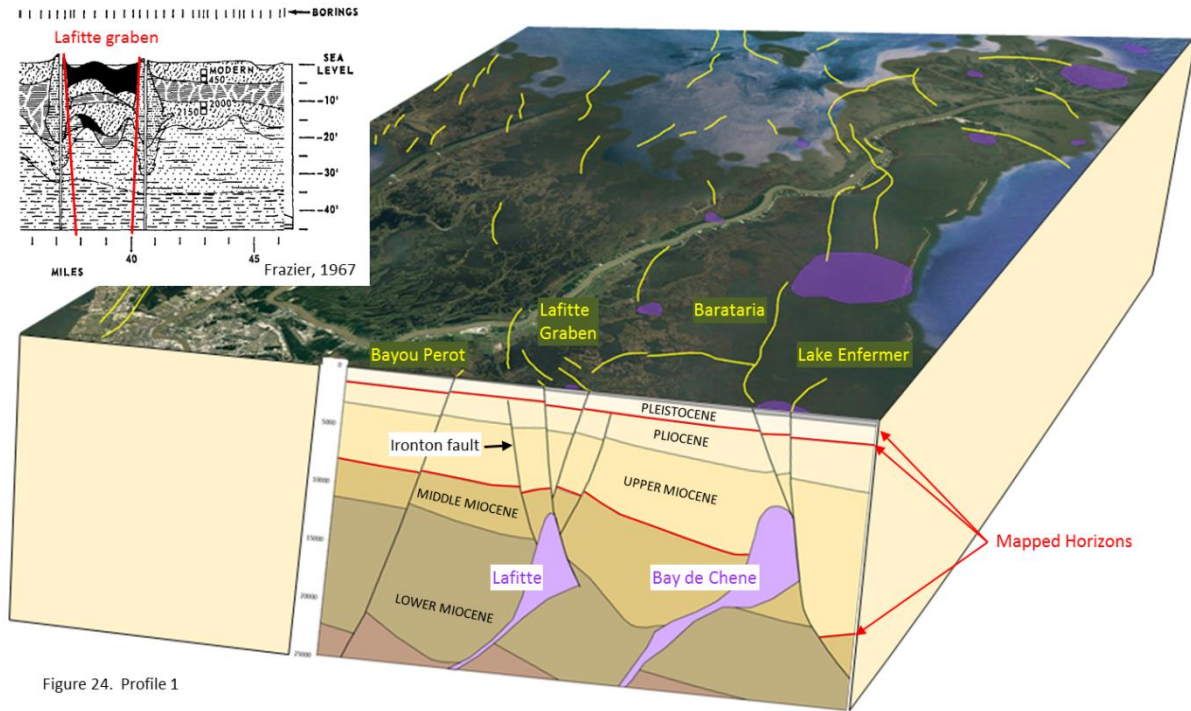


Figure 24. Profile 1

Profile 1 crosses the Lafitte and Bay de Chene salt domes at the western ends of the Ironton and Barataria faults. The profile is just west of the surface trace of the Ironton fault, and the fault can be seen on the profile extending up from an intersection with the Lafitte salt dome, but not reaching the Pliocene mapped horizon. The salt domes exhibit a pattern that reflects a history in which they were probably squeezed up from an original Jurassic layer of salt under the weight of late Cretaceous and Paleogene sediments. Their tilted alignment may also suggest some association with down to the north faults that are related to “toe structures” that are antithetic to the Baton Rouge fault system.

The Lafitte graben is expressed above the top of the salt dome. “Graben” is derived from the German word for grave, and it refers to the down-dropped area between sets of opposing faults. Movement on these faults is directly associated with halokenic movement on the salt dome. The fact that these faults appear to extend to the surface suggests some degree of geologically recent salt movement. Profile 1 very closely coincides with the boring profile constructed by Frazier (1967). The inset in the upper left corner of Fig. 24 shows the boring profile with the interior faults of the Lafitte graben superimposed. The black layer at the top of the graben indicates accumulated peat within the graben. This would further suggest recent fault movement and related subsidence at the Lafitte graben.

The profile also shows the dramatically expanded upper Miocene section on the hanging wall of the Barataria fault. This is reflected in the expansion index graph for the fault in Fig. 31.

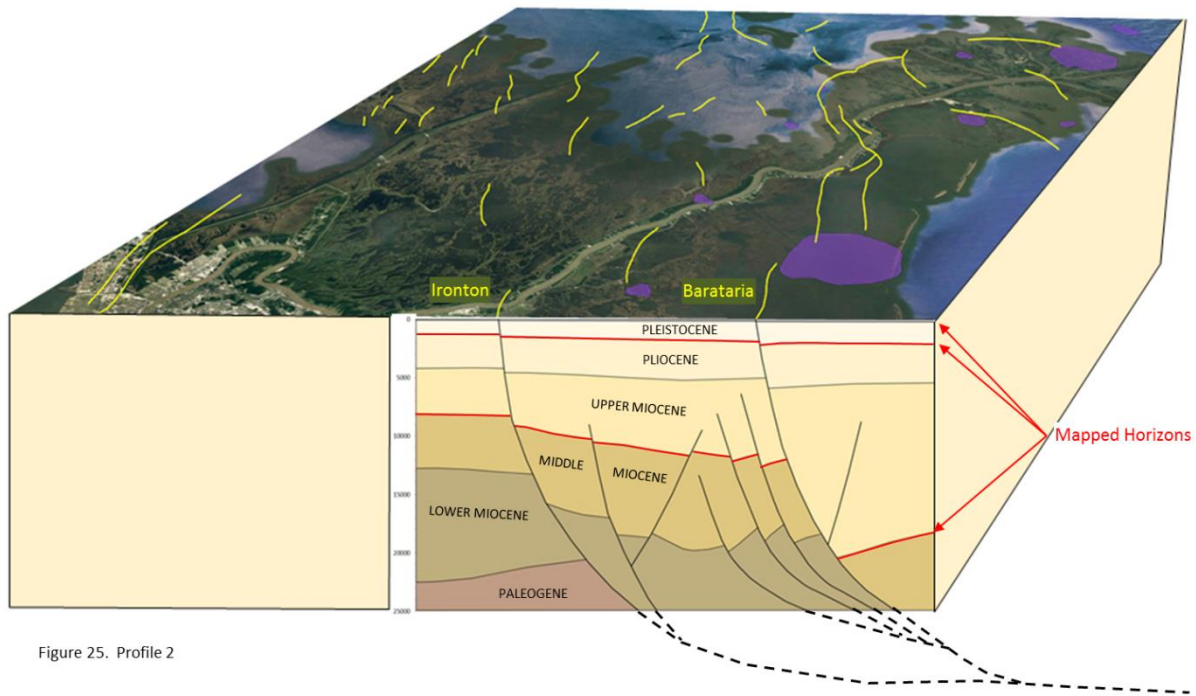


Figure 25. Profile 2

Profile 2 crosses near the center of the Ironton and Barataria Bay fault planes. It clearly shows the listric nature of the faults. With the ability to seismically image below the 20,000' depth of the profile, it would be possible to see the deeper extents of these fault planes. It is likely that the faults would continue to flatten and to eventually merge into a nearly horizontal glide plane or decolment surface, as suggested by the dashed lines. This probable deep connection between the faults is another aspect of the linked tectonic system that is not presented in the maps and profiles of this evaluation. Dokka et al (2006) referred to this configuration as the "southeast Louisiana allochthon", an extensional complex driven by gravity instabilities. They used GPS data to assign rates of vertical and lateral motion associated with movement on this tectonic system. (Also see Karegar et al (2015), Fig. 33)

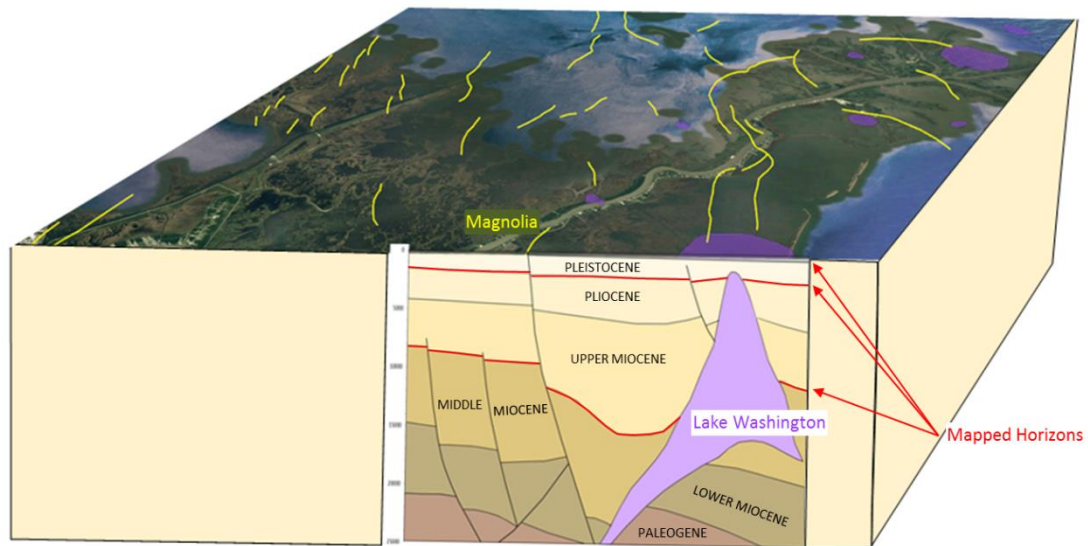


Figure 26. Profile 3

Profile 3 crosses the Magnolia fault and the Lake Washington salt dome. Lake Washington exhibits a pattern that suggests a strong component of lateral movement through the middle Miocene followed by a period of vertical diapiric movement. The top of the dome is at a depth of about 2,000' and it intersects the Pliocene mapped horizon. There appears to be a genetic relationship between the Lake Washington salt dome and the Magnolia fault. Expansion on the fault appears to be greatest in the middle Miocene. The thickness of the upper Miocene increases into the center of structural syncline that is probably related to salt withdrawal in the early stages of vertical diapiric movement on the dome. The extent of this syncline can be seen in map view on Fig. 21. It is probable that the downward movement of the syncline due to salt withdrawal would have contributed to movement on the Magnolia fault throughout the upper Miocene and Pliocene.

Throughout the Cenozoic Era the faults moved in response to sedimentary loading. Some of the smaller faults on the profile that were active in the upper and middle Miocene ceased their movement, and became covered with enough sedimentary overburden to prevent future movement. The major faults continued to move episodically throughout the span of geological time, which has allowed them to propagate to the surface. It is likely that, if properly imaged, these faults would exhibit evidence of movement in the recent geologic past and in the historical past over the last few centuries. It is more probable that these faults are still capable of active movement in the present, than they that they lost that capability sometime in the recent past.

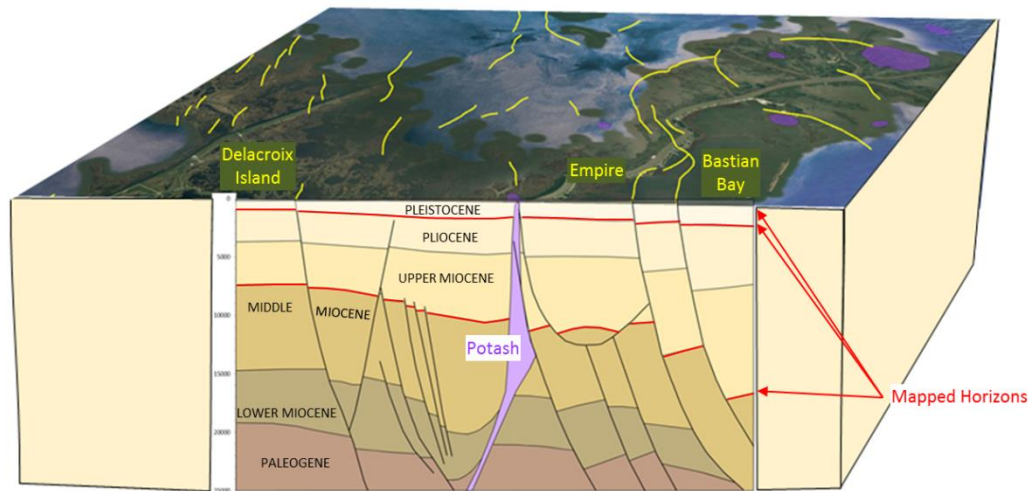


Figure 27. Profile 4

Profile 4 crosses the Delacroix Island fault, the Potash salt dome, the Empire fault and the Bastian Bay fault. Interval thickening across the fault is greatest in the middle Miocene at Delacroix Island and upper Miocene at Bastian Bay. The Bastian Bay fault also significantly expands the Pliocene interval. As will be discussed in the next section, the changes in expansion index for any of these faults can be related to their relationships with the active deltas that prograded across southeast Louisiana in the Miocene. There is a very clear relationship between sediment loading during active deltaic deposition and the magnitude of fault movement. Insights from these relationships could be used to formulate a predictive framework to assess the impacts of sediment loading at the MBSD Project.

### **Fault-Delta Interactions**

Curtis (1970) provided detailed delineations of the Miocene delta systems of southeast Louisiana and a generalized conception about their relationships with faults that were active on the continental margin at the time. The general pattern over the period of several million years was a progressive advancement of the continental shelf edge to the south. Delta systems tended to cluster into phases, and each phase had a relationship with a different set of faults. Fig. 28 from Curtis (1970) begins with the advancement of deltas of the Mid-Miocene transgressive phase. The block diagram on the right shows the engagement of the delta systems with a theoretical fault system in the center of the block. Mid-Miocene regressive phase deltas fully engaged with this fault system, and deltaic sediments are thicker on the hanging wall side of the fault. Fault activity is implicitly caused by sedimentary loading from the delta, and fault-induced subsidence creates accommodation space that allows for the accumulation of more sediment. Deltas in the Late Miocene regressive phase prograded beyond the area of influence of

the fault system, and engaged with another fault system further to the south and more capable of accepting the sedimentary load. Through this process each fault system has an expansion index that reflects its engagement with a delta system of a certain age.

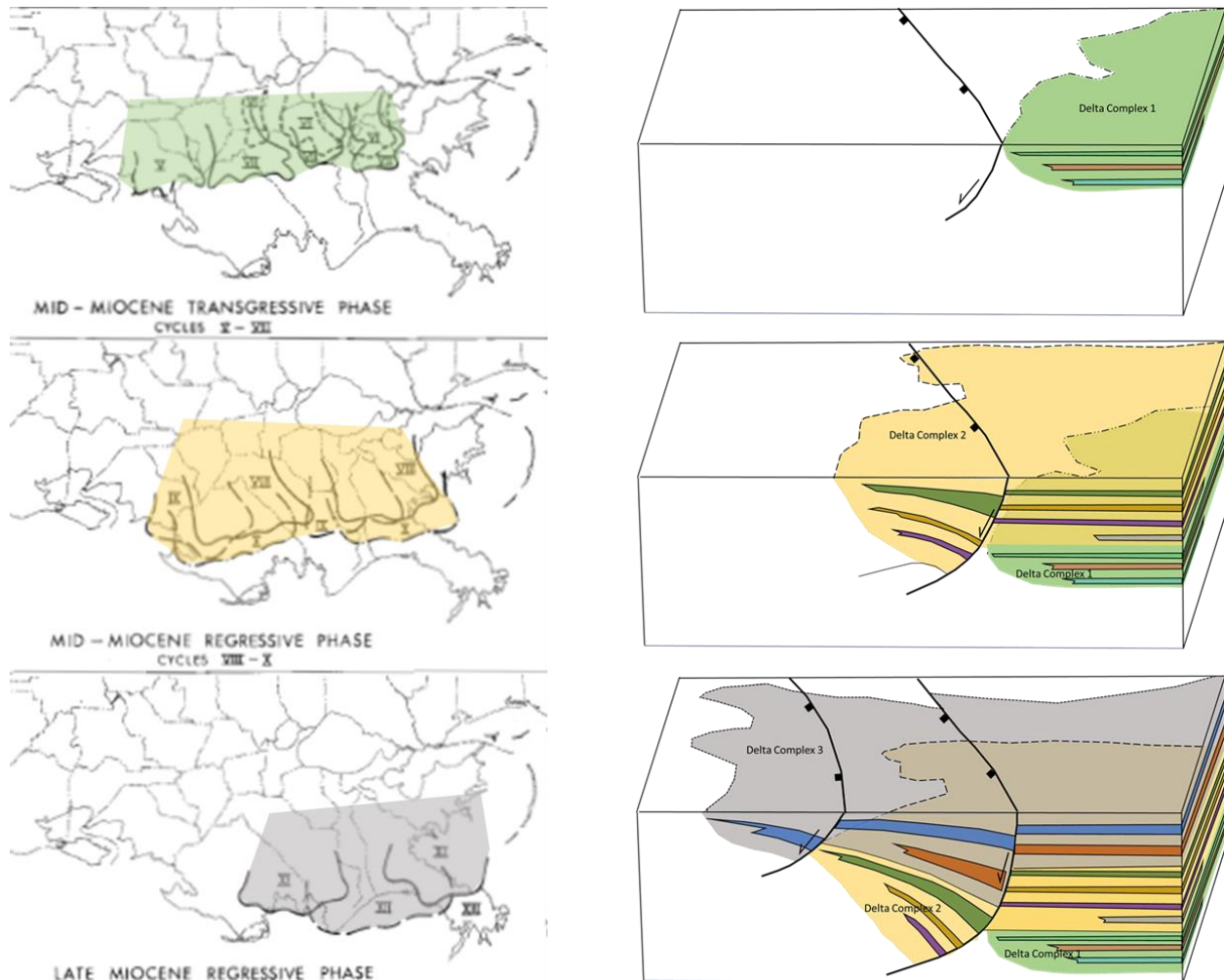


Figure 28. Miocene delta systems

Curtis (1970)

Six faults in the vicinity of the MBSD Project are evaluated here to consider the relationships between sedimentary loading associated with Miocene deltas and fault movement. Each of these faults labeled in Fig. 29 is a major fault that is considered to be a part of a linked tectonic system with other faults and salt domes. Each fault has been active since at least the middle Miocene, and all appear to extend to the surface and show some evidence of activity in the recent past. Fig. 29 represents a generalized map of fault traces and salt domes in the subsurface. It is not intended to represent any particular subsurface stratigraphic horizon, but it is a representation of an approximate location of the fault trace at a depth of about 10,000 feet. The map is a compilation of interpretations from numerous sources. It is primarily intended to provide more detail than fault maps currently available in the technical

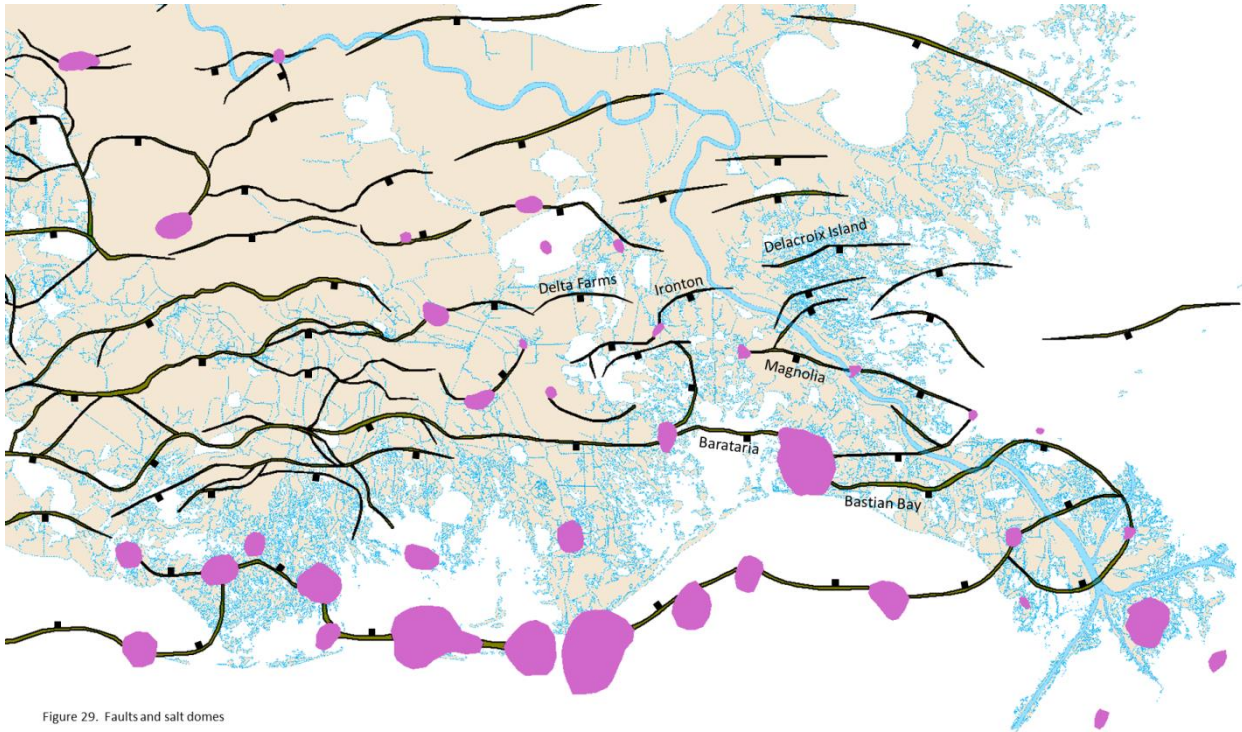


Figure 29. Faults and salt domes

literature, such as Wallace (1962). The exact location of faults in the subsurface should be determined from horizon structure maps, such as those in Figs. 21 and 22. This generalized representation is accurate enough to be used in comparison to the paleogeographic reconstructions in Figs. 30-32. Expansion index graphs for each fault were constructed in exactly the same manner as that for the Ironton fault in Fig. 4. On each graph in the succeeding figures age in million years before present is on the vertical axis and expansion index is on the horizontal axis.

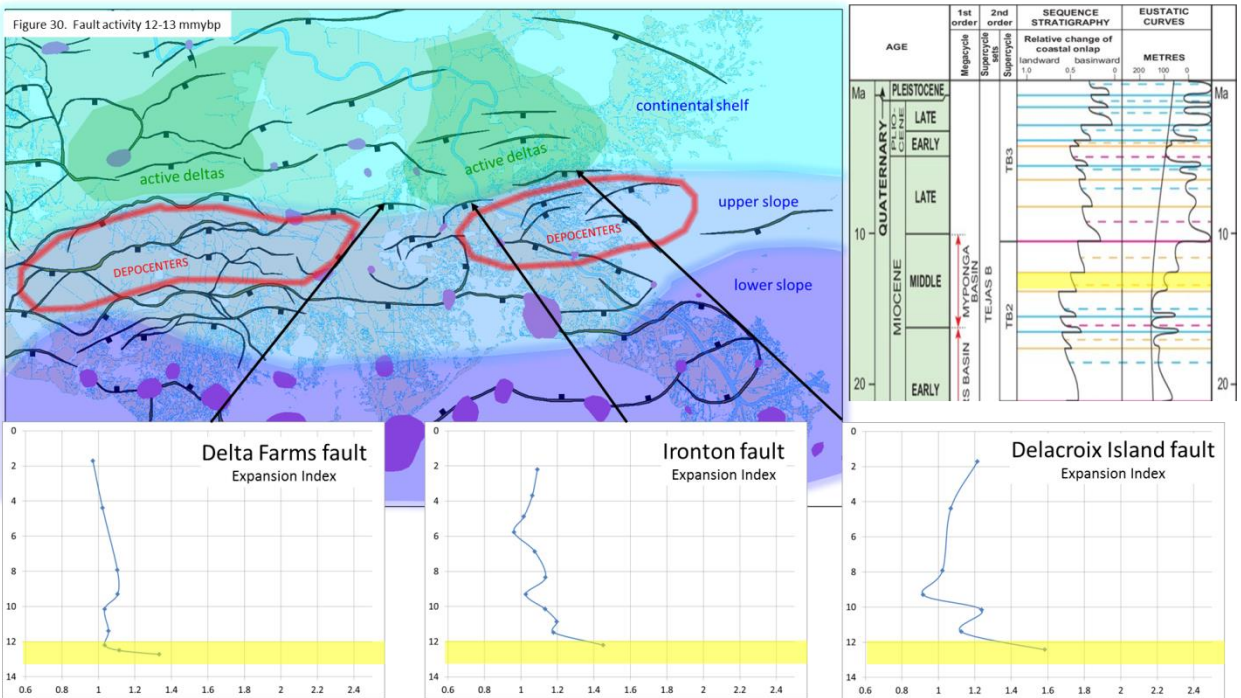


Figure 30. Fault activity 12-13 mmybp

The Delta Farms, Ironton and Delacroix Island faults align with the boundary between the continental shelf and the upper continental slope in middle Miocene between 12 and 13 million years before present. The time interval is highlighted in yellow on the stratigraphic chart in the upper right and on each of the expansion index graphs. These shelf edge faults are an integral part of the paleogeographic reconstruction. The outlines of the active delta systems are derived from Curtis (1970) by relating the transgressive-regressive sequences to global sea level cycles. Eustatic curves for global sea levels were not established at the time of the publication of Curtis (1970), but the patterns of the transgressive-regressive cycles used at the time can be correlated to the eustatic curves with reasonable accuracy. A regional interval isopach (thickness) map for the same stratigraphic interval reveals two discrete depositional centers in which deltaic deposits of that age are measurably thicker than in surrounding areas. A generalized cross section across any of these faults at the time of deposition would be similar to the center block diagram in Fig. 28.

The expansion index graph for each fault reveals maximum expansion on the fault during this time interval. The faults are most active at the time of depositional loading, and fault-induced subsidence provides the accommodation capacity that keeps the delta engaged with the tectonic system during the span of deposition. These relationships underscore the observation that faults are as much a part of a delta system as the channels and sand bars. Fault movement caused by depositional loading should be an expected response in an active delta environment.

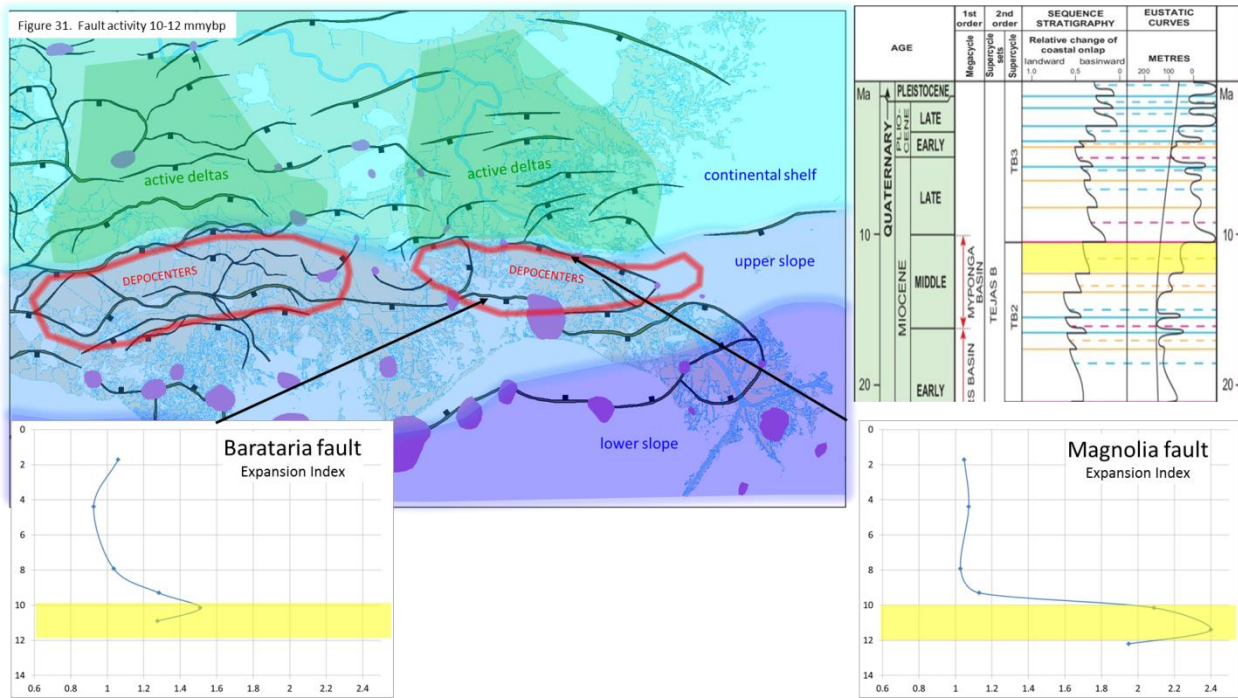
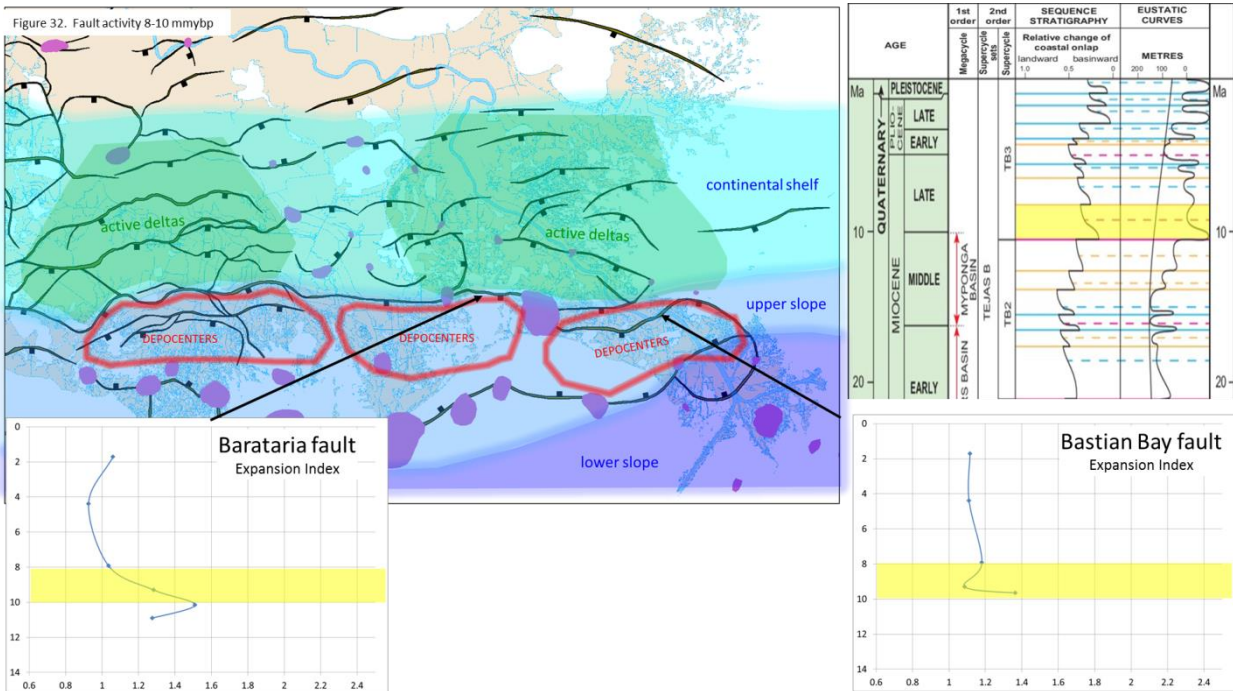


Fig. 31 shows the paleogeographic reconstruction for the end of the middle Miocene between 10 and 12 million years before present. The shelf edge and the active delta complexes have prograded to the south and the active depositional centers have shifted to another set of faults that include the Barataria and Magnolia faults. The expansion index graphs on these faults indicate maximum fault movement

during this time interval. The graphs in Fig. 30 exhibit expansion indices greater than 1 during this time period. This indicates that those faults also interacted with delta systems of this time, but with significantly lower magnitudes of fault activity.



The paleogeographic reconstruction for the upper (or late) Miocene in Fig. 32 shows the major depositional centers positioned along the northern boundary of the Terrebonne Trough. The Trough is defined by the alignment of down to the south faults along its northern boundary (including the Barataria and Bastian Bay and Montegut faults), and down to the north faults and salt domes along its southern boundary. The accommodation capacity of this structural system kept the major delta systems engaged throughout the remainder of the Miocene and into the Pliocene. The magnitude of accumulation of relatively thick and dense sedimentary layers within this basin created a regional density anomaly that is obvious on maps of the Earth's gravitational field. The density differential across the area has been a contributing factor to fault movement and subsidence since the end of the Miocene.

### **Framework assessments for fault slip and subsidence rate models**

The objectives of this evaluation are to provide a framework for predictive models for the magnitude and frequency of fault slip events and the relationships between fault slip, subsidence, elevation and land gain associated with the MBSD Project. This type of framework can now be considered in the context of the characteristics other faults presented here. The Ironton fault is a part of a linked tectonic system which allows for comparison with other faults in the system to help derive some preliminary values for the magnitude and frequency of fault slip, the rates of subsidence associated with the fault, and the probable response of loading sediment across the fault. The principal metric that allows for



comparison among the faults is the throw of the fault at the top of the Pleistocene horizon. This value is estimated to be 6 feet on the Ironton fault based on the interpretation of the Conveyance Structure CPT profile presented here in Fig. 9. The value of throw at this horizon on other faults in the area established here is 3 feet on the Vacherie fault (Fig. 11), about 20 feet on the Gentilly fault (Fig. 14), and about 40 feet on the Bastian Bay fault (Fig. 17). Fisk (1944) documented a recent slip event on the Vacherie fault with 8 inches of vertical displacement, and Gagliano provided evidence for a recent slip event on the Bastian Bay fault of 3.0 to 3.5 feet of vertical displacement.

The intention of the recommendations made in McLindon et al (2017) was to collect the data necessary to evaluate the potential for fault slip in the vicinity of the MBSD Project. In the absence of the data necessary to fully develop a probabilistic model for future fault slip events, the values provided in this evaluation can be used to make some framework estimates. The expansion index graph on the Ironton fault in Fig. 5 gives some insight into the historical distribution of fault slip events. If the full historical distribution could be known, it would be very likely to exhibit a log-normal pattern for the magnitude of the events. This would mean that the distribution would consist of very many small events and very few large events. This type of size distribution is commonly associated with magnitude of earthquakes, which are the result of fault slip events in tectonic regions. The 6 feet of vertical offset at the top of Pleistocene on the Ironton fault is the cumulative offset of all slip events that have occurred since the beginning of Holocene deposition in the area. Frazier (1967) dated the basal transgressive deposit on the top of the Pleistocene in St. Bernard Parish at about 7,000 years before present. The orange sandy layer on the CPT profile in Fig. 9 is likely to represent a similar basal transgressive unit, and it is reasonable to assume that it has a similar age. This would mean that 6 feet of vertical offset has occurred over the last 7,000 years. If fault slip events occurred an average of once every century over that time span, then there would have been 70 discrete events with an average magnitude of about 1 inch of offset. If the magnitude of the slip events were log-normally distributed, as should be expected, then the distribution would reflect many small events of perhaps a fraction of an inch of offset and a few large events with magnitudes of possibly 1 foot of offset or more. This type of distribution would be consistent with the implications of the relationships between slip events on the Vacherie fault and crevasses of the river at the site of the fault (Fisk, 1944). Given that 8 inches of vertical offset in 1943 was not adequate to crevasse the river, it is reasonable to assume that a larger magnitude event would have been required, which would support a high-end value of about 1 foot vertical displacement at Ironton.

These framework estimates indicate that if a probabilistic distribution for future slip events were developed, it would include a non-zero value for the probability of the occurrence of a slip event on the Ironton fault during the time span of the MBSD project, and a smaller, but still non-zero value for the occurrence of an event with a magnitude of 1 foot of vertical offset. The acquisition of high resolution seismic data and high resolution dating of sediment cores across the fault should contribute to a significant improvement in the development of probabilistic models, and the recommendations of McLindon et al (2017) are reiterated here.

Estimates for subsidence rate models for the vicinity of the MBSD Project can be derived from observations about the relationships between subsidence rates, the thickness of the Holocene interval,

and the organic content of the Holocene sediments in the areas examined here. The depth to the top of the Pleistocene (or the thickness of the Holocene) can be estimated at each of the faults examined here. The organic content of the soils has been estimated by the thickness of accumulated peat at the Gentilly fault, the Montegut fault and the Magnolia fault. A fairly detailed map of the thickness of accumulated peat and organic clays has been made with data from geotech cores taken for the MBSD Project and the Bayou Dupont Marsh Creation Project (Fig. 35). Byrnes et al (2019a & 2019b) found a “compelling relationship between subsidence and the age, composition and thickness of Holocene deltaic deposits” in the Breton and Barataria hydrologic basins, which includes the MBSD Project area. An estimate of total Holocene thickness could be derived from the top of Pleistocene map (Fig. 23), however the Holocene “topstratum” contains the more highly organic and compactable sediments of the Holocene and the topstratum isopach map (Kulp, 2000) is more informative in evaluating subsidence.

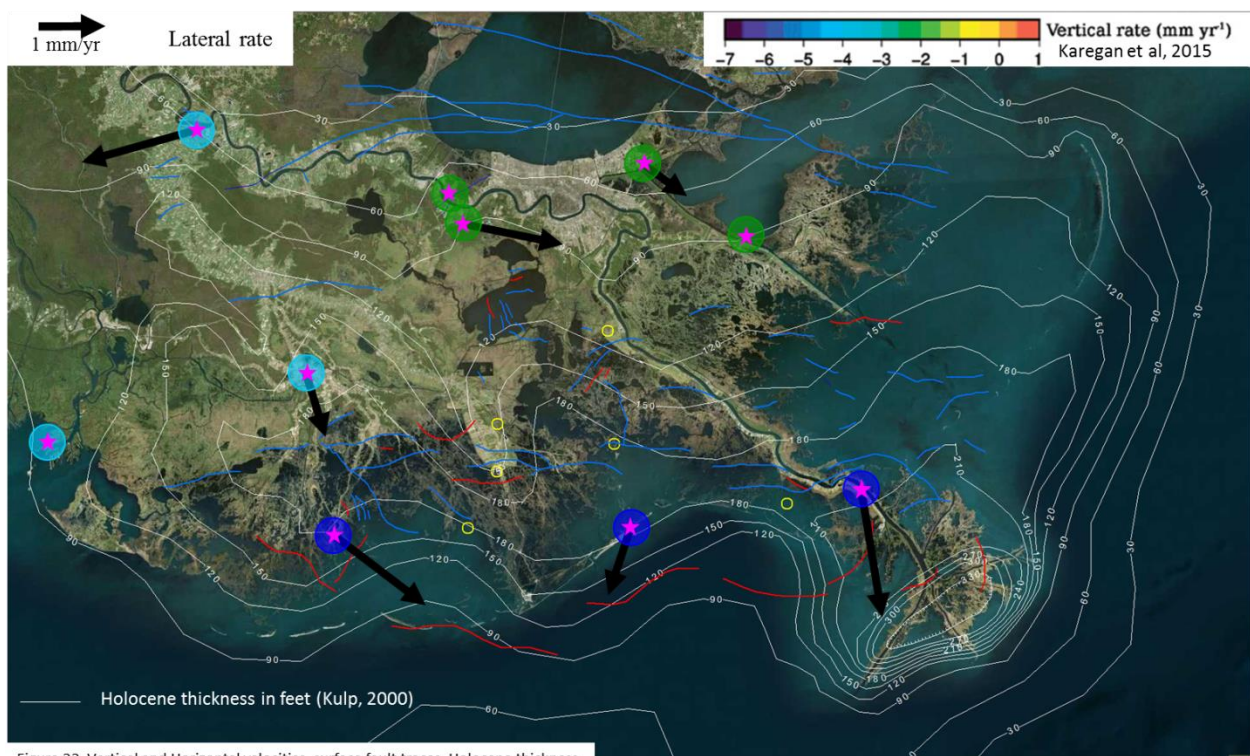


Figure 33. Vertical and Horizontal velocities, surface fault traces, Holocene thickness

Fig. 33 combines Holocene topstratum thickness contours from Kulp (2000) with measurements of horizontal and vertical (subsidence) velocities from Karegar et al (2015) and surface fault traces where blue are down to the south faults and red are down to the north faults. Land motion velocities are measured at stations in the Continuously Operating Reference System using GPS technology. The relationship between the values of vertical velocities measured at these stations and the thickness of the Holocene is obvious. The three stations with subsidence values near 7 mm/yr lie along the axis of the Terrebonne Trough which coincides with the axis of thick Holocene sediments. Karegar et al (2015) also found that the horizontal vectors of land motion “may reflect slow downslope movement on a series of listric normal faults due to gravitational sliding”. Some consideration should be given to the potential impacts of horizontal land motion due to movement on the Ironton fault on the MBSD Project.

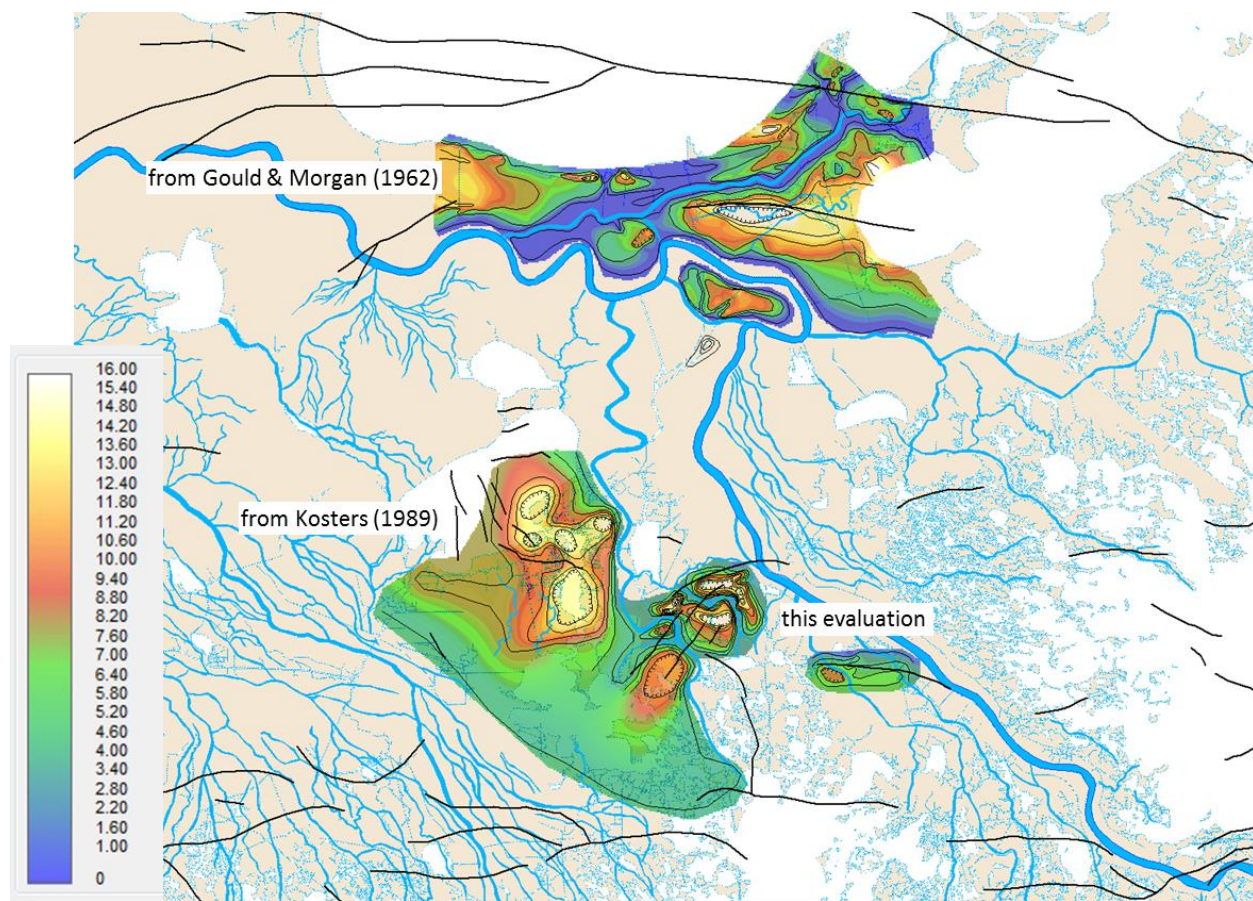


Figure 34. Peat thickness with surface fault traces and distributary channels

A patchwork compilation of interpretations by Gould & Morgan (1962), Kusters (1989) and in this evaluation using geotech cores from the MBSD Project, the Bayou Dupont Marsh Creation Project, and the Lake Hermitage Marsh Creation Project in Fig. 34 provides insight into the probable thickness distribution of highly organic soils across the rest of the area. There is a general tendency for thicker peats to accumulate off the natural levee flanks of distributary channels and on the hanging wall of faults that appear to extend to the surface. Keucher et al (2001) indicated that the consolidation of highly organic and clay rich-facies in recent delta deposits is a primary component of subsidence. Zou et al (2015) measured a subsidence rate anomaly from geodetic data that coincided with the thick peats between the natural levees of the Mississippi River and the Bayou Sauvage distributary channel and on the hanging wall of the Gentilly fault. Maximum values of subsidence in this area were over 15 mm/yr. Dixon et al (2006) documented similar values in the same area using InSAR technology. A closer examination of peat thickness in the vicinity of the MBSD Project in Fig. 35 shows thickness contours constructed from measurements of thickness of the upper layer of organic clay and peat in geotech cores. The pattern of the contours conforms to the general concept of thick peats accumulating off the natural levee flanks of distributary channels (taken from maps on the USACE Engineering Geology Mapping website) and on the hanging wall of a fault.

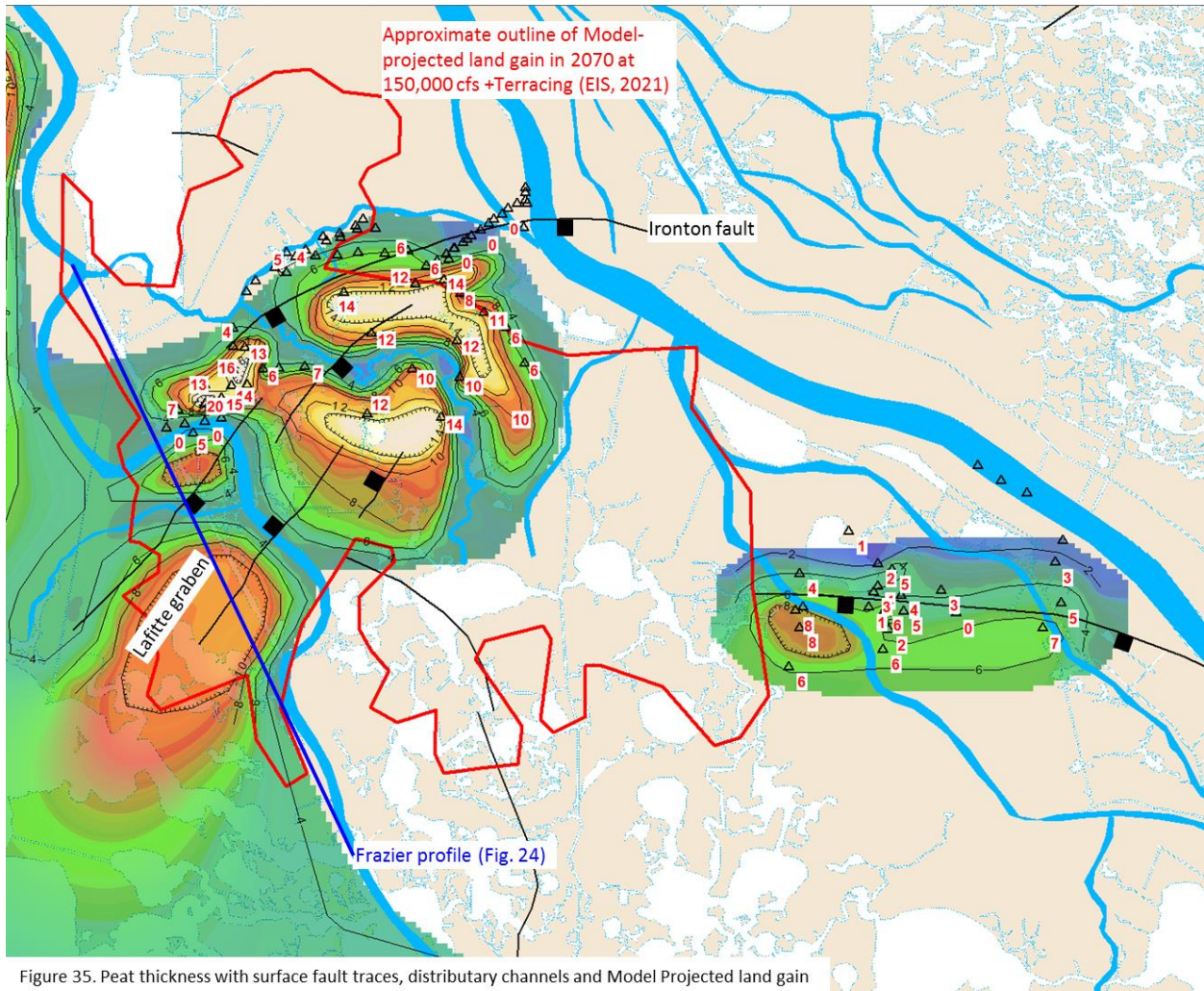
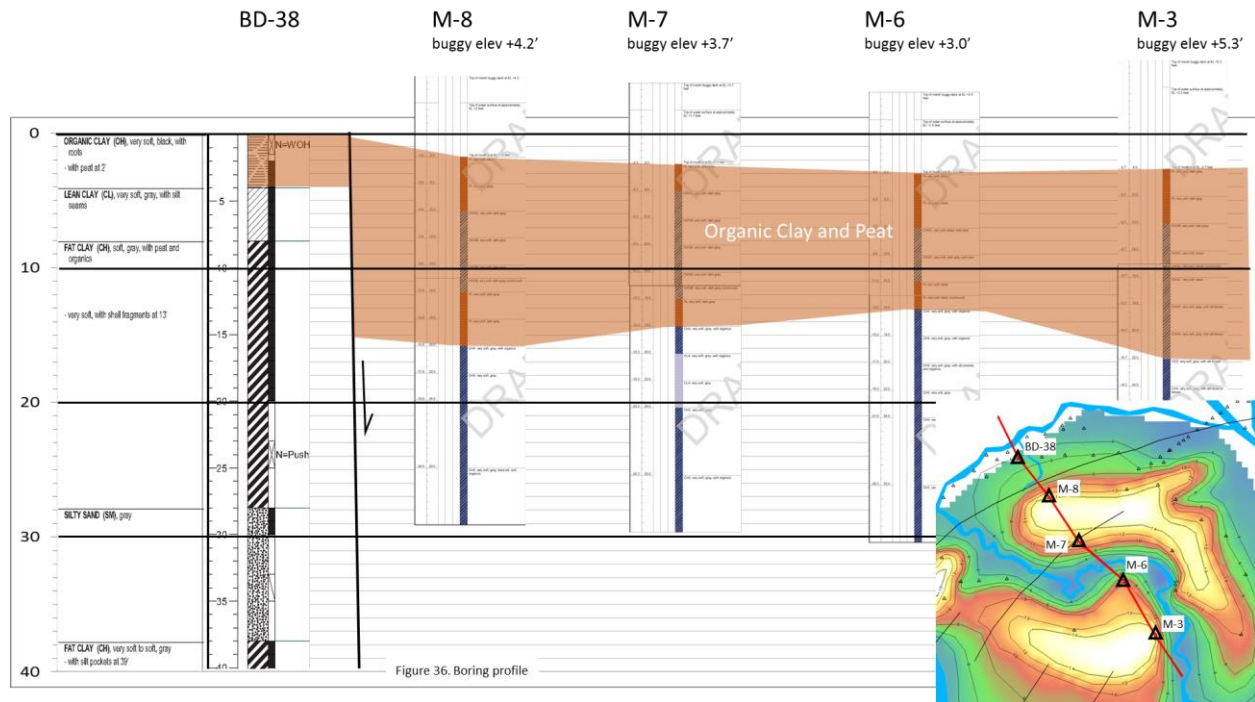


Figure 35. Peat thickness with surface fault traces, distributary channels and Model Projected land gain

Thick peats have accumulated between the distributary channels Cheniere Traverse Bayou to the north Bayou Dupont in the middle and Bayou des Families to the southwest and the hanging walls of the Ironton fault and in the Lafitte graben. There are no direct measurements of subsidence in these areas. Predictive modeling of elevation and land gain for the MBSD Project should allow for subsidence rate values as high as 15 mm/yr above the areas of thick accumulations of organic clay and peat based on the analogy with the Gentilly fault area. Some qualitative insights into the patterns of subsidence in this area can be gained from the patterns of wetlands loss shown in Fig. 36. Reconstructions of what the marsh surface looked like in 1956 and 2009 from ProPublica (2014) indicate areas of wetlands loss due to subsidence in relationship to the thick peat accumulations. The compelling correlation suggests that compaction of the upper layer of organic clays and peats is the primary mechanism of subsidence. It is probable that the episodic slip events on the faults has contributed to historical subsidence that allowed for the thicker accumulation of peat on the hanging wall of the fault, but the contribution of fault slip to the current subsidence rate is unknown. Predictive modeling for the MBSD Project should provide for an accelerated rate of compaction of the upper organic soils in response to the deposition of mineral sediment caused by the MBSD Project, which is currently in the models described in the Draft EIS

(indicated by the red outline on Fig. 35). The models should also allow for lateral displacement of the the



soft organic soils (mudwaving) in response to sediment accumulation based on analogous configurations of a fault and thick peats at the Lake Hermitage Marsh Creation Project (Fig. 19).

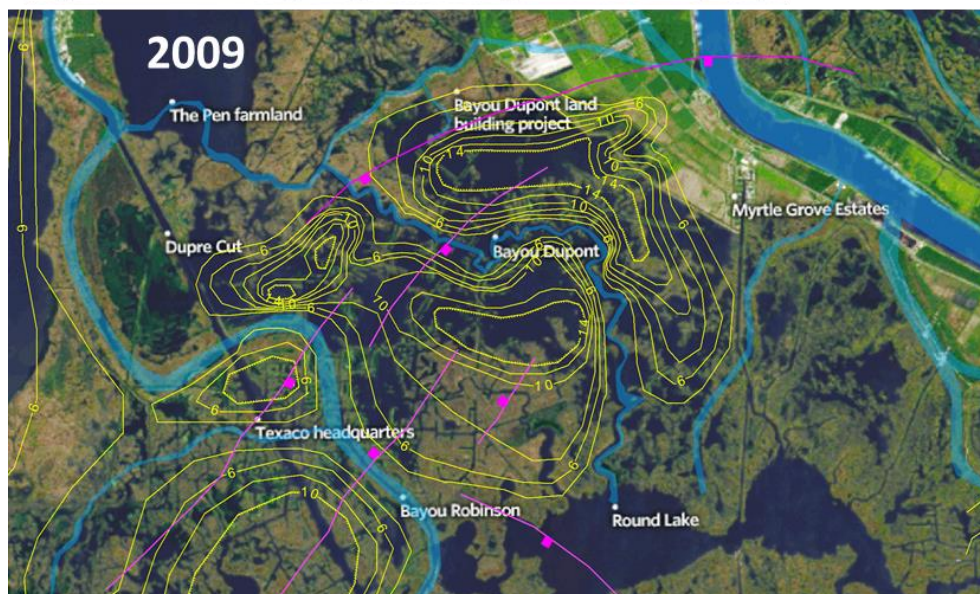
The profile in Fig. 36 is constructed from geotech cores from the MBSD Project and the Bayou Dupont Marsh Creation Project it shows the thickening of the organic clay and peat across the Ironton fault. The thick accumulation of highly organic soils on the hanging wall is very similar to the pattern at the Gentilly fault.

Morton et al (2009) concluded that the extraction of oil and gas from the Lafitte Field has been the primary cause of subsidence over the last few decades in the vicinity of the MBSD Project. They provided no discussion of a causal process by which fluid extraction at the field would have induced subsidence, nor did they provide any evidence that the conditions necessary for such a process existed at the field. Although never stated in Morton et al (2009), the implicit mechanism for extraction-induced subsidence at the field was compaction of the produced reservoirs caused by the change in volume due to the extraction of fluids. Chan and Zobak (2007) documented that the magnitude of subsidence at the surface due to the extraction of fluids in the subsurface is a function of pressure change in the reservoir at depth. The reservoirs that they studied in Lapeyrouse Field in Terrebonne Parish had all experienced significant reductions in reservoir pressure due to the extraction of natural gas. Their calculations of reservoir compaction were based on the reduction in reservoir pressure. Their models showed that if reservoir compaction did occur, the expression of subsidence at the surface would be in the form of a bowl-shaped depression immediately above the reservoir. The reservoirs at Lafitte Field are almost entirely oil reservoirs that are portions of very large saline aquifers. The oil is

more buoyant than the saline pore fluid, and so oil accumulations tend to be in reservoirs around anticlinal structures, such as the Lafitte salt dome. The size of any individual reservoir is very small relative to the size of the entire aquifer. As oil is extracted from these reservoirs, the natural expansion of the aquifer is allowed by a slight compressibility of the pore fluids due to dissolved gases. The saline fluids naturally flow into the pore spaces from which oil has been extracted in a process called “water drive”. There is no significant change in pore pressure, nor is there any meaningful change in the volume of the aquifer. The submerged marshes in this area are well-removed from the produced reservoirs at Lafitte field. It is considered to be highly improbable that oil and gas extraction at Lafitte Field contributed to subsidence in the vicinity of the MBSD project. There is compelling evidence that subsidence in this vicinity is due primarily to the compaction of the upper layer of organic clays and peats.



Figure 37. Peat thickness, faults, marsh coverage from ProPublica (2015)



**Reiteration of Recommendations** McLindon et al (2017) recommended:

1. A review the subsurface geology using oil and gas industry 3-D seismic data. This may be accomplished through a collaborative engagement with owners, licensees and interpreters of the 3-D seismic surveys in the area. Such a collaborative engagement may be facilitated with the assistance of the New Orleans Geological Society, the Louisiana Mid-Continent Oil and Gas Association, or the Louisiana Oil and Gas Association.
2. The acquisition of high resolution seismic data in the immediate vicinity of the diversion structure. This should necessarily include land-based acquisition along both banks of the river and marine acquisition in the river channel, as indicated in Figure 6.
3. The acquisition of sediment core profiles across potential faults. The arrangement of these core profiles should be of adequate density to allow for the interpretation of faults by the vertical offset and variations in thickness of the sedimentary layers. The evaluation of core profiles should include detailed stratigraphic analysis and age-dating of the sedimentary layers to allow for estimates of historical subsidence rates and rates of fault movement.
4. The addition of subsidence measurement capabilities similar to those of the Myrtle Grove Superstation at several additional locations in the vicinity of the diversion. These stations should be positioned with advance knowledge of the location of faults in the area to allow for the direct measurement of variations in subsidence velocities across the faults.
5. The integration of detailed variations in subsidence rate and estimates of fault slip rate into predictive subsurface geological models including models for the response to sediment loading associated with diversion operations.

These recommendations are reiterated here and should be enhanced to insure that the acquisition of high resolution seismic data is based on survey design that provides for quality imaging to at least 200 feet and vertical resolution of at most a few feet. Sediment cores should be subjected optically stimulated luminescence and carbon dating techniques.

It is further recommended here that the Draft EIS should consider:

1. The potential impacts of an episode of fault slip on the MBSD Project infrastructure based on a predictive model for the magnitude and frequency of future episodes
2. The potential for accelerated rates of subsidence due to sedimentary loading associated with the MBSD Project,
3. The potential for an induced fault slip event due to sedimentary loading associated with the MBSD Project.

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**Concern ID: 61774**

The commenter referred to the recommendations made in McLindon et al. (2017), which stated that data collection is necessary to evaluate the potential for fault slip in the vicinity of the proposed MBSD Project. The commenter stated that in the absence of collecting data necessary to fully develop a probabilistic model for future fault slip events, the values provided in McLindon et al. (2017) can be used to make some framework estimates.

**Response ID: 16175**

The commenters' concerns regarding the potential for fault slip of the Ironton fault in the vicinity of the proposed Project were considered in the Draft EIS. Further, the commenters' suggestions for acquisition and analysis of additional seismic, sediment core profile, and subsidence data in service of the development of predictive subsurface geological models as discussed in McLindon et al. (2017) is acknowledged. To address these concerns, additional language has been added to the Final EIS to make clear the potential, but unquantified, probability for slip events along the Ironton fault during operations of the proposed Project based upon the framework estimates in the McLindon et al. (2017) provided by the commenters. This additional discussion and a citation for McLindon et al. (2017) has been added to the Geology and Soils section of Chapter 4, Section 4.2.3.2.2.4 Faulting of the Final EIS.

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**Correspondence ID:22727**

Jeffrey Lavina

My name is Jeffrey Lavina. I'm a 20-something year resident of south Louisiana. I'm just a little confused at the thought process behind destroying all the livelihood and beautiful culture of Louisiana, especially south Louisiana. I also don't understand how they could possibly think that a diversion is going to form islands when they take 500 years to develop and that was when, in my understanding, there was a lot more sediment coming down the Mississippi. So, it seems to me, you're going to destroy a lot of wildlife habitat, lot of people's livelihoods, a lot of our way of life to build these diversions, when dredging is so much less costly and so much more effective. My phone number is [REDACTED]. Please, somebody call me and explain this to me. I just don't see the logic. Unfortunately, I don't have a lot of confidence in the Corps of Engineers, I'd like to, but..... (cut off)

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated

from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels

due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:22730**

Hamilton Bell

The Louisiana Coastal Regions are vital to our state and our nation. Restoring the natural flow of water and the renewing effects of its sediments are the Best and possibly only way to begin to restore our coastline. As a native son of Louisiana, the fate of our coastal areas is Very important to me even though I live In Arkansas now.

Please find a way.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:22742**

Brian LeBlanc

I've worked in the Barataria Basin , it's sad to see what is happening with the land lost. This project need to be done for the future of this region..

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**Concern ID: 63336**

**This proposed Project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.**

**Response ID: 16292**

The commenter's support for the proposed Project is noted. The proposed Project, by reestablishing deltaic processes, is intended to build coastal resiliency and protection for the coastal communities behind Barataria Basin. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

See Sections 3.2.1.6 (Benefits Multiple Resources) and 3.2.1.7 (Public Health and Safety) of the LA TIG's Restoration Plan for a detailed discussion of the proposed Project's potential benefits and public health and safety impacts, respectively.

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**Correspondence ID:22831**

Ace of Trade, LLC

Harry Cheramie

I have been an active part of the commercial fishing industry for 50 years on the coast of the Gulf of Mexico in Louisiana, shrimping from east of the Mississippi River and west to Cameron, Louisiana.

We currently have the largest dead zone between the Atchafalaya River and the Mississippi and this proposal will create more dead zone from Barataria Bay going out to the Gulf of Mexico. We already have at least one diversion that comes out from the River and goes into Barataria. What needs to be done is dredging in different parts of Barataria Bay, Barataria Lake, Caminada Bay to build islands to save the Coast. For example, on the channel from the east-west canal to Grand Isle, dredge that and all that fill, use to build islands with. As they dredge, build islands. Dredge a big channel going to Grand Isle and put the fill in different areas on the Lake. And the Lafitte Channel needs to be dredged and put the fill to create islands and protect them all with rock.

An important example of attempted fixes done by the Corps of Engineers is when they dug to put rocks behind Grand Isle, why didn't they just leave the fill as a levee to help erosion? Instead, they put it all back in the water. If they had left it, it would have left us a channel for shrimp boats and others to travel behind the Island from Caminada Pass to Bayou Rigeaux (sp?). But now the whole area has been torn up, skimmer boats can't work, and we can't pass with our shrimp boats. Efforts like these are counterproductive to the end goal of saving the coast and the commercial fishermen of Louisiana simultaneously. One should compliment the other.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic "dead zone" in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal

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stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-hf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model’s dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.2 Applicant’s Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant’s Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA’s management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 63137**

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**A commenter noted that the coast and shrimpers should be saved simultaneously and suggested that when USACE placed rocks behind Grand Isle, it should have left a channel behind Grand Isle for use by the fishers and placed the fill from that channel on Grand Isle as a levee.**

**Response ID: 16521**

The commenter's suggestion to save the coast and fishers at the same time is noted. The Grand Isle work is not related to this Project.

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**Correspondence ID:22849**

Horace Page, Jr.

My name is Horace Page, Jr. The proposal for this is, I don't think, good for the Parish because of the fishermen. I was a fisherman until I retired. I know there's another way, a better way, you could do this. I know we need it, but there's always a better way, so I'm against this one at this time. I'm against it period. So when y'all come up with another idea, I'll agree with it. My address is [REDACTED]. Thank you.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:22850**

Lydia Bransten

Dear U.S. Army Corps of Engineers, New Orleans District,

We should be good stewards of our environment, it supports life on earth!

Lydia bransten

Sincerely,

Lydia Bransten

Oakland, CA 94601

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**Concern ID: 62348**

**Commenters note that humans should be good stewards of our environment as it supports life on earth, and note some of the benefits of ecosystem restoration.**

**Response ID: 15792**

Comment noted. The Draft EIS considered the various effects of the Project on the natural and human environment.

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**Correspondence ID:22856**

Land Trust for Louisiana

Cynthia Brown

I'd like to voice the Land Trust for Louisiana's support for this important project. As we all know, scale matters and the scale of this project will take us a long way toward restoring and sustaining this part of our coast.

One message we tell our supporters all the time is that we are in fact perhaps the luckiest coastal community in the country. We have this incredible tool - the river - that, if built and operated effectively, can help this part of the state actually keep up with sea level rise. We believe the best minds have been working on this project and have long been a supporter of the Mid-Barataria Sediment Diversion.

We're eager to see the river do its job!

Thank you,

Cindy Brown, Executive Director

Land Trust for Louisiana

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**Concern ID: 63339**

**The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.**

**Response ID: 16297**

The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.

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**Correspondence ID:22869**

Jeff

The mid end Barataria the version seems like a good idea, and I do not want the best to become the enemy of the good. However, was an alternative looked at? Specifically, a sediment diversion near Edgard would end the need to open the Bonnet Carre Spillway which dumps the sediment into Lake Ponchartrain. My idea is to build a couple of bridges, one on LA 3127 and the other on US 90 from Boutte to Raceland. US90 is already scheduled to be upgraded to I-49, so both upgrades can be done with one construction project. The river water would then flow from the diversion at Edward, under the new LA 3127 bridge to Lake Des Allemands, then under the new US90/I49 bridge to Lake Salvador and Barataria Bay.

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**Concern ID: 63999****Commenters asked to consider the alternative of building a sediment diversion near Edgard to end the need to open the Bonnet Carré Spillway.****Response ID: 15937**

Chapter 2, Section 2.4.1 Evaluation of Location Alternatives under Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow in the Draft EIS, detailed the evaluation of alternatives based on geographic location and the reasoning for selecting the proposed location for the MBSD Project. Consideration for the location of the proposed MBSD Project took into account the availability of sediment from the Mississippi River, the potential for accretion of sediment in the basin, and the creation, maintenance, and sustainability of existing and future wetlands and marshes. While Edgard is located within the defined proposed Project area which is the Barataria Basin and the Mississippi River birdfoot delta, it is located within the Upper Barataria Basin. During the EIS alternatives analysis process it was determined that alternatives in the Upper Barataria Basin would not meet the purpose and need. Siting the diversion in the Upper Barataria Basin would promote the long-term sustainability of existing marshes since the marshes are still relatively intact and more protected from the combined influence of erosion, relative sea-level rise, and saltwater intrusion relative to the lower reaches of the basin. However, it would not effectively promote the sustainability of newly created marsh or restoration of degraded marsh in the middle or lower basin, which is where the need to restore new and preserve existing marsh is greater than in the upper basin due to sea-level rise and coastal erosion (see Chapter 2, Section 2.4.1.3 Application of Additional Considerations to Potential Alternative Locations in Upper, Middle, or Lower Barataria Basin).

The LA TIG identified the Barataria Basin in their restoration planning as the location for the proposed Project because it suffered the most severe and persistent oiling from the DWH oil spill. In addition, CPRA's Louisiana Coastal Master Plan does consider other diversions for the Pontchartrain Basin including the Maurepas Diversion (River Reintroduction into Maurepas Swamp).

Additionally, the purpose of the proposed MBSD Project is not flood risk reduction. USACE operates the Bonnet Carré Spillway for emergency flood control and the spillway's design capacity is 250,000 cfs, much greater than the proposed MBSD. Building a sediment diversion near Edgard would likely not negate the need for operation of the Bonnet Carré Spillway, although that question has not been analyzed as part of this Project.



**Correspondence ID:22885**

Emmaline Brown

This project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.

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**Concern ID: 63336**

**This proposed Project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.**

**Response ID: 16292**

The commenter's support for the proposed Project is noted. The proposed Project, by reestablishing deltaic processes, is intended to build coastal resiliency and protection for the coastal communities behind Barataria Basin. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

See Sections 3.2.1.6 (Benefits Multiple Resources) and 3.2.1.7 (Public Health and Safety) of the LA TIG's Restoration Plan for a detailed discussion of the proposed Project's potential benefits and public health and safety impacts, respectively.

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**Correspondence ID:22900**

Nelson Gonzales

Dear U.S. Army Corps of Engineers, New Orleans District,

I hope we clean it all up for our sake and the environment.

Sincerely,

Nelson Gonzales

Rosemead, CA 91770

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**Concern ID: 62333**

**Please support the restoration of vital wildlife habitat along the Gulf Coast.**

**Response ID: 15842**

The commenter's desire for habitat restoration is acknowledged.

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**Correspondence ID:22917**

Chandara Kim

This draft restoration plan can hurt a lot of our communities fisherman. There is a pro and con to everything, however if this is affecting their way of bringing income for their families then some kind of grant or fund should be considered.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public

Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:22985**

Cary Trapani

I live on the beautiful Mississippi Gulf Coast. Our home is actually on a bayou off of the Bay of St. Louis. Mallini Bayou is a vacation weekend and residential community. In 2019 when the BonneCarrie spillway was opened the freshwater closed our beaches killed her dolphins, Oysters shrimp crabs. It did produce swarms of flies and algae and disgusting odors in our beautiful community. It took months and months and months for the water to filter out after the spillway was closed. The flies that swarmed our homes cars boats permanently stained anything they lite/sat on.

Dredge the passes at the end of the Mississippi River.

The proof of this proposal's harm is so fresh in my mind that it is compelling me to write this letter.

Mississippi is booming and our beauty is in our estuaries and barrier islands. Don't take that away!!!!

Dredge the Passes!!!!

Cary Trapani

[REDACTED]

[REDACTED]

[REDACTED]

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**Concern ID: 61973**

**Consider dredging the passes (south pass and south east pass) to relieve pressure on rising rivers and let the natural process of building the river there, along with rock jetties along the Louisiana coastline, support growth and protect from oncoming storms. Then use dredging to build up specific areas inland.**

**Response ID: 15974**

This alternative as presented, specifically dredging the passes and building rock jetties to create marsh, would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives in the EIS. Similar to marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long-term would require repeated lifts and maintenance through placement of additional dredged material. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 62709**

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**The 2019 opening of the Bonnet Carré Spillway caused significant impacts to aquatic fauna from the release of river water, and resulted in a declared fisheries disaster of at least \$58 million.**

**Response ID: 16087**

A summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment, including area fisheries. This summary is available in Appendix U of the Final EIS. However, it is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. The anticipated impacts of the proposed Project on aquatic fauna from the release of river water is discussed in detail in Chapter 4, Section 4.10 Aquatic Resources.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on “Effects of Low Salinity Exposure on Bottlenose Dolphins,” 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>

Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. *Scientific Reports* 10:21979.

McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). *Journal of Zoological and Botanical Gardens* 1:61-75.

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the

analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures

are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63125**

**The commenter's home is on a bayou off of the Bay of St. Louis on the beautiful Mississippi Gulf Coast. According to the commenter, in 2019 when the Bonnet Carré Spillway was opened, it caused swarms of flies, algae, and disgusting odors in the beautiful community that took months to return to normal. The flies that swarmed homes, cars, and boats permanently stained anything they sat on.**

**Response ID: 16283**

The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta, as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS; therefore, negligible to no impacts on the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project. It is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. However, a summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS and discusses conditions that might have led to stagnant waters and/or odors after the Bonnet Carré Spillway openings.

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**Correspondence ID:23005**

Commenter

I don't live in Plaquemines Parish, but my Wife's family does, scattered from Belle Chasse to Port Sulphur. So we spend a lot of time in the area, love it and have a keen interest in seeing that unique part of America preserved. We are therefore, concerned about and have grave doubts about, the proposed Mid-Barataria Sediment Diversion Project. First and foremost, I note that this is a 50 year proposal based on the projections of a group of climate and costal change "experts" who state:

"Louisiana's land loss crisis is dire and will significantly worsen without investments in large-scale coastal restoration and protection projects. Since the 1930s, Louisiana has lost 2,000 square miles of coastal wetlands. Without action, the state could lose double that amount - an additional 4,000 square miles of land - in the next 50 years."

That statement alone gives me great concern, especially "in the next 50 years". A little personal history. When I was a child I would often visit my Grandparents farm in West Carroll Parish. Once as I was exploring the area near the Boeuf River I came upon a huge machine, we called it a "Drag Line", with large feet on each side. The machine would put its feet forward and drag itself along through the swamps digging as it went. When I got back to my Grandparent's farm I breathlessly told my "Grandma" about the machine. "Boy", she said, "stay away from there. They are messing with nature. It's going to turn out bad and you could get hurt." Grandma was smarter than I thought. That was over 50 years ago. At that time the Boeuf River in North Louisiana was a scenic, wilderness river. Winding its way along, the clear waters of the Boeuf provided recreational and commercial fishing and pristine areas for boating and swimming and just walking along the river. But the "Government" thought that the winding river should be straightened and dug out to make it a navigational waterway for future commercial traffic. They thought that could help. They were wrong. Go and ask anyone living near the muddy trench, that was once the beautiful Boeuf River, just what they think of that "project". Ask them how much commerce they've seen on the river. But it's too late for the old Boeuf. After all, who can accurately predict what will happen in 50 years?

Now back to Barataria and the Diversion project. The "Government" says we could lose more land in the next 50 years without action. Notice they said "could". We, they, really don't know what could happen to the area if we take action or if we don't. It could help or it might not. But we do really know some bad things that will happen if the Diversion project is put into action. No matter the outcome, it will:

1. Cost unknown billions over 50 years or more, with or without the desired results.
2. Make the land from Myrtle Grove south (roughly) less habitable. Many of the present communities and home sites might not be livable due to the project raising the water levels.
3. Drastically reduce the shrimp, oyster, bottle nose dolphin and other aquatic life population and significantly impact or destroy the area's commercial fishing industry by changing the salinity of the water.

I could go on and on, point by point, but in fact the arguments for all the points are much the same. Our Government wants to "bet" billions of dollars that they could or might be right about the continued land loss and how to "fix" it. Right or wrong, fix it or not, no one will know for sure for 50 years, while the residents, sea life and anyone who enjoys sea food or works in

the seafood industry may be damaged immediately. I believe that the Mid-Barataria Diversion Project is a very questionable gamble with money that could be much better spent repairing the oil spill damages to Louisiana's seafood industry, its residents and that unique slice of America, "down the road", in Plaquemines Parish.

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**Concern ID: 61831**

**The commenter questioned the level of certainty of land-loss estimates under the No Action Alternative over the 50-year period of analysis. Commenter further questioned how that level of certainty compares to the level of certainty of some of the adverse impacts that are projected to occur from the proposed Project.**

**Response ID: 16478**

It is correct that the Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties were incorporated into the Draft EIS impact conclusions and are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Hurricanes were not modeled as part of the Delft3D Basinwide Model; they were, however, modeled as part of the ADCIRC modeling conducted for the Draft EIS, Chapter 4, Section 4.20 Public Health and Safety, Including Storm and Flooding Risk Reduction. The rationale for that omission and explanation of how it was accounted for are provided in Appendix E Delft3D Basinwide Modeling, Section 8.1. The land-change uncertainty bounds were not included in the summary in Section 4.1.3.3. In response to this comment, a summary of land-change uncertainty has been added to that section in the Final EIS. The USACE and LA TIG agree that the model uncertainties should be clearly stated in the EIS with respect to the Model's quantitative results. A footnote has been added to the Executive Summary and to Table 4.2-6 in Section 4.2 Geology and Soils of the Final EIS providing the uncertainty bounds for land-change projections. Uncertainties related to the Marine Mammals impact analysis are summarized in detail in Chapter 4, 4.11.3.1 (Marine Mammals, General Caveats to Impact Analysis Approach).

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 62659**

**The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.**

**Response ID: 16632**

The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3

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Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result

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in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

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The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions,

would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are

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identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62789**

**The cost of designing and building the proposed MBSD Project is too high for a project that has undependable results.**

**Response ID: 16370**

The commenter's opposition to the proposed Project is noted. With respect to the dependability of the future benefits of the proposed Project, the Draft EIS acknowledged that the Delft3D Basinwide Model projections of future conditions includes uncertainties, which are incorporated into the EIS impact conclusions. These uncertainties are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties. However, in addition to the modeled data, Chapter 4 - Environmental Consequences -includes analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in preparing the EIS. As part of developing the EIS, the USACE, together with the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the EIS impacts analysis of the alternatives.

Consistent with OPA regulations (15 CFR §990.54), the LA TIG's Restoration Plan evaluated multiple alternatives based on a number of criteria, including the cost of the alternative. For more information see Section 3 of the LA TIG's Final Restoration Plan. The costs associated with developing, constructing, and managing the Applicant's Preferred Alternative are discussed in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

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**Correspondence ID:23044**

Jane Bladsacker

## Diversion Consequences

First, I Would like to start by saying that I am definitely for preserving and protecting Louisiana's coast. Often, the media depicts the Myrtle Grove community as not caring about preserving the coast of Louisiana. Of course we care, we are Louisianians and we definitely want to preserve the coast of Louisiana. We also want to save the community of Myrtle Grove and the people of Louisiana. We care about the future, but we also care about the present. It is our belief that we can prepare for the future without destroying communities and people in the present. We can save the coast without sacrificing our present lives, homes, livelihoods, way of life, and occupations.

There are solutions that will not sacrifice our communities while saving the coast. One solution is to build flood walls to save the communities. It should not be a choice of one or the other. The choice should be to find a solution to preserve both the present and the future.

I would like to make this very personal and ask that you also put yourself in the place of the people of these communities that you will be sacrificing. We are living now in the present. I understand that this will bring sediment to the coast in the future some 50 years from now, IF it works and IF there are no natural hurricanes that come through and undo all the sediment that is being created. There are a lot of "ifs" that is being gambled on at the priceless cost of positively flooding our community. I cannot believe that the very present has to be sacrificed on a lot of "ifs" to preserve the future.

We built our dream home two years ago in Myrtle Grove Estates. We are parents of four adult children each have significant others. We are expecting our six and seventh grandchild. We have huge families all living here in Louisiana. Our ancestors were Louisianians. All of our generations have stayed in Louisiana. We could not imagine moving anywhere else. We are hard-working, middle-class, God-fearing, good people, willing to help others in need and contribute to society in a positive aspect everyday. Within our immediate family we are proud to have two teachers, preparing the future generations. We also have a medical assistant, two process operators, a lab tech, a welder, a process operator supervisor, as well as homemakers raising our future generations. Our grandkids are blessed to be part of schools for advanced students, with hopes of becoming a veterinarian, another a medical research doctor, and another a teacher. Our extended family lives everywhere from Donaldsonville, Baton Rouge , Gonzales, Mandeville, down to Lafitte and Grande Isle. We have family in Luling, Marrero, Harvey and Gretna. Now we have extended our roots to Myrtle Grove. As you can see, we love Louisiana and cover a great deal of the cities with our family.

I say all this to show you that our loyalty is to Louisiana. With that being said, we are so disappointed in our politicians and our state government.

We have worked hard all of our lives and two years ago spent all of our savings to build our dream home. We said it was our final home until heaven, our eternal home. We built this home to be able to celebrate our family and life as a family gathering place! There are 15 in our immediate family! We've enjoyed hosting baby reveal parties, first birthday parties, Thanksgiving, Christmas and Easter as well as Sunday evening family dinners. We've enjoyed the crawfish boils, shrimp and crab boils, fish fries, and barbecues. It's been the family gathering place with fishing , crabbing , boating, tubing, and the kids just splashing



around swimming. It's celebrating our life's hard work, and reaping the blessings of a life of sacrifices to get to this point to be able to enjoy our family and the blessings Myrtle Grove has to offer!

We realize we chose to build in an area that the water rises three or four times a year for a day or so. That is worth the trade off for the rest of the year. We elevated our home above the flooding levels being aware of natural levels. What we were never told until now, is that this diversion could possibly flood 180 days out of the year. It will bring in twice the amount of water and even at the height we built up for natural flooding, man made flooding will exceed. I'm asking you to put yourself in our shoes. If your family home flooded up to 180 days out of the year, How would you survive? How would you go back-and-forth to work? How could you survive being locked down for that length of time? Would you have to evacuate and where would you go? How would your children be able to go back-and-forth to school? How would you be able to go back and forth to get groceries? And how would that affect the electricity? Would you have electricity? What would that do to your vehicles? What would that do to the structure of the streets? Having to put up with natural disasters such as weathering storms and flooding or evacuating or a day or two during hurricane season is one thing. That's the cost of living in Louisiana. But having to endure up to 180 days of man-made flooding is entirely different. How can that be justified?

What if the government came in and said we're going to flood your home where you live right now for up to 180 days a year? Sorry, it's the cost to maybe save the coast 50 years from now. Last I checked we lived in the United States of America. Not a dictatorship or a country that comes in and destroys or takes your home and way of life from you. Basically, that's what this diversion, if approved by our government, will be doing to Myrtle Grove Estates. It will destroy our community, our homes, and our way of life. It will destroy the marine life, the dolphins we watch in our back yards, the shrimp, crabs and fish. It will destroy what our family personally has worked for our entire lives. It will destroy what we intended as an inheritance to our children and our children's children. This was to be their gathering place for the generations to come. How is it justifiable to decide to come in and destroy our land?

We cannot even sell our homes now if we had to. The property values will crash. Who would want to buy knowing that it's going to be destroyed by man-made floodwaters? We poured our life savings into the building of our dream home. We put our own sweat and labor into our home. I personally painted my entire house twice. I personally put together my cabinets. I personally sanded and painted all the baseboards. My husband also personally put his hands to the plow! We physically did a lot of the hard labor in addition to working a full-time job! There were many late nights and weekends working and striving to build our home. And we had no knowledge of this diversion when purchased the lot. We were not made aware of plans for this diversion when we applied for the permits and the permits were approved. Why were we not made aware of this diversion until after the fact? Why were permits granted? So, after half a million dollars, our lifetime savings, and two years of our life, our hard labor and sacrifices, we will be left with nothing?

Since we've heard about the diversion and started attending the meetings, we've been so stressed and upset and spend many sleepless nights just wondering what will happen to us now? How can the government pick and choose which communities they decide no longer need to exist? I've always lived by the motto, God, family, church, and the United States of America are priority. It's hard to believe that the government in the United States of America

would do this to their citizens. I always thought the government was here to protect it's citizens, not to destroy their lives. If this diversion is approved, that is exactly what you will be doing to the citizens of Myrtle Grove Estates as well as other communities.

To save the Louisiana coast you must find a way to also protect and save these communities. I sincerely hope and pray you consider the great destruction and disaster you will be causing in this community and the lives of those you will be affecting. Building flood walls of protection may be a solution to save these communities and still continue the diversion experiment. You cannot possibly destroy whole communities with an experiment that may succeed in 50 years or may not! You must implement a solution that will protect the present while preserving the future.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the

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proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact

determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62193**

**A commenter asked why permits were granted for construction of residential homes if there was knowledge of a forthcoming diversion, and why these applicants were not made aware of the diversion when applying for permits.**

**Response ID: 15742**

The USACE is evaluating whether to grant the State of Louisiana's (through CPRA) requested DA Section 10/404/408 permits for the proposed Project. Without those permits, the Project cannot proceed. The LA TIG cannot speak on behalf of the local permitting agency and their consideration of potential future projects in granting residential construction permits. The LA TIG has no authority over decisions regarding the construction or permitting of residential homes.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially

offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

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monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that

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there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Concern ID: 62850**

**The commenter questions how the government can pick and choose which communities they decide no longer need to exist and indicates that is what the government would be doing to the citizens of Myrtle Grove Estates, as well as other communities, if the proposed Project were approved.**

**Response ID: 16396**

The commenter's concern regarding the projected effect of the proposed Project on several communities near the diversion outfall outside of flood protection is noted. The EIS analysis considers the beneficial and adverse impacts of the proposed Project. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

Independent of the joint Draft EIS and Draft Restoration Plan public meetings, CPRA held meetings with communities potentially affected to receive their input on how best to mitigate Project effects on water levels. Based in part on that feedback, the revised Mitigation and Stewardship Plan (Appendix R1 of the Final EIS) includes mitigation to partially offset some of the the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This mitigation includes a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures (for example, Project servitudes). The mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if the permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

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final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water

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levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63102**

**Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.**

**Response ID: 16640**

The commenters' concern regarding the adequacy of the funding for mitigation measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts of the Project on surrounding communities outside levee protection, including potential mitigation measures to address increased water levels due to the Project. In response to

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comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23049**

Lindy Brown

Do not do this.

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23058**

Jed Bourgeois

We do not need anymore fresh water diversions in this state. The core has killed lake ponchartrain basin and now this will kill the barataria estuary. Y'all need to listen to the Fisherman who live and make a living in these areas. You cannot do with a diversion what the Mississippi River did over thousands of years. Do what Texas and Mississippi does. Use dredges and pump sand for 1/3 the cost. You introduce fresh water and kill all the brackish water grass holding the land then what you got. It's a shame what is going on in this state. Truly ruining the Sportsman's Paradise.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRAs and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.



**Correspondence ID:23060**

Shannon Loup

Change The Support For This Project You Are Not Receiving From My Family And Other Myrtle Grove Homeowners By Redirecting The Levee That Is About To Be Constructed Around Myrtle Grove Estates And Install A Flood Gate/ Locks Near The Pumping Station. This Would Solve Flooding Problems We Have Experienced In The Past And The Additional Flooding Problems We Will Incur After The Construction Of The Levee Is Complete And From The Proposed Diversion.

Protect Us! Do Not Flood Us!

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23063**

NASA Ames Research Center

Christopher Potter

The key statement made on p.3-2 that "The Barataria Basin lost approximately 25% of its total land area between 1932 and 2016 (Couvillion et al., 2017)" is based on flawed data analysis by the USGS and represents a large and biased overestimate of the land area lost in the Barataria Basin, at least since since Hurricane Katrina in 2005. As documented and published in the studies by Potter et al.(2020 and 2021) in the Journal of Coastal Research, it must be concluded that the USGS coastal land area change product (cited as Couvillion et al., 2017) has not reported widespread wetland area gains in southern Louisiana and has instead overestimated net marshland losses on most sections of the Gulf Coast since at least 2005. Therefore, this Draft Restoration Plan and Environmental Impact Statement is based on erroneous land loss rates and locations within the Mid-Barataria Sediment Diversion impact area.

Here are the peer-reviewed references cited for this comment:

Potter, C. and Amer, R., 2020. Mapping 30 years of change in the marshlands of Breton Sound basin (southeastern Louisiana, U.S.A.): Coastal land area and vegetation green cover. *Journal of Coastal Research*, 36(3):437-450.

Potter, C. 2021. Remote sensing of wetland area loss and gain in the western Barataria Basin (Louisiana, U.S.A.) since Hurricane Katrina. *Journal of Coastal Research* (in press).

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**Concern ID: 63041**

**The Draft EIS statement that "The Barataria Basin lost approximately 25 percent of its total land area between 1932 and 2016 (Couvillion et al., 2017)" is based on flawed data analysis by the USGS and represents a large and biased overestimate of the land area lost in the Barataria Basin, at least since Hurricane Katrina in 2005. As documented and published in the studies by Potter et al. (2020 and 2021) in the Journal of Coastal Research, it must be concluded that the USGS coastal land area change product (cited as Couvillion et al., 2017) has not reported widespread wetland area gains in southern Louisiana and has instead overestimated net marshland losses on most sections of the Gulf Coast since at least 2005. Therefore, the Draft EIS and the LA TIG's Draft Restoration Plan are based on erroneous land-loss rates and locations within the proposed Mid-Barataria Sediment Diversion impact area.**

**Potter, C. and Amer, R., 2020. Mapping 30 years of change in the marshlands of Breton Sound Basin (southeastern Louisiana, U.S.A.): Coastal land area and vegetation green cover. *Journal of Coastal Research*, 36(3):437-450.**

**Potter, C. 2021. Remote sensing of wetland area loss and gain in the western Barataria Basin (Louisiana, U.S.A.) since Hurricane Katrina. *Journal of Coastal Research* (in press).**

**Response ID: 16048**

The analysis in the EIS is not based on past land-loss rates. The projected changes in wetland extent over the analysis period are based on current baseline conditions (including bathymetry, topography, and hydrologic conditions) and the Delft 3D Modeling analysis (see Appendix E of the EIS) regarding future conditions for the No Action Alternative and the action

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alternatives (including the Applicant's Preferred Alternative). The Delft 3D model used a variety of inputs to project future conditions and was not based on historical land-loss trends. The difference between USGS data and the land loss cited in the literature would not invalidate the Delft 3D model projections. However, Chapter 3, Section 3.6.2 Wetland Loss of the Final EIS has been revised to include additional detail regarding the historic rate and extent of land loss in the Barataria Basin based on review of the literature cited by the commenter (Potter and Amer 2020 and Potter 2021).

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**Correspondence ID:23064**

Thomas Sherry

I am a scientist and professor of Ecology and Conservation Biology at Tulane University. Please consider supporting the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion, and the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project.

I was stunned when I moved to LA in 1989 and travelled along the coast from New Orleans to Cameron/Sabine Wildlife Refuge, and quickly realized how damaged the coast was already. It's FAR worse today, as subsidence, salt water intrusion, canal-induced erosion, and sea level rise (in part supported by LA's unwavering support for fossil fuel extraction and combustion) have all carved away our wetlands. The ONLY way to staunch this environmental bleeding is to do what the MS River used to do, namely contribute to accretion with mud sediment carried by the river. This is the only long-term solution, and it has been deeply researched and considered. I recognize that going forward with this plan is strongly opposed by local communities, and I recognize their concerns, which are mostly short-term, centered on fishing and local recreation. Long-term solutions to LA coastal erosion must override short-term ones. The needs of local communities can mostly be accommodated without scuttling the long-term coastal issues.

I care deeply about this issue for several reasons. First, I teach locally, and depend on intact ecosystems for my classes. Second, the project area is within the Barataria-Terrebonne Important Bird Area, and as such it will restore habitat for Reddish Egret, Seaside Sparrow, Brown Pelican, Snowy, Piping and Wilson's Plovers, as well as wintering waterfowl, including Blue-winged and Green-winged Teal, American Widgeon and Ring-necked Duck. I've taken my students to coastal sites, and crawfish ponds near Lafayette, and these areas and birds and other wildlife supported by a healthy Gulf Coastal area are invaluable- -no monetary value can be put on them, emphasizing the need to protect at all costs. Third, I live in New Orleans, and the safety of New Orleansians, and others living in coastal cities in LA, depends on maintaining the wetlands- -including salt marshes, mangroves, and cypress and tupelo swamps to protect against hurricanes and against further coastal erosion. These wetlands won't last if we don't restore the outer areas of coastal marsh. Fourth, all of Louisiana depends heavily on tourism economically, and much of this centers on the coast and coastal activities (bird-watching, fishing, boating, hunting, alligator tours, etc.). This should make it obvious that LA writ large, and the rest of the country and world that comes to visit LA and spend tourist dollars, depends on a healthy coast long-term. I know that it's tempting for local people, e.g., those living in lower Plaquemines and Jefferson Parishes to think of where they live as "theirs", and this is partly true, but additionally the coast belongs to a far greater group of people, for all the reasons I've described above.

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**Concern ID: 61910**

**The MBSD Project would help wildlife, fisherman, recreationalists, and hunters who depend on a healthy coast in the long term.**

**Response ID: 16240**

EIS Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe anticipated effects of the MBSD Project on wildlife viewing, recreational fishing, hunting, and

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other recreational activities that utilize the Project area. As compared to the No Action Alternative, long term minor to moderate adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to increased tidal flooding at access points at Lafitte, Myrtle Grove, and Grand Bayou, as well as introduction and spread of invasive species, are anticipated. The proposed Project would also cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum throughout the basin. Beneficial impacts on hunting and wildlife watching due to an increase in wetland habitat in some areas of the Barataria Basin are also anticipated.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts, including those related to recreation (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62233**

**Restoration of coastal habitat and the delta would provide protection from storm damage.**

**Response ID: 15752**

While the intent of the proposed Project is to reestablish deltaic processes to restore resources injured by the DWH oil spill, the Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the ancillary benefit of storm damage risk reduction on communities

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north of the proposed diversion due to the creation and maintenance of wetland habitat and increases in topography and land acreage within the delta formation area. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height

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**Concern ID: 62892**

**The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.**

**Response ID: 16191**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54



and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23065**

## Form Letter 13

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

As the project advances, I urge federal and state decision makers to center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits, including increased storm surge protection, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and be as detailed and transparent as possible throughout the process.

I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

A future without the Mid-Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the project's construction and associated mitigation and stewardship activities.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

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monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the

EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23070**

Robert Bengé

I am in favor of the Sediment Diversions. For too long the marsh has been cut off from the life blood (sediment) of the Mississippi River, and in roughly 95 short years, we have undone the deltaic building of Southeast Louisiana.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23078**

MarshOnTheFly

Peter Scafaru

Diverting Mississippi River water back to where it traditionally flowed is the only scientifically proven method of creating new land on the Louisiana coast. We need more and larger diversions to save the fishery, thousands of jobs and ultimately the entire LA coast. We are currently losing between 25 and 30 square miles of wetlands a year and the MBSD is a solid proposal based on sound science that will reverse this scary trend of loss. Please make the MBSD happen right away!

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:23081**

Law Office of Ann Steinhardt

Ann Steinhardt

i support the mid-barataria diversion project

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23112**

First Equity, Inc.

**Commenter**

CPRA has indicated the Diversion will raise water levels approximately ½' - 1' at Happy Jack.

If the increase in water height is anticipated not to exceed 1', then:

First Equity, Inc. , as owner of a number of vacant lots on the upriver side of Happy Jack (Martin Lane), recommends the following remedial measures:

- 1) Raise the road (Martin Lane) to a sufficient elevation (approximately 1.5' higher) to decrease the risk of flooding and to allow drainage from the road, over the lots, to the water's edge;
- 2) Raise the ROW (on either side of Martin Lane) to a sufficient elevation to decrease the risk of flooding and to allow drainage from the road / ROW, over the lots, to the water's edge;
- 3) Raise the lots (between the road / ROW and the water's edge) to a sufficient elevation to decrease the risk of flooding to allow drainage from the road / ROW, over the lots, to the water's edge;
- 4) Raise the bulkhead (along the water's edge) to a sufficient elevation to decrease the risk of flooding and to allow drainage from the road / ROW, over the lots and bulkhead, to the water's edge.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

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Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed

instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of

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the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23131**

Myrtle Grove Waterfront Properties, LLC

Commenter

CPRA has indicated the Diversion will raise water levels approximately 1 ½' - 2' at Myrtle Grove.

Myrtle Grove Waterfront Properties, LLC (MGWP) is the owner of a number of vacant lots in Myrtle Grove Phase 2.

Myrtle Grove Estates is effectively divided by Myrtle Grove Canal into two sections:

Phase 1 (downriver side) comprised of approximately 160 lots; there are approximately 65 homes / structures built on the lots in Phase 1.

Phase 2 (upriver side) is comprised of approximately 172 lots; there are approximately 17 homes / structures built on the lots in Phase 2.

If the increase in water height is anticipated to exceed 1', then:

MGWP, as the owner of a number of vacant lots in MG Phase 2, recommends the following remedial measures:

- 1) For the vacant lots owned by MGWP, MGWP recommends that CPRA purchase the vacant lots owned by MGWP;
- 2) For lots with house / structures - these properties should be viewed on a case-by-case basis to determine the preference of the individual home / structure owner(s)

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed

instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23138**

Kenneth Smith

This is Kenneth Smith. I live at [REDACTED]. So far, as of this year, I've flooded 5 times. The water level is 3 feet in the street. I cannot leave my home, I get no mail service, garbage pickup will not pick up because they don't drive back here. The diversion will just raise more water upon me. Sometimes it lasts anywhere from 3, I mean from, 5 to 6 days as water is invaded around my home and property, so this diversion, I'm totally against the diversion. Something has to be done prior, or not at all to this diversion project. Other than that, you're going to kill everything in Barataria Bay basin and all around the neighboring parish. There'll be fish kills, dolphin kills, no more shrimping, no more oystering, no more crabbing, and it's not going to do any good. You have to build the coast back up. Land goes away when the tide goes out. It's visible all the time, year after year.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)



- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and

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Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62660**

**Commenters stated that the proposed Project will not provide the benefits described in the Draft Restoration Plan and EIS. The proposed Project will not stop the problems of sea-level rise and marsh erosion.**

**Response ID: 16633**

How sea-level rise and marsh erosion would affect the proposed diversion's land-building capability has been considered in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils. In addition, sea-level rise and subsidence are explicitly accounted for in the Delft3D Basinwide Model projection of Project impacts, as described in Sections 3.2.4 and 3.2.3, respectively, of EIS Appendix E (Delft3D Modeling).

The potential benefits of the Project and how those benefits relate to sea-level rise and marsh erosion have also been considered in the LA TIG's Draft Restoration Plan. The LA TIG agrees that the Project would not stop sea-level rise, subsidence or other erosive forces that result in marsh erosion. However, the Project is designed to counteract these forces by transporting sediment from the Mississippi River to create thousands of acres of marsh that would be sustained over decades, even in the face of erosion and rising sea levels (see Section 3.2.1.6 [Benefits Multiple Resources] in the Restoration Plan).

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**Concern ID: 62708**

**The release of polluted river water into the Barataria Basin would create harmful algal blooms and/or large areas of low dissolved oxygen that could negatively affect aquatic fauna including mortality of adults and juveniles that may not be able to escape impacted areas.**

**Response ID: 16086**

As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, the input of nutrients from the Mississippi River is generally anticipated to be beneficial to the food web, although there is an acknowledged potential for harmful algal blooms. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and well-mixed by wind and tidal action, such that it is not typically prone to stratification that promotes hypoxic (dissolved oxygen of less than 2 to 3 mg/L) conditions. Further, as discussed in Section 4.10.4.4 in Aquatic Resources, the Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation

would result in oxygen concentrations below 5 mg/L on an average monthly basis; therefore, although sporadic and limited areas of low dissolved oxygen may occur, mainly in the summer months, no large or prolonged periods/layers of low dissolved oxygen are projected by the Delft3D Basinwide Model, nor anticipated based on the Barataria Basin's identification as a largely well-mixed estuary. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to Project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2), which has been updated for the Final EIS in response to public comments, includes CPRA's plan to implement a monitoring program for phytoplankton species composition, including harmful cyanobacterial/algal bloom species (and associated toxins) (see Sections 3.7.3.10 and 3.7.3.11 of Appendix R2 of the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result

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in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23139**

Teresa Smith

This is Teresa G. Smith, [REDACTED] The dirt division will be truly a nightmare. We are dealing with water now, days at a time. Just think what the diversion will do. So, all the people that worked and saved all their money to build a home and put all their life savings into their dream homes, will be forced to move. Many of them are senior citizens. So I want y'all to imagine and put yourselves into their shoes and think, how would you feel?

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in

the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23178**

Robert Shaw

I support the Mid-Barataria Sediment Diversion project. In brief, we see the results of doing nothing as the coast disappears. We should allow the river to deposit sediment in the manner that built up the land in the first place, before humans disrupted the process with the current levee system.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23220**

Gerry Helmer

I have been fishing shrimp, crab or oysters out of Barataria Basin for over 60 years. As a small boy, I've watched my father and his father fish in these same waters, and grew up hearing the stories of their fathers doing the same. As a man, I have taught my son all that I know, and the tradition of fishing out of the Barataria Basin will live on. Key details were passed down from generation to generation on how to be a successful fisherman. Where to fish when the tides were high, the location of underwater snags to avoid, and how to anticipate where to go next. So in addition to my 60 years, I have 100 years of experience behind me. I have watched these waters long enough to know better.

When we heard of the proposed Mid Barataria Sediment Diversion, the local fisherman in this area knew one thing: this project would destroy our way of living. In south Louisiana, many families rely on the land and the water to make a living. From the hundreds of fisherman like myself, to the lucrative hunting and fishing industries that promote areas like Myrtle Grove and Lafitte as a Sportsman Paradise. This diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

It's not only personal experience that support my opinion against the Mid Barataria Sediment Diversion, but several key factors. For one, the amount of freshwater pouring in to the Barataria Basin would disparately impact the salinity of the sounding estuaries of the area. How is this important? Various studies can prove that the higher the salinity of the water, the less mortality rate of brown and white shrimp and the higher percentage of reproduction. The introduction of nearly 6.5 BILLION cubic feet of freshwater PER DAY would significantly decrease the amount of shrimp and other seafood from reproducing, and would increase their mortality rate.

The next key factor is the water temperature. The Mississippi river starts in Lake Itasca, Minnesota, not very far from the Canadian border. Starting as a small glacial lake, the river winds its way down 2000 miles to deposit here. On average, the Mississippi river gets up to 79 degrees Fahrenheit at the height of the reproductive cycle of white shrimp. The Barataria Basin during that same time frame measures on average 91 degrees Fahrenheit. Over 10 degree difference makes significant adverse reactions: species of shrimp will be less likely to grow or survive, and of those that do, the Barataria Basin will no longer be the optimal breeding ground. The shrimp will move to a more favorable habitat.

It was reported that 75,000 cubic feet of freshwater and sediment will flood the Barataria Basin EVERY SECOND it is open. That's nearly 6.5 BILLION cubic feet per day. The sheer current of the water will force shrimp and other species out of the area, pushing them further in to the Gulf. Have this level of current continue for over a long period of time, these species will not return again.

When combined with a lower salinity, temperature of the water, and the current, the once prosperous Barataria Basin will be a void. Shrimp, crab, fish, oysters will be gone. With the absence of these species, other species below and above the food chain will also be impacted.

In conclusion, continuing with the Mid Barataria Sediment Diversion project will end the prosperity of the Barataria Basin. It will negatively impact the Commercial Fishing industries, along with other industries that benefit from the area as well. In addition, the environmental

impacts will effect this area for generations, and ensure the end to the traditions of south Louisiana and its families.

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public

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comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and

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stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62723**

**Various studies can prove that the higher the salinity of the water, the lower the mortality rate of brown and white shrimp, and the higher percentage of reproduction. The introduction of nearly 6.5 billion cubic feet of fresh water per day would significantly decrease the amount of shrimp and other seafood from reproducing, and would increase their mortality rate.**

**Response ID: 16101**

The impacts of the proposed Project's introduction of fresh water on brown and white shrimp were analyzed and are discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. The impacts on brown shrimp from Project operations are anticipated to be major and adverse, due in part to salinity changes; however, white shrimp are more tolerant of lower salinities and younger life stages are present in the basin later in the year than brown shrimp, resulting in less exposure to higher diversion flows. Therefore, no significant adverse impacts on white shrimp survival are projected. White shrimp would be expected to experience minor to moderate benefits from the increased marsh, SAV, and primary production projected to

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occur from the proposed Project. The projected benefits of the proposed Project to white shrimp outweigh the negative effects, resulting in an overall negligible to minor benefit on white shrimp from the Project. See Section 4.10.4.5 Key Species of the EIS. Both brown and white shrimp spawn outside of the estuary, where salinity would not be affected by Project operations. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62724**

**On average, the Mississippi River gets up to 79 degrees Fahrenheit at the height of the reproductive cycle of white shrimp. The Barataria Basin during that same timeframe measures on average 91 degrees Fahrenheit. The temperature differential would cause adverse reactions to shrimp species including lower growth and survival rates, a decrease in habitat suitability, and relocation of the shrimp to more favorable habitat.**

**Response ID: 16102**

The changes in water temperatures in the Barataria Basin based on the input of cooler river water were analyzed and discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, which acknowledges that the average monthly temperature under the Applicant's Preferred Alternative would decrease by up to 11.9°F (6.6°C), particularly in cooler months near at the outfall, which may result in changes in bioenergetics and area avoidance by fauna. As discussed in Section 4.10.4.5 in Aquatic Resources, temperature is one of the principal drivers of growth and survival for white and brown shrimp. For white shrimp, post-larvae (the youngest stage occurring in the basin) generally enter the basin from May through November (with peaks in June and September) when temperature differentials would be smaller compared to the No Action Alternative. Further, the HSI model results for juvenile white shrimp, which consider optimum temperature ranges, did not identify significant decreases in habitat suitability. Although individual adverse impacts on white shrimp would occur from the proposed Project, the overall impact of the Project on white shrimp is anticipated to be negligible to minor beneficial. For brown shrimp, post-larvae (the youngest stage occurring in the basin) generally enter the basin from January through June when temperature differentials would be larger compared to the No Action Alternative, particularly in the outfall area. However, although the HSI model results for juvenile brown shrimp did identify significant decreases in habitat suitability, the driver for these impacts primarily related to salinity, rather than temperature, decreases. The overall impact of the Project on brown shrimp is anticipated to be major, permanent, and adverse. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62725**

**The sheer current of the inflowing water would displace shrimp and other species, pushing them further into the Gulf and precluding them from returning to the basin over time.**

**Response ID: 16103**

The changes in water flows in the Barataria Basin from the proposed Project are discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources, which states that water would continue to follow its general trend of daily movements through the basin passes during Project operations, such that larval advection from marine habitats into the estuary would likely not be affected. The effects on shrimp and other species, from current-related impacts within the



basin, are discussed in Section 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62726**

**The proposed Project would change the habitat of the Barataria Basin in a manner that would decrease key shellfish and finfish, which would subsequently affect higher and lower trophic levels in the food chain.**

**Response ID: 16104**

The commenter is correct that the proposed Project would change the habitat in the Barataria Basin in a manner that would decrease or increase key shellfish and finfish, as noted in Chapter 4, Section 4.10, Table 4.10.6 in Aquatic Resources of the Draft EIS. A discussion of the food web impacts from the proposed Project in the Barataria Basin is included in Section 4.10.4.4 in Aquatic Resources of the Draft EIS.

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**Concern ID: 64057**

**The socioeconomic impacts would affect southeast Louisiana and the area impacted by the proposed MBSD Project for generations and ensure the end to the traditions and culture of south Louisiana and its families.**

**Response ID: 16230**

The EIS discusses impacts on the local communities and various quantitative and qualitative impacts from the proposed Project in Chapter 4, Section 4.13 Socioeconomics, including Community Cohesion (Section 4.13.5.6). Consistent with the concern of the commenter, the EIS does find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative.

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**Correspondence ID:23232**

Mariann Sengelmann

We, as property owners in the Myrtle Grove Marina Estates subdivision, understand that the proposed diversion will adversely affect our neighborhood, according to what we have read on the provided hydrology study and public hearings. We feel that the hydrology study is outdated, and the proposed diversion will have a more significant impact on our property than you are projecting, due to current environmental conditions. We purchased our property and home with the expectation to use public streets for ingress and egress to our property, to have access to public works including but not limited to trash removal services, mail services, and safety, fire, and emergency services. The flood impacts created by this proposal due to tidal fluctuations and your increased water level in our neighborhood will create flooding that will make all of the aforementioned services unusable. Your Corp of Engineers project consisting of raising the levees around Myrtle Grove Marina Estates, in conjunction with this proposed project, causes us to have grave concerns. After great deliberation and weighing all of our options, if your project proceeds, we would accept either of the following solutions to the flooding the projects will create:

1. Raise the existing infrastructure (public roadways, property, etc. ). This would allow us to use our property as we have, since it was purchased. Or,
2. Compensate me for the full investment that I have made on my property so that I may find another home.

Although this proposal will benefit the greater good, realistically, it will decrease our property value, and create safety concerns that did not exist prior to this project. On a more personal level, we purchased this property to be next door to, and own the adjoining lot with, our family. This fact alone makes our property irreplaceable and invaluable.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would

attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to

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mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62228**

**The commenter feels that the hydrology study is outdated, and the proposed diversion would have a more significant impact on the commenter's property than projected, due to current environmental conditions.**

**Response ID: 15796**

The Delft3D Basinwide Model represents the best tool currently available to inform impact analysis for the EIS. Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the No Action Alternative. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if this permit is approved, would not be authorized under the DA permit. Many of these structural

measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62450**

**The commenter expressed concern about potential combined adverse impacts from both the raising of the proposed NOV-NFL Federal levee near the Myrtle Grove Marina Estates and construction and operation of the proposed MBSD Project.**

**Response ID: 16469**

The commenter's concern about the combined impacts of the reasonably foreseeable NOV-NFL Levee project near Myrtle Grove and the proposed MBSD Project was considered in the Draft EIS in Chapter 4, Section 4.25.4.4 Cumulative Impacts - Stormwater Management and Drainage.

CPRA has developed a Mitigation and Stewardship Plan with measures to minimize and/or offset some impacts of the proposed MBSD Project on the communities outside of flood

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protection. This plan, which was included in the Draft EIS Appendix R (Mitigation and Stewardship Plan and the Monitoring and Adaptive Management [MAM] Plan), has been revised in the Final EIS in response to public input. For Myrtle Grove, the Final Mitigation and Stewardship Plan includes improvements to the bulkhead around the Myrtle Grove Marina Estates Subdivision, docks, and boat houses, as well as other infrastructure improvements (sewer system). See Appendix R1 of the Final EIS for details regarding this plan.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan were not included in CPRA's MBSD DA permit application and are not part of the currently-proposed MBSD Project. Many of these structural measures would require USACE and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**



**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these

servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23243**

Louisiana Historical Society

William Reeves

At present so much of the river sediment is wasted off shore when the Barataria needs it and the soil will immediately preserve threatened marsh. New Orleans and southern Louisiana need the marsh because of its beauty, its animals that are only found there, and contribution to fresh water streams and lakes.

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**Concern ID: 63042**

**River sediment is currently wasted offshore when the Barataria Basin needs it to restore and preserve marsh, and the life the marsh supports.**

**Response ID: 16049**

Comment noted. The benefits of diverting river sediments to the Barataria Basin through the proposed Project were discussed throughout Chapter 4 Environmental Consequences of the Draft EIS.

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**Correspondence ID:23308**

Dian Campbell

Comments on the Mid - Barataria Sediment Diversion

Dian Campbell

[REDACTED]

[REDACTED]

[REDACTED]

I have lived in Louisiana all my life and in Plaquemines Parish since 1982. I have been a property owner at [REDACTED] since 1999. I fish in the Deer Range/Hermitage area by kayak or motorized canoe every weekend and frequently during the week. I built my home which is frequently referred to by others as a camp in 2000 with the intent that it would be my retirement home. I know firsthand the significance and the rate of the coastal erosion by paddling the bayou every week. I agree the land loss must be stopped or greatly reduced. I do not agree that the Mid - Barataria Sediment Diversion is the best solution with the multiple negative socioeconomic consequences that will go along with it.

The Draft Environmental Impact Statement for the MBSD states it will negatively impact/kill the fisheries and increase water levels causing property and roadway flooding in the surrounding area. The EIS states that Coastal Protection and Restoration Authority will be available to mitigate damages to those affected. State officials have identified about 530 properties that might need mitigation assistance. My concern is it also states that only 25% of those properties claim homestead exemption. I dont understand the relevance of the statement of claiming homestead exemption. My property and home cost are the same regardless if I claim homestead exemption and regardless if I spend 365 nights a year at that location or two nights a year. The value does not change if you call it a home or a vacation camp. For the record I do not claim homestead exemption at this residence but do live here more than 50% of the time. It is more convenient for me to travel from Belle Chasse than Hermitage to go to work in New Orleans. Coastal Protection and Restoration Authority is stating that at least \$305 million will be available to make up for permanent damage to wildlife and nearby communities but no mitigation plan strategy is presented. I attended the Public Meeting Presentation in March, the DEIS meeting by video in the beginning of April and the CPRA meetings held at the end of April. I am reassured there are funds available to mitigate the damages but no specifics. The mitigation plan should have been presented with the Draft EIS.

The Draft EIS states it has six alternatives which is the sediment diversion plan and six alternate flow rates with comparisons to do nothing. However, in the meeting when questioned about if this plan is not approved what else could be done, I am answered this is only one tool in a bag with lots of tools. Why are the other options/solutions/tools not mentioned in the Draft EIS as an alternate plan?

The Draft EIS has all kinds of statistical information supporting the sediment diversion but Chip Kline, Executive Assistant to the Governor for Coastal Activities and CPRA Chairman boasts to the media, The Mid - Barataria Sediment Diversion is the largest project of its kind ever undertaken in U. S. history, and represents an unparalleled, innovative coastal

restoration effort unlike anything else in the world. So, I ask if this project is unparalleled and innovative, what is the reference of the statistics.

There are lots of facts not mentioned in the Draft EIS:

" The sediment as well as the pollutants in the Mississippi River will directly flow into the marsh. Pollutants such as pesticides and fertilizers from ground run off and discharges from ships.

" Pollutants such as the billions of nurdles that were dumped in the River by the cargo ship CGM CCG Bianca when it broke free in New Orleans in August 2020 and the New Orleans Port officials determined the nurdles were irretrievable so there was no cleanup.

" Plaquemines Liquids Terminal being proposed by Plaquemines Port and Harbor, Tallgrass Energy LP and Drexel Hamilton just upriver from the diversion site. This is coming after a failed attempt by RAM Terminals LLC to build a coal export at the same site. A 2012 study concluded the terminal could reduce sediment captured by the diversion by 17 percent. Bruce Lelong, project leader with AECOM, the state contractor overseeing engineering and design of the diversion is advising it will have significant and potentially adverse impacts to MBSD. David Muth, Director of Gulf Restoration with the National Wildlife Federation is stating that this cannot be consistent with our states plan for saving our coast. But CPRA chairman Chip Kline said it is the authoritys obligation to try to find ways to allow both projects to be developed that would meet the states restoration goals and support industrial development. CPRA is requiring Tallgrass Energy to provide a study to model the terminals effect on the sediment load entering the diversion. Though still waiting on the study, Tallgrass is moving forward with a public hearing.

" IGP Methanol, LLC moving forward with their work to construct and operate a methanol plant on a 140-acre parcel adjacent to the Mississippi River and Plaquemines Liquid Terminal.

" Venture Global/Gator Express building their 12-mile-long 42-inch liquid natural gas pipeline across Barataria Bay to connect to their facility just south of PLT and IGP.

" Pointe LNG constructing a liquid natural gas facility and Castleton Commodities Incorporated constructing a methanol plant on the east bank of the Mississippi River across from the previous listed proposed construction project.

" Formosa Plastics planned \$9.4 billion complex in St. James Parish

" Each year there are reports of the Gulf of Mexicos hypoxic dead zone that covers up to 6,000 to 7,000 square miles. It is stated that dead zones are worldwide, but the Gulf of Mexico dead zone at the base of the Mississippi River is the largest in the world. This dead zone will be introduced directly to the Barataria Basin.

Other projects done that were presented as innovative speak for themselves:

1. The Mississippi River-Gulf Outlet Canal (abbreviated as MRGO or MR-GO) is a 76 mi (122 km) channel constructed by the United States Army Corps of Engineers at the direction of Congress in the mid-20th century that provided a shorter route between the Gulf of Mexico and New Orleans' inner harbor Industrial Canal via the Intracoastal Waterway. In 2005, the MRGO channeled Hurricane Katrina's storm surge into the heart of Greater New Orleans, contributing significantly to the subsequent multiple engineering failures experienced by the region's hurricane protection network. In the aftermath the channel was closed. A permanent

storm surge barrier was constructed in the MRGO in 2009, and the channel has been closed to maritime shipping.

2. Port Eads Marina Facility on South Pass at the southernmost tip of Louisiana about 21 mile south of Venice, a state-of-the-art \$15 million dollar facility reopened in March 2014 after being destroyed in Hurricane Katrina. The Facility closed in March 2019 due to siltation making South Pass unnavigable for large sport fishing boats.

Current mismanaged projects and business endeavors that continue to damage our coast and cause coastal erosion:

1. A \$36 million restoration of Chenier Ronquille which was partly funded with money BP spent on damages for its Deepwater Horizon oil spill. The islands west side was heavily oiled during the disaster. The Chenier Ronquille rebuild was part of a much larger federal and state effort to restore Louisianas fast-eroding barrier islands. On Sept. 5, 2016, an excavating marsh buggy operated by Great Lakes Dredge accidentally perforated an underground oil pipeline owned by Arrowhead Coast Pipeline and released an estimated 5,250 gallons of oil into Bay Long on the south edge of Barataria Bay. The 12-inch pipeline has two lines with one running from Ostrica, on the east bank of Plaquemines Parish, to Elmers Island, a wildlife refuge next to Grand Isle. A 2013 environmental assessment prepared for the restoration project noted the island's value to a variety of migratory bird species and warned of oil and natural gas infrastructure on and around the work sites. "Oil and gas pipelines lay throughout the proposed project vicinity as active or remnant conveyance of this industry," it said.

Thousands of miles of buried and underwater pipelines lie in tangles across the coast, many of them abandoned or poorly mapped. Last year, the CPRA abandoned plans to rebuild East Timbalier Island after determining that the large number of pipelines, wells and other oil and gas infrastructure there had severely damaged the island and made it too expensive and dangerous for restoration work. Nearly \$20 million had been spent on East Timbaliers recovery before the CPRAs plans were canceled. Great Lakes Dredge & Dock Company is the Houston based company hired for this project and is currently facing criminal charges of violating the Clean Water Act. A sub-contractor asserts he was directed to dig an unauthorized channel that may have exposed pipeline or compromised its buffer of sediment allowing damage to a pipeline. Great Lakes has been involved in several Louisiana Coast restoration projects.

2. The Taylor Energy Mississippi Canyon 20 was constructed in 1984, 11 miles southeast of the Plaquemines-Balize delta. In September 16, 2004, Hurricane Ivan caused submarine landslides that capsized the drill rig resulting in between 25 and 28 leaking wells being buried beneath the sea floor. Although Taylor Energy reported the spill to the Coast Guard at the time, the Coast Guard "monitored the site for more than half a decade without making the public fully aware" of the severity of the leak. Increased attention later came in 2010, when observers monitoring the Deepwater Horizon oil spill discovered a persistent oil slick at the Taylor site. In 2018, the Coast Guard ordered Taylor to fix the problem after a government-commissioned study estimated the platform site was releasing between 10,500 and 29,000 gallons of oil per day. That volume was vastly larger than the dozen or so gallons per day estimated by scientists hired by Taylor. The Taylor Energy site has produced what many scientists say is one of the largest and longest-running oil disasters in U.S. history.

3. In a report to Congress, the U. S. Government Accountability Office determined that federal regulators rarely conduct or require underwater pipeline inspections. Instead U. S.

Bureau of Safety and Environmental Enforcement, which regulates the offshore industry, relies on reports of sheens or oily bubbles on the waters surface to detect leaks. The GAO found that the offshore oil and gas industry has left behind about 18,000 miles of inactive pipeline in the Gulf since the 1960s. While federal rules require removal of decommissioned pipelines, GAO found that 97% of pipelines have been allowed to stay on the seafloor.

We continue to allow outside interest come to Louisiana and profit while destroying our wetlands and polluting our environment:

1. CITGO of Lake Charles to pay \$5.5 million over contaminating Calcasieu River estuary.
2. PCS Nitrogen in Geismar seeking regulators permission to discharge wastewater into the Mississippi River after closing a production line.

Louisiana projects give the appearance of little or lax oversight and appear to lean more toward paying fines, penalties, and cleanup than providing a clean and healthy environment that is safe for our community.

Louisiana coastal protection and restoration projects are not helped when state senators allied with the oil and gas industry interfere with legislation to hold oil and gas companies accountable because it scares away oil and gas investment in Louisiana.

More consideration should be given to projects like:

1. The barrier island restoration at Trinity-East Island where pipelines are pumping sand 15 miles to build 1100 acres of marsh, dune, and beach on three barrier islands and a headland.
2. In Cameron Parish where 319 acres of marsh is being restored by pumping 2.36 million cubic yards of sand that is dredged from the Gulf of Mexico.

Both projects are praised and show improvements with little or no negative socioeconomic consequences. Projects like these in conjunction with articulated concrete matts like the Army Corps of Engineers revetment project which controls the erosion on the Mississippi River. The Corps started experimenting with the concrete matts in 1914 and are currently still being used. The revetment area is then covered in stone rip rap/rubble.

In discussion with CPRA I have been told that these types of projects are too costly, or cost prohibited. They would not be if Louisiana would hold profit making companies accountable for the damages they cause. No other state allows the damage to their coast, environment, and heritage that Louisiana tolerates.

Do nothing is not a choice if South Louisiana intends to exist in the next couple of decades. However, I believe the Mid Barataria Sediment Diversion will end South Louisiana quicker.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not**



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**adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.****Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River

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diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 61846**

**The commenter requested that the Final EIS, Chapter 4, Section 4.25 Cumulative Impacts be updated to include recent information about IGP Methanol, LLC, Venture Global/Gator Express, Pointe LNG, Castleton Commodities Incorporated, and Formosa Plastics moving forward with construction in the proposed Project area.**

**Response ID: 16460**

Each of these projects was considered in the cumulative impacts analysis of the Draft EIS (Chapter 4, Section 4.25) with the exception of the Formosa Plastics project, which was not included in the cumulative impacts analysis because that project would be located in St. James Parish, far north of the Mid-Barataria Sediment Diversion Project impact area. In Section 4.25 Cumulative Impacts, the Castleton Commodities Inc. project is called "Braithwaite Methanol Plant/CCI Port Nickel LLC."

Reasonably foreseeable projects and information about them was based on the stage of development that the actions and facilities had reached at the time the Draft EIS was being prepared. The cumulative impacts analysis in the Draft EIS was based on the status of projects in May 2020. No related edits have been made for the Final EIS for these facilities.

In May 2022 after publication of the Draft EIS, the USACE conducted a search to identify any new/additional reasonably foreseeable projects that, cumulatively with the proposed MBSD Project, have the potential to significantly alter the environmental landscape from what was assessed in the Draft EIS. After identifying new, reasonably foreseeable projects, USACE evaluated those projects for their potential to significantly affect the environmental landscape that was presented in the Draft EIS and concluded that none would significantly change the MBSD cumulative impacts as described in the Draft EIS. Nevertheless, USACE determined that five newly-identified projects would have more than negligible cumulative impacts. To provide a complete picture of MBSD cumulative effects to the decision maker(s) and the public, these five projects have been added to the Final EIS in Chapter 4, Section 4.25.25 Cumulative Impacts Analysis 2022 Update.

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**Concern ID: 61879**

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**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

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Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG’s Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA’s Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62318**

**CPRA, with assistance of Attorney General and federal agencies, should hold E&P companies accountable for failure to maintain coastal zone structures that has led to coastal marsh loss. Louisiana should hold profit making companies accountable for the damages they cause.**

**Response ID: 15772**

The Draft EIS recognized causes and impacts of coastal land loss (see EIS Chapter 3, Section 3.6.2 Wetland Loss). The suggestions regarding accountability are outside the scope of this EIS.

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**Concern ID: 62337**

**There should be better inspection of oil rigs/pipelines and prosecution in incidents that harm nature. Our taxes pay to clean up environmental damage caused by negligence.**

**Response ID: 15784**

While the proposed Project is intended to restore habitat and ecosystem services injured by the DWH oil spill, the commenters are raising issues associated with the wider oil and gas industry that are outside the scope of this EIS.

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**Concern ID: 62338**

**The commenter gives two examples of corporations releasing contaminants in Louisiana, and believes that Louisiana coastal protection and restoration projects are hindered by oil and gas interests.**

**Response ID: 15785**

While the proposed Project is intended to restore habitat and ecosystem services injured by the DWH oil spill, the commenters are raising issues associated with the wider oil and gas industry that are outside the scope of this EIS.

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**Concern ID: 62351**

**The commenter asked what the reference for the statistics in the EIS is if the Project is unparalleled and innovative.**

**Response ID: 15846**

The impacts and projections discussed in the Draft EIS were based on USACE's and the LA TIG's consideration of the best information and data available to them, including peer-reviewed literature, subject matter expertise, and computer modeling which simulates future conditions. That data and USACE's evaluation of that data, done in coordination with the LA TIG, are included in the EIS to inform the public and the decision maker.

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**Concern ID: 62442**

**Commenters requested that additional information about the reasonably foreseeable Plaquemines Liquids Terminal be added to the Final EIS, Chapter 4, Section 4.25 (Cumulative Impacts), such as the potential for the project to affect sediment transport capabilities of the proposed MBSD Project.**

**Response ID: 16467**

Furthermore, CPRA entered into a Memorandum of Understanding with the Plaquemines Port Harbor & Terminal District (PPHTD) and the Plaquemines Liquid Terminal, LLC (PLT) requiring PPHTD and PLT to perform sediment transport modeling and a navigation study to determine the impact, if any, that the PLT Project may have on the proposed MBSD Project, and to agree to certain terms and conditions, as needed, to ensure that the PLT, once constructed and operated, does not have unreasonable adverse impacts on the design, construction, or operation of the proposed MBSD Project. These steps would help ensure that the PLT Project remains consistent with the Louisiana Coastal Master Plan.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

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**Concern ID: 62664**

**The Project, instead of restoring coastal Louisiana, would accelerate its degradation. The Upper Barataria Basin, which was not affected by the DWH oil spill, would be negatively affected by the proposed Project in terms of cultural, topographic, and ecological impacts. Because the Oil Pollution Act is designed to restore areas affected by an oil spill to their pre-spill conditions, the proposed Project should not be funded because it does not achieve this goal.**

**Response ID: 16623**

The potential impacts of the proposed Project on affected ecosystems and communities were considered in the Draft EIS. For example, Chapter 3 Affected Environment of the EIS describes existing conditions within the Project area and Section 3.1 Introduction provides an overview and history of the Project area. These existing conditions are factored into the impact analysis in Chapter 4 Environmental Consequences of the EIS. Further, Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. notes the ongoing impact of the DWH oil spill on wetland loss, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 in Aquatic Resources provides an overview of the adverse impact of the oil spill on key aquatic species within the Barataria Basin.

The impacts raised by the commenters were also considered in the LA TIG's Draft Restoration Plan. As described in the Restoration Plan in Section 1.3 (Authorities and Regulations), the goal of the Oil Pollution Act of 1990, 33 USC 2701 et seq., is to make the environment and public whole for injuries to natural resources and services resulting from an incident involving a discharge or substantial threat of a discharge of oil. This goal is achieved through the return of the injured resources and services to baseline, and compensation for interim losses from the date of the incident until recovery. According to 15 CFR, Part 990.30, restoration is defined as "any action...to restore, rehabilitate, replace, or acquire the equivalent of injured natural resources...and services", and 15 CFR, Part 990.53 (c) (2) specifies that compensatory restoration actions can include actions that provide natural resources and services of the same or comparable type and quality as the injured resources.

Considering the scale of impacts from the oil spill, the LA TIG also understands the importance of increasing the resiliency and sustainability of this highly productive Gulf ecosystem through restoration. As noted in the PDARP/PEIS, diversions of Mississippi River water into adjacent wetlands have a high probability of providing these types of large-scale benefits for the long-term sustainability of deltaic wetlands. As described in Section 2.3.3 (Proposed MBSD Project Location Alternatives) of the Restoration Plan, while a project in Lower Barataria Basin would provide restoration closest to where the heaviest oiling and associated injuries occurred, such a project would also require more time and more sediment to build land given the relatively deep open water in that area, and newly created marshes would be more quickly eroded by waves, tidal action, and storm surge. A project in the Mid-Barataria Basin is close to oiled shorelines but farther away from additional erosive forces found in the Lower Barataria Basin. The LA TIG selected the proposed Project location in the Mid-Barataria Basin because a project in this location would have the capacity to accept and disperse sediments and nutrients and would promote the long-term sustainability of existing and newly created marshes.

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The LA TIG recognizes that the proposed Project would result in some adverse impacts to natural resources as described in Section 3.2.1.5 (Avoids Collateral Injury) of the Restoration Plan. However, these injuries occur primarily in the middle and Lower Barataria Basin, and the proposed Project would also restore natural resources that were injured by the DWH spill as described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan. The increase in wetland area under the Project is also expected to benefit communities on the West Bank, north of the diversion, by providing increased protection from storm surge (see Section 3.2.1.7).

Because the proposed Project would contribute to restoring natural resources injured by the DWH oil spill to their baseline conditions, the Project is consistent with OPA, the OPA NRDA regulations, the PDARP/PEIS, and the SRP. See Section 3 (OPA Evaluation of the Alternatives) of the Restoration Plan for more details about the LA TIG's evaluation of the proposed Project and its alternatives.

The LA TIG has also funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 (Screening for a Reasonable Range of Alternatives) of the Restoration Plan provides a detailed discussion of the selection of the location for the LA TIG's Preferred Alternative in the Restoration Plan.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to

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compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final

EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63100**

**Commenters request additional information on how homestead exemption will be considered in compensation for acquisition.**

**Response ID: 16638**

The reference to homestead exemption in the Draft EIS was for informational purposes, and not intended to determine how compensation or mitigation would be provided. As part of any property acquisition to implement the Project, CPRA intends to compensate landowners for the value of any property interest acquired in accordance with applicable law..

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**Concern ID: 63180**

**Mitigation plan should have been presented with the Draft EIS.**

**Response ID: 16557**

The Draft Mitigation and Stewardship Plan for the Project was included as Appendix R1 to the Draft EIS, for which a NOA was published in the Federal Register on March 5, 2021 (86 FR 12942). The LA TIG presented an overview of the Mitigation Plan during the April Draft EIS

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Public Meetings. The Mitigation and Stewardship Plan included in the Draft EIS was a draft plan, with specific issues that required further development before the plan was finalized. The Final Mitigation and Stewardship Plan is published as Appendix R1 to the Final EIS. CPRA expanded and refined the Final Mitigation and Stewardship Plan (Appendix R1) in response to community and resource agency input.

The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:23322**

Thomas Budde Sr

I fully support the Diversion project. While recognizing the project will have some negative consequences I have personally witnessed the loss of vast tracts of marsh fishing the area over the last 45 years. Much more good will come from this project than will bad. We need this project, and more just like it, NOW. Let nature repair the harm done by levees.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23401**

Wayne Clement Sr

The information does not mention the impact to the Mississippi Gulf Coast (MGC). The studies I have read indicate that the diversion project would divert the Mississippi River waters toward the MGC. The results would far worse than the impact of opening the Louisiana spillways and would be permanent. The MGC seafood industry and sport fishing would be devastated. The MGC would see rising water levels that would intensify the effect of hurricanes. How can anyone allow this to happen? The impact to not only Louisiana but the surrounding area MUST be considered! Please do not allow this diversion project to become reality to some and a nightmare to others. Please say NO!

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**Concern ID: 61784**

**The commenter expressed concern that proposed Project operations would divert Mississippi River waters toward the Mississippi Gulf Coast. The results would be far worse than the impact of opening the Louisiana spillways and would be permanent. The Mississippi Gulf Coast would see rising water levels that would intensify the effect of hurricanes. The commenter noted that other studies indicate this, but the Draft EIS does not mention impacts on the Mississippi Gulf Coast.**

**Response ID: 16414**

The geographic area of flooding and other impacts of the proposed Project were considered in the Draft EIS in Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics and Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction. As discussed and illustrated in these sections, the proposed Project would not have more than negligible impacts on the Mississippi Gulf Coast. The proposed Project would divert water into the Barataria Basin, on the west side of the Mississippi River, away from the Mississippi Gulf Coast, not toward it. No related edits have been made to the Final EIS.

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**Concern ID: 62084**

**Commenters believe that the proposed MBSD Project would cause economic loss annually to other Gulf Coast states. The Mississippi Gulf Coast seafood and fishing industry would be devastated.**

**Response ID: 16248**

Chapter 3, Section 3.1.1 Project Area of the Draft EIS identifies the analysis area for the EIS. This is the area in which the Project is anticipated to have discernable effects. For socioeconomic impacts, the EIS identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche and Jefferson Parishes, Louisiana. For Commercial Fisheries, the Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Final EIS has been revised to acknowledge this. Those commercial fishermen would be eligible to participate in the fishery mitigation programs discussed in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

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**Concern ID: 62786**

**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:23409**

Mary Tucker

We as property owners in the Myrtle Grove Marina Estates subdivision, understand that the proposed diversion will have significant and permanent detrimental impacts on our subdivision. We bought and built our house to code. Based on the CPRA meetings that I have attended, and the EIS, the diversion will increase tidal flooding in Myrtle Grove by at least 119 days which is unacceptable. I will not grant an easement to the Corp to flood my property at their discretion. I am also not aware of any flowage easements in residential subdivisions. Why is there not a Real Estate Plan for Myrtle Grove similar to the one for the Upper Barataria EIS? This project threatens the "Culture" and way of life for the residents of Myrtle Grove. I vehemently object to the harming of the Dolphins!

If this project proceeds, we will accept either of the following solutions to the flooding this project will create:

1. Compensate me for the full investment that I have made on my property
2. Raise all the existing infrastructure, inclusive of public roadways, lift stations, docks and my property

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.



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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement,

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CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates,**

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**and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the

landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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**Correspondence ID:23416**

Alan Drake

Broadcast seed of both black and red mangroves (*Avicennia germinans* & *Rhizophora mangle*) by air and boat until such time as newly established seedlings start bearing seed. Mangroves have a unique ability to hold and create land in brackish water while enhancing fish habitat. The natural growth of land will be enhanced by the widespread presence of mangroves. Both are native to Louisiana.

White mangrove (*Laguncularia racemosa*) and buttonwood (*Conocarpus erectus*) will likely naturally migrate to Louisiana with Global Warming and may serve complimentary roles and should be considered as well.

Small trees and shrubs will increase the friction of the land during hurricanes. Both wind and storm surge will be reduced by even small mangroves. More so by larger trees. This benefit will come at a low financial cost.

Mangroves are frost intolerant, so every so many years they will be killed by frost (until global warming progresses further). However, the rot resistant dead trees will still provide benefits for many years afterwards. In some cases, an established grove of now dead mangrove trees may be a good place to plant cypress trees as a successor species.

If the annual broadcast of mangrove seeds has ceased because of indigenous seed production, it should restart after a killing frost, at least in the areas affected.

Bald or related species cypress trees should be planted where they would be viable. Every few years, the changing landscape will require a survey to determine what new areas have become viable for cypress planting. Once established, cypress stands are likely to remain through future storms and aid retention of new lands created. However, cypress trees are unlikely to survive on newly formed land as well as mangrove trees.

Seeding of mangroves by broadcast is low cost and should have significant benefits, giving this effort an excellent cost-benefit ratio.

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**Concern ID: 61892**

**Consider including in the design of the diversion the planting of black, red, and white mangroves to create and sustain land in the Barataria Basin, as well as planting bald or related species cypress trees to aid in the retention of land. Even dead trees would stabilize the soils.**

**Response ID: 15986**

The Draft EIS acknowledged impacts on wetland vegetation and terrestrial vegetation due to the proposed MBSD Project in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S. and Section 4.9 Terrestrial Wildlife and Habitat, respectively. While mangroves can provide areas of soil retention, their relative lack of cold tolerance does not currently allow growth throughout the entire coast of Louisiana. Red or white mangroves are not currently found in Louisiana because they are not as cold tolerant as black mangrove, although as the climate changes, CPRA recognizes that dedicated plantings of black mangrove and exploratory plantings of other mangrove species are a potential option in areas that are not currently suitable. Cypress trees are a viable option today and have been used (along with willows) to stabilize newly deposited sediments at the outfalls of existing diversions. CPRA would consider these options in the outfall area as part of future adaptive management

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efforts, especially to the extent base flows would provide suitable freshwater habitat, as well as to increase sediment stabilization and retention.

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**Correspondence ID:23427**

Berry Tucker

I am a property and house owner in Myrtle Grove Marina Estates. From the scoping meetings I have attended and information that I have read on the proposed Mid- Barataria Sediment Diversion will have devastating impact on our family, lives and homes. Last year our subdivision flooded about 8 times. Your proposal is saying we will be flooded about half the year. We are going to kill wildlife, birds and mammals with the proposed plan. We have to come up with a better solution of combination diversions and dredging. If not a Real estate plan needs to be developed. It is my expectation that the following one of the following solutions happen:

1. Raise infrastructure, property, dwellings, and boat houses so that there will be no flooding from tidal or diversion impact.
2. Full compensation buyout.
3. Relocate us to another area.

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**Concern ID: 61974****Consider the alternative that consists of a combination of diversions and dredging.****Response ID: 15975**

The EIS considered a sediment diversion combined with marsh creation alternative as a functional alternative to the proposed Project. See the explanation in Chapter 2, Section 2.3.6 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why combination alternatives were eliminated from further analysis in the EIS.

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**Concern ID: 62893****The proposed MBSD Project would kill wildlife.****Response ID: 16192**

As described in Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS, wildlife would experience both adverse and beneficial impacts during proposed Project construction and operations, with specific impacts depending on the individual life history and tolerances of a given species.

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**Concern ID: 62951****CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.****Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).



Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the

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particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:23500**

Brent Foret

I own and have a camp (retirement home, 1200 sq.ft., 3 bedroom 1 bath, central ac/heat, 10 ft. elevated on pilings) in Lake Hermitage [REDACTED]. I typically spend most of my retired time there daily fishing, working, maintaining etc...

Obviously this is not my main residence and I do not own the property but have leased this land from the Lachmann family for 40 years. I have paid the property taxes on this lot also since leasing it.

My camp site floods with up to 1 ft. of water underneath when the wind blows hard (20-30 mph) from a South/Southwest direction for any substantial amount of time.

I did attend the meeting at the Lake Hermitage firehouse about the impact of this diversion project to our area.

It is obvious that we will loose access to the Lake Hermitage area for a period of 3-5 months after the project is completed.

Mitigation measures for my site would include raising the property/docks 2-3 feet and raising the access roads accordingly. I do not think this would be feasible dollar wise although would approve if these mitigation measures could be accomplished.

I think the buy out option that was mentioned in the meeting will be the identified litigation for this area and would be in favor of this. Hopefully they would pay me fair market value for my secondary home even though I do not own the property.

My lifestyle will totally change if I lose my camp in Lake Hermitage but understand something drastic needs to occur to save our estuaries.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are

greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

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Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

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Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23510**

Laura Braly

Hello:

I am not an environmental scientist, but the climate crisis is of utmost concern to me. Action must be taken in an attempt to mitigate: sea level rise, the severity of hurricanes, out of control fossil fuel dependence, and to protect the people who live and work in coastal Louisiana and along the Gulf Coast region.

Humans diverted the Mississippi River and thereby exacerbated the massive ongoing loss of coastal lands, and it is immediately necessary to reverse this course. Let the Mississippi River again deliver desperately needed sediment to this basin!

As an active birder and member of Orleans Audubon Society, I fully support the Mis-Barataria Sediment Diversion project. Save the coast, save wildlife habitat, and save Louisiana culture!

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:23520**

Warren Delacreaux

My name is Warren Delacreaux. I own Fishermen Net Supply, fishermen wholesale supply, primarily commercial and recreational. The company's been in business for 40 years. If the Mid-Barataria and Breton Sound unit goes through, I expect the Corps of Engineers to buy my business out because we are done, we'd be finished. I'm a previous member of the Wildlife and Fisheries Commission. I've been around this a long time and this is just a moneymaking deal that somebody's making. They need to dredge, they know what does the dredging, the Barataria, there's no sediment that comes in. It's proven, the Corps already wrote a note in the paper. There's no sediment in the river. It's just a money grab that some politicians up in Washington debt relations are going to get rich on building this wasted thing that they're trying to do.

I would like to talk to someone personally. I've been in CPRA meetings, I've been a proponent of trying to get the Rocks open up the Ship Channel, I'm the one who started it, and if somebody has the nuts or the balls to call me, I would like to speak to him, because this is a total farce. Thank you, [REDACTED]  
Warren Delacreaux, own the Fishermen Net Fishermen Wholesale. They can prepare to buy us out. If they do something like this on both sides, they can buy a lot of businesses up because we will be out of business. Thank you

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**Concern ID: 61782****Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.****Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61966****The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It**

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**would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment

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diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process. CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Concern ID: 62817**

**One commenter requested an individual discussion.**

**Response ID: 16390**

USACE NEPA practice is to respond to public comments in writing. However, the USACE was able to discuss the commenter's concern, which was based on impacts of the MRGO rock closure on salinity in Lake Pontchartrain, and pass those concerns on to the appropriate USACE staff. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts

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on the natural environment. This summary, which includes discussions on the MRGO is available in Appendix U of the Final EIS.

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**Concern ID: 63092**

**Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, “real estate plan” for impacted communities was not available.**

**Response ID: 16511**

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA’s initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA’s Mitigation and Stewardship Plan are not included in CPRA’s DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners’ properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner’s property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA’s Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23528**

Bill Bubrig

Residents of Myrtle Grove should be bought out at fair market value as these properties will no longer be functional as their intended usage.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA

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permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23529**

Form Letter 14

We live in Plaquimines Parish and are long time camp owners on Martin Lane in Happy Jack Port Sulphur. We are very disappointed in the government attempting to go thru with another MRGO. It has proven in New Orleans not have helped the growth of new land.

From what we understand they will be spending \$2 billion to create what is equal to 10 football fields of marsh while destroying the oysters and brown shrimp in the area, increase in tidal flooding (docks/properties/road), impact on the Dolphin population, and a permanent change our piece of "paradise." We all should have something to say about this project.

We also understand that Martin Lane will be raised leaving the southside of Martin Lane residents vulnerable to High waters and access to the camp will be impossible at times with high tide and a little southeast wind. We recently installed a new bulkhead and raised our property. At this point our property would be flooded and there is probably not enough funds set aside to make everybody's property on the south side of Martin Lane to the same elevation as Martin Lane. Not only would our property be flooded but it also makes our house in the floodplain. So you'll have to raise all the residents on the southside so flood insurance will not be astronomical cost. We are not in the floodplain at this time!

We truly and honestly oppose this idea and are not in favor of the MRGO! This is just a waste of funds and will not help anyone iexcept the contractors and the government.

Please reconsider and look at the facts and history of similar projects

Thank You

Philip J Spezio

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

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**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62783**

**Commenters noted that the cost of designing and building the proposed MBSD Project is too high for the small amount of land anticipated to be built.**

**Response ID: 16365**

The commenter's opposition to the cost of the proposed Project is noted. Under NEPA, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that the permit applicant has conducted its own economic evaluation of a proposed project. Consequently, a cost-benefit analysis is not relevant to USACE's permitting decisions. As part of evaluating the proposed Project, the LA TIG considered the costs associated with developing, constructing, and managing the

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Applicant's Preferred Alternative consistent with the Restoration Plan alternatives evaluation criteria in 15 CFR §990.54. This discussion is in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in

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soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove

community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:23537**

Raymond Jeanfreau III

I am against the proposed diversion. Myself and my wife live in Myrtle Grove. My whole life I had a dream of living on the water. To live where I do in Myrtle Grove I work 2 jobs. Now you are coming and going to destroy our property and value and all of the fish, crabs, shrimp, etc. that we catch where I live. With the diversion my neighborhood will be flooded for a minimum of 119 days per year to up to two thirds of the year.

To top it all of there are no buyouts for my area. It is bad enough that I feel you are going to force this on us but why would I not be paid fair market value for my property. There is no proposal to do so for my area. How do you expect me to get to work with the water levels you are talking about. How in this great country of ours can you ruin my home that I have worked a lifetime for and not pay me. How would you feel? This is no laughing matter. I will be 65 this year, planned on retiring soon and you are going to ruin my property, its value and my way of life and just walk away and say screw you.

NO DIVERSION. As I stated I feel that no matter what we say it will still take place. The only way that I would not mind the diversion is if I am compensated at fair market value for my property so that I can find another place to live. Your proposal is absolutely crazy to allow you to screw us and just move on. How can this be? Reconsider and cancel this INSANE project.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the

Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for**

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**acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or

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will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23544**

Kenneth Ragas

The alternative of marsh creation utilizing dredged material from near shore of the Gulf of Mexico (GOM) was not included in the draft EIS. The cost of using GOM borrow on project BA-68 was \$6 per cubic yard. The Spanish Pass project will probably use this same source near Sandy Point on the next stage of that project. Is it possible to include this item in the EIS? At that price the 1.5 billion cost of the diversion will generate nearly 250,000,000 cubic yards of marsh creation material. Salt/brackish marsh platform is more resilient than fresh marsh and marsh creation will be a timely benefit against storm surge protection. The diversion will not provide this critical protection for our generation and it is not feasible to predict what the planet will look like in 50 years based on a computer model with tainted input data from the West Bay Diversion.

I'm sure you will agree that a timely method of help in many areas is essential for the survival of southeast Louisiana. The cost of rebuilding 50 years of hurricane

consequences outweighs the results of a 50 year unpredictable results of diversions. The LSU Rex Caffey paper concludes poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties. The people of Plaquemines Parish, Lafitte and Grand Isle will certainly be opposing the diversions and requesting more storm surge protection for their families.

Spending 1.5 billion dollars for an undependable source of project results is not a "good business" practice. The variables don't support the spending. We need

immediate proven results which dredging from the near shore of the GOM will provide. Can you include this in my comments on the EIS?

Sir or Madam,

Please accept the above comment on the Mid Barataria Diversion.

Thank you,

Kenneth Ragas

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not

required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various

alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor**

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performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).

Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.

Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.

Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.

Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.

Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.

Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

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Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62789**

**The cost of designing and building the proposed MBSD Project is too high for a project that has undependable results.**

**Response ID: 16370**

The commenter's opposition to the proposed Project is noted. With respect to the dependability of the future benefits of the proposed Project, the Draft EIS acknowledged that the Delft3D Basinwide Model projections of future conditions includes uncertainties, which are incorporated into the EIS impact conclusions. These uncertainties are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties. However, in addition to the modeled data, Chapter 4 - Environmental Consequences -includes analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in preparing the EIS. As part of developing the EIS, the USACE, together with the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the EIS impacts analysis of the alternatives.

Consistent with OPA regulations (15 CFR §990.54), the LA TIG's Restoration Plan evaluated multiple alternatives based on a number of criteria, including the cost of the alternative. For more information see Section 3 of the LA TIG's Final Restoration Plan. The costs associated with developing, constructing, and managing the Applicant's Preferred Alternative are

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discussed in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

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**Concern ID: 62818**

**The people of Plaquemines Parish, Lafitte, and Grand Isle will certainly be opposing the diversions and will be requesting more and immediate storm surge protection for their families, which could be provided by dredging projects.**

**Response ID: 16391**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 2 Alternatives of the EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. As discussed in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation, without periodic maintenance, dredging to create large-scale marsh in the Barataria Basin would not be expected to have long-lasting results. After 50 years without nourishment through additional dredge events, approximately half of the dredged material placed for one of these projects in the basin would be lost by the end of a 50-year Project life. The EIS does evaluate reasonably foreseeable large-scale marsh creation projects working in tandem with the sediment diversion alternatives in the cumulative impacts section of the EIS (see Chapter 4, Section 4.25 Cumulative Impacts). Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Correspondence ID:23546**

St. Bernard Parish

Guy McInnis

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, APRIL 20, 2021 AT THREE O'CLOCK P.M.

On joint motion of the Chair, without objection and by unanimous consent, it was moved to adopt the following resolution:

RESOLUTION SBPC #2124-04-21

A RESOLUTION OPPOSING THE PROPOSED MID-BARATARIA SEDIMENT DIVERSION PROJECT.

WHEREAS, The Coastal Protection and Restoration Authority is proposing the Mid-Barataria Sediment Diversion Project; and,

WHEREAS, water, and the wildlife that inhabits it, does not respect parish boundaries, any project effecting Plaquemines water quality and estuaries will have similar impact on the waters and related businesses of St. Bernard Parish; and,

WHEREAS, while the loss of coastal wetlands is a valid concern, the resolution or remediation of that problem must avoid ancillary damages to the people and wildlife of Plaquemines and St. Bernard Parish; and,

WHEREAS, the Environmental Impact Statement related to the current proposed Mid-Barataria Sediment Diversion Project indicates that the project will do permanent harm to the wildlife of Plaquemines and St. Bernard Parish and their respective seafood industries; and,

WHEREAS, the seafood industry of Plaquemines and St. Bernard Parish are central to their respective economies, culture, and heritage; and,

WHEREAS, the environmental remediation efforts related to the potential harm caused by the current proposed Mid-Barataria Sediment Diversion Project is insufficient; and,

WHEREAS, the potential benefits in the minimal land development that is predicted are far outweighed by the unremediated damage that the Mid-Barataria Sediment Diversion Project will cause to the people and wildlife of Plaquemines and St. Bernard Parish; and,

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Extract #16 continued

April 20, 2021

WHEREAS, the long term damage caused by the Mid-Barataria Sediment Diversion Project to the wildlife and fisheries of Plaquemines and St. Bernard Parish will destroy the livelihood of countless local businesses and people; and,

WHEREAS, the destruction of those livelihoods will lead to the loss of the St. Bernard tax revenues that are used to fund vital services to the people of St. Bernard Parish.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, opposes the proposed Mid-Barataria Sediment Diversion Project.



BE IT FURTHER RESOLVED, that this Resolution be forwarded to all of the following:

- Governor John Bel Edwards
- The Coastal Protection and Restoration Authority
- The House Natural Resources and Environment Committee
- The Senate Natural Resource Committee
- Representative Mack Cormier, Representative Ray Garofalo, Senator Sharon Hewitt, Senator Joseph Bouie and Senator Troy Carter
- U.S. Army Corps of Engineers, Brad Laborde

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS : McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as YEA.

And the motion was declared adopted on the 20th day of April, 2021.

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CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, April 20, 2021.

Witness my hand and the seal of the Parish of St. Bernard on this 20th day of April, 2021.

RONNEADAMS

CLERK OF COUNCIL

April 21, 2021

At its April 20, 2021 regularly scheduled council meeting, the St. Bernard Parish Council unanimously approved Resolution SBPC #2124-04-21, "A Resolution opposing the proposed Mid- Barataria Sediment Diversion project". As Parish President, I join with the council in objecting to this proposed project. As the draft Environmental Impact Statement from the US Army Corps of Engineers confirms, this project will do irreparable harm to the wildlife and estuaries of St. Bernard and Plaquemines Parish, and therefore to our respective seafood and tourism industries. We respectfully request alternative projects be considered to rebuild our all- important coastlines in St. Bernard Parish, while preserving our economy, culture, and heritage.

Respectfully,

Guy McInnis, Parish President, St. Bernard Parish

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**Concern ID: 62014**

**The proposed MBSD Project would reduce tax revenue for the parishes located in the impacted area and the funds to support vital services in these areas.**

**Response ID: 16211**

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The EIS considers and describes impacts on tax revenue in Chapter 4, Section 4.13.4 and 4.13.5 in Socioeconomics. There is also a discussion of Public Services and Utilities in this chapter (Section 4.13 Socioeconomics). As described, the proposed Project construction would have minor to moderate short-term benefits on sales and use taxes in local jurisdictions and the state associated with construction spending. Negligible to minor permanent adverse impacts on tax revenues from sales and use taxes, including associated with impacts on commercial fishing activities, as well as property tax collections associated with reduced property values are anticipated in Plaquemines Parish due to operation of the proposed Project. Potential adverse effects on utilities associated with reduced property taxes are also anticipated during the operations phase of the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)

- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15

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CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62782**

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**A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63182****Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.****Response ID: 16559**

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23547**

Warren Lawrence

The residents of Plaquemines, and the hunters, and fishermen, crab fishermen, that don't have to have an engineers degree, to know this is the stupidest thing you have come up for this parish. I don't care who you talk to. You need to talk to the long time residences, they know it won't work, and your spending a lot of money, for another Mr. GO. Wake up and don't talk to engineers. Sometimes I wonder where they got their degree, certainly not from experience. I'm getting ready to call the USA HUMANE SOCIETY. You are killing at least 300 dolphins 😞😞😞😞. I'm just wondering who's paying to get this through, the have some politicians involved.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Correspondence ID:23565**

Adrienne Petrosinj

You don't need to be a scientist to understand the need for saving our wetlands. The future of our economy, the fishing industry, the city of New Orleans, the state of Louisiana depends on their restoration, we cannot continue to experience the land loss that will occur without this diversion. We cannot continue to experience the flooding and high water level that occurs and will worsen without the diversion. As a member of the Audubon Society and the Sierra Club, I am concerned that increasing salinity will impact wildlife.

Without the diversion, widespread disruption and devastation to people, wildlife and the region's economy will occur. Put simply: We cannot afford a future without action. Please support this project to restore and rebuild wetlands and strengthen the health of the overall ecosystem to protect people, wildlife and the economy.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:23566**

Plaquemines Parish Resident

The CPRA has bullied itself onto private property issuing statutory right of entries for prolonged periods of time in relation to the Mid Barataria and Mid Breton diversions.

The arrogance of a statutory right of entry by a government agency leaves little credibility to the notion the actions of this agency are in the best interest of the tax payers of Louisiana.

Modeling showing the timeline of detrimental effects vs positive effects of large scale diversions has been done by the USGS. These models should be presented to the public and considered by all government agencies. Sea level rise, subsidence and the frequency of hurricanes will not allow for a multiple decade long positive effect.

Other methods of introducing sediments to the wetlands should be considered.

In the event these diversions will be constructed, the general population needs to be considered in the "mitigation". Lifestyles, Culture and in many cases livelihoods will be altered and in some cases destroyed. Any land loss associated with the initial operations of a diversion is unacceptable to the landscape for the residents relying on this landscape to protect their homes from storm surge events. Home owners cannot wait years or decades for positive results.

If these diversions will indeed be constructed, the residents in lower Plaquemines need the option of relocation.

A very concerned resident of Plaquemines Parish.

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**Concern ID: 61785**

**The commenter stated that the USGS has conducted modeling that shows that sea-level rise, subsidence, and the frequency of hurricanes would not allow for benefits of diversions to last multiple decades. The commenter questioned whether these factors were taken into account in the modeling for the EIS.**

**Response ID: 16415**

Modeling conducted by the USGS (for example, Barras et al. 2003. Historical and projected coastal Louisiana land changes: 1978-2050: USGS Open File Report 03-334) was considered in the preparation of the Draft EIS. That work is based on extrapolation of past Barataria Basin behavior and is not directly comparable to the physics-based Delft3D Basinwide Model used to assess the MBSD Project alternatives in the Draft EIS.

Sea-level rise and subsidence were explicitly accounted for in the Delft3D Basinwide Model, as described in the Draft EIS, Appendix E Delft3D Modeling, Sections 3.2.4 and 3.2.3, respectively. Potential land-change effects from hurricanes were not modeled as part of the Delft3D Basinwide Model. The rationale for that omission and explanation of how it was accounted for are provided in Appendix E Delft3D Modeling, Section 8.1. Storm modeling, described in Appendix P, included the effects of land building on storm surge and waves but did not simulate either erosion or deposition for reasons given in Appendix E, Section 8.1. No related edits have been made to the Final EIS.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations**

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**require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of

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benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG’s Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62352**

**CPRA has issued statutory rights of entry for the diversion projects, which deter from the credibility of the agency having the best interest of Louisiana taxpayers in mind.**

**Response ID: 15892**

Comment noted.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a

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combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63043**

**Sea-level rise, subsidence, and the frequency of hurricanes would not allow for a multiple decade-long positive effect from operation of the proposed Project.**

**Response ID: 16050**

Chapter 4, Sections 4.1.3 in Approach to Evaluation of Environmental Consequences and 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledge that sea-level rise and subsidence would affect the extent of wetland creation that would occur if the proposed Project were implemented. The projected land gains in the Barataria Basin developed via the Delft3D Basinwide Model take into account estimates of sea-level rise and subsidence. Additional analysis regarding the potential impact of hurricanes on the extent of wetlands in the proposed Project area during the period of diversion operations is included in Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

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**Correspondence ID:23568**

Robin Wang

The project document appendix P included the hydrographs of the storm used. I believe the units of the hydrograph are incorrect. please do check.

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**Concern ID: 62181**

**The commenter believes the units on the storm hydrographs in Draft EIS Appendix P are incorrect.**

**Response ID: 15764**

Figures 3-24 through 3-39 and 3-62 through 3-77 in Draft EIS Appendix P1 Surge and Wave Conditions Report (ADCIRC Model) are correctly plotted in feet. No changes were made to the Final EIS.

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**Correspondence ID:23578**

Kira Marchenese

I support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help restore the overall health of the ecosystem that was injured as a result of the oil spill.

It's only fair that part of the settlement funds go toward making the ecosystem healthier and more resilient.

With that in mind, I ask the following of the Army Corps and Louisiana Trustee Implementation Group:

- Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion: For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this project is the best long-term solution and necessary to meet the challenges we face from land loss, sea level rise and climate change. The Mid Barataria Sediment Diversion is the cornerstone of Louisianas Coastal Master Plan and will help support and enhance the lifespan of other coastal restoration and protection projects.
- Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan. The sediment diversion plan is exactly the scale needed to address the very serious challenges facing Louisianas coast.

As the project advances, I urge federal and state decision makers to consider the following:

- Center community needs. This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There is also foreseeable potential harm. effects possible. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning and implementation processes.
- Commit to developing a robust adaptive management program to ensure the project meets its restoration goals in response to changing environmental conditions.

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment

Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not



know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62835**

**Federal and state decision makers and the Trustees should work proactively, transparently, and collaboratively with communities with environmental justice concerns and stakeholders to develop ideas and proposals for adaptation and mitigation as environmental conditions change.**

**Response ID: 16662**

CPRA undertook substantial community outreach, particularly aimed at soliciting input from low-income and minority populations, during the period between the Draft and Final EIS and LA TIG's Draft and Final Restoration Plan. CPRA engaged the communities potentially impacted by the Project, including low-income and minority community members, through public meetings to solicit input on mitigation and stewardship strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. CPRA also used a survey tool to gather feedback from low-income and minority community members regarding Project impacts and on mitigation concepts. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. If the Project is implemented, CPRA plans to continue outreach to the communities and stakeholders with environmental justice concerns through Project construction and operations.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from

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the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23588**

Margaret Burwell

I SUPPORT the proposal in the DRAFT RESTORATION PLAN to use funds from the Deepwater Horizon Oil Spill settlement to help restore the overall health of the Barataria Basin ecosystem that was injured as a result of the oil spill.

Louisianas coast is in crisis caused by the ongoing loss of its coastal wetlands, increased vulnerability to stronger hurricanes, sea level rise and saltwater intrusion. As we all know, Deepwater Horizon Oil Spill severely and negatively impacted the Louisiana coast.

EVERY YEAR the loses are greater to coastal communities, wildlife and the entire ecosystem.

You now have an opportunity to harness the natural land-building power of the Mississippi River to maintain vital wetlands and restore the health and vitality of the entire ecosystem.

I ask the Army Corps and Louisiana Trustee Implementation Group:

- SELECT THE PREFERRED ALTERNATIVE in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion- chosen by scientists and engineers as the best long-term solution and necessary to meet the challenges from land loss, sea level rise and climate change.

- FUND THE PROJECT WITH DEEPWATER HORIZON SETTLEMENT DOLLARS as outlined in the draft Restoration Plan.

- CONSIDER COMMUNITY NEEDS IN PLANNED MITIGATION & STEWARDSHIP EFFORTS.

- COMMIT TO A ROBUST ADAPTIVE MANAGEMENT PROGRAM to incorporate changing environmental conditions with input from key stakeholders.

I STRONGLY SUPPORT PREFERRED ALTERNATIVE for the Mid Barataria Sediment Diversion.

Thank you for your consideration

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern

Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23624**

Al Wocman

You created this mess, you fix it.

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**Concern ID: 62363**

**USACE should identify the river management problems their projects have caused and correct those, not adding more patches to the system it broke.**

**Response ID: 15876**

The proposed Project is not a USACE project. The State of Louisiana through CPRA is the permit Applicant and would construct and operate the diversion. The combined effects of USACE's past, present and reasonably foreseeable projects, in combination with the MBSD Project, were considered in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS.

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**Correspondence ID:23626**

Commenter

Dear Sir / Madam,

Please review the below points below. I appreciate your time.

- The diversion will have permanent, detrimental effects to Myrtle Grove.
- The EIS will increase tidal flooding in Myrtle Grove by at least 119 days per year and up to two-thirds of the year which is unacceptable for a subdivision.
- The diversion will silt Wilkinson Canal making it impossible to leave Myrtle Grove by boat. The EIS does not require CPRA to remedy this-only that they MIGHT do so.
- I will not grant an easement to the Corps of Engineers to flood my property at their discretion. I am also not aware of any flowage easements in residential subdivisions.
- Why is there not a Real Estate Plan for Myrtle Grove similar to the one for the Upper Barataria EIS? Why is there a buy-out for the homes in the Upper Barataria and not for Myrtle Grove and the other affected communities in the Mid-Barataria?
- I object to the EIS not detailing the impact upon the dolphins. While an exemption for killing dolphins was included in a budget bill, the actual impact must be studied and disclosed to the public. The recent flow of fresh water from the Bonnet Carre spillway into Lake Pontchartrain caused the death of at least 200 dolphins and this was only a short-term flow of fresh water.
- There was not a hydrology report in the EIS showing the impact upon the water levels. Without this information, it is impossible to confirm the amount of increased water in Myrtle Grove.
- Why were the effects on people not included in the study? The water from the Mississippi River contains significant amounts of fertilizer which results in dead zones at the mouth of the River and the flow into Lake Pontchartrain resulted in harmful amounts of blue-green algae.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).



Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially

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offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62234**

**There was not a hydrology report in the Draft EIS showing the impact upon the water levels.**

**Response ID: 15760**

The EIS does not include a separate, stand-alone hydrology report; however, hydrology is one of the outputs provided by the Delft3D Basinwide Model. The results of this modeling are included in Appendix E, Delft3D Modeling. Based on these results, several sections of the Draft EIS discussed the projected impacts on water levels throughout the basin for all Project alternatives, including in the vicinity of Myrtle Grove. These sections include Section 4.4 Surface Water and Coastal Processes and Section 4.20 Public Health and Safety. These sections are supplemented by additional information in Appendix P, Flood & Storm Hazards Evaluation.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures

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CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63069**

**The Draft EIS did not include detailed information about the potential impacts of the proposed Project on bottlenose dolphins.**

**Response ID: 16592**

The Draft EIS included an analysis of the impacts to marine mammals, including bottlenose dolphins, in Chapter 4, Section 4.11 (Marine Mammals). The EIS quantifies the impact on dolphin survival rates (the percentage of existing dolphins that would survive from one year to the next year) for different populations of dolphins (Table 4.11-5) from the most pronounced stressor, salinity, but also includes a qualitative assessment on other impacts such as wetland shifts, prey species impacts, HABs, water temperature, and other impacts. The Final EIS includes the incorporation of additional population impact analysis that was completed by Thomas et al. (2021) after the Draft EIS was released for public comment.

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**Concern ID: 63092**

**Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, "real estate plan" for impacted communities was not available.**

**Response ID: 16511**

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA's initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA's Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:23665**

Rachel Scown

You know why I'm writing...

The almost irretrievable loss of natural ecosystem wetlands is devastating to whole life populations. I believe nature can heal if given the chance. Please add my voice and name supporting reconnection of vital wetland functions.

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23667**

Nancy Sullivan

I vividly remember seeing the movie "Hurricane on the Bayou" when it was shown in Cincinnati Museum Center's I-Max theater 15 years ago. My son traveled to NO not long afterwards to do some kind of service project.

We know that Katrina ravaged the region in part because of the loss of coastal wetlands. All the communities living close tin that region are suffering from loss- their communities are literally dissolving into the Gulf as they are battered by hurricanes and sea level rise. Wildlife and critical fish nurseries are also at risk.

Of course, the impacts of the Deepwater Horizon Oil Spill are still being felt.

Long ago the Army Corps of Engineers thought that channeling the Mississippi and draining wetlands were in everyone's interest. we have learned better since. Sediment from the river has maintained much of the coast for generations. We must return to this natural method of sustaining the region by harnessing the land-building power of the Mississippi River. through the Mid-Barataria Sediment Diversion project

I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the Army Corps and Louisiana Trustee Implementation Group:

- Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion: For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this project is the best long-term solution and necessary to meet the challenges we face from land loss, sea level rise and climate change. Reconnecting the river to nearby wetlands through this project provides our greatest opportunity to avoid a devastating future for Louisianas communities, wildlife and economy. The Mid Barataria Sediment Diversion is the cornerstone of Louisianas Coastal Master Plan and will help support and enhance the lifespan of other coastal restoration and protection projects.
- Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan: As Barataria Basin continues to recover from the devastating impacts of the oil spill, this project is vital to restoring the health and function of the entire ecosystem. The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the United States. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisianas coast.

As the project advances, I urge federal and state decision makers to consider the following:

- Center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. We



applaud the commitment of the Federal Trustees and Louisianas Coastal Protection and Restoration Authority to address impacts that could result from the construction and operations of the project. Louisiana and the other Trustees will dedicate approximately \$300 million to fund a robust stewardship and mitigation plan, addressing any potential impacts that may occur. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning and implementation processes.

- Commit to developing a robust adaptive management program: To ensure the project meets its restoration goals in response to changing environmental conditions, I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

A future without the Mid Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the projects construction and associated mitigation and stewardship activities.

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63008**

**The commenter states that all the communities living close to that region are suffering from loss, and the communities are dissolving into the Gulf as they are battered by hurricanes and sea-level rise.**

**Response ID: 15762**

Draft EIS Section 3.20 Public Health and Safety recognized ongoing flooding impacts caused by the combination of multiple forces, including land loss, hurricanes, and sea-level rise, within the Project area.

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**Concern ID: 63179**

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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23676**

James Klein

Louisianas coast is in crisis. The ongoing loss of its coastal wetlands, which has already claimed an area equal in size to the state of Delaware, makes communities increasingly vulnerable to stronger hurricanes and sea level rise.

This loss, coupled with saltwater intrusion and sea level rise, threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife and vital resources depend. This region continues to feel the impacts of the Deepwater Horizon Oil Spill, which further decimated wetlands and devastated wildlife more than 10 years ago.

In the face of these challenges, we have an opportunity to harness the natural land-building power of the Mississippi River to maintain vital wetlands and restore the health and vitality of the entire ecosystem. I support. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the Army Corps and Louisiana Trustee Implementation Group:

- Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion: For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this project is the best long-term solution and necessary to meet the challenges we face from land loss, sea level rise and climate change. Reconnecting the river to nearby wetlands through this project provides our greatest opportunity to avoid a devastating future for Louisianas communities, wildlife and economy. The Mid Barataria Sediment Diversion is the cornerstone of Louisianas Coastal Master Plan and will help support and enhance the lifespan of other coastal restoration and protection projects.
- Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan: As Barataria Basin continues to recover from the devastating impacts of the oil spill, this project is vital to restoring the health and function of the entire ecosystem. The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the United States. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisianas coast.

As the project advances, I urge federal and state decision makers to consider the following:

- Center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. We applaud the commitment of the Federal Trustees and Louisianas Coastal Protection and Restoration Authority to address impacts that could result from the construction and operations of the project. Louisiana and the other Trustees will dedicate approximately \$300 million to fund a robust stewardship and mitigation plan, addressing any potential impacts that

may occur. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning and implementation processes.

- Commit to developing a robust adaptive management program: To ensure the project meets its restoration goals in response to changing environmental conditions, I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

A future without the Mid Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the projects construction and associated mitigation and stewardship activities.

This, like numerous other issues (climate change, gun safety, immigration reform, prison reform, education reform, short-term lending regulation, healthcare reform, banking regulation, opioid regulation) remains a vexing problem primarily due to corporations' ability to curry favor with elected officials. The corrupting influence of money in our political system is undermining our democratic traditions and discouraging Americans from voting and/or running for office. This ominous development may well end our experiment in representative democracy unless we alter this decades-long trend. For the sake of the republic, we must amend the US Constitution to state that corporations are not people (and do not have constitutional rights) and money is not speech (and thus can be regulated by state and/or federal campaign finance laws). Short of accomplishing this, no other reform of significance will be achieved. The moneyed interests will turn any reform to their benefit, often at the expense of the nation as a whole.

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**Concern ID: 61716**

**The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.**

**Response ID: 16026**

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on

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wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

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implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62353**

**The corrupting influence of money in our political system is undermining our democratic traditions**

**Response ID: 15847**

Comment noted, but is outside the scope of this EIS. This EIS is focused on evaluating and disclosing the potential environmental impacts associated with the proposed Mid-Barataria Sediment Diversion Project.



**Correspondence ID:23683**

Lawrence Rosin

I ask you to support the restoration of Louisiana's Barataria Basin. There are ecosystems in the Louisiana's Barataria Basin. Therefore if you restore the Louisiana's Barataria Basin, you are helping keep their ecosystems healthy. And if you help keep their ecosystems healthy, you are helping protect the species living there alive and healthy.

The Louisiana's Barataria Basin has lost lots of lands. But when you connect it to the Mississippi River, the Louisiana's Barataria Basin could harness its resources and start getting healthier.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:23686**

## Form Letter 15

I ask the following of the Army Corps and Louisiana Trustee Implementation Group:

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- Commit to developing a robust adaptive management program: To ensure the project meets its restoration goals in response to changing environmental conditions, I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

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**Concern ID: 63179**

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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

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**Concern ID: 63337**

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**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23704**

David Valle

as it's especially in the midst of the ever-present concerns how serious the environmental exploiting has become that it's cost us an infinite amount of potential in the long run and how, meanwhile the silver lining of there being cloning or resighting or once extinct species, this is still a long mountainous trek in the interests of our own domestic environmental safety and these begin in ground-shifting examples, such as the climate change weather extremes ranging from Texas but also to Louisiana itself, the tornadoes and the easy occurrences of strong winds, let alone the the close ties of West, North and Texas but to Oklahoma and also Florida, the battling close quarters of what are historically natural landscapes of this but where we've add flame to the fire, and this accompanies the dangerous tasks we've taken, one of several,

On the subject of renewable energy, it's also necessary to say that, as the United States rejoined the Paris Climate Accord and in the fast-paced interests of how a carbon footprint continues but also the given on how an everyday human presence especially makes it serious, but in a country such as Costa Rica where an ambitious economy has also shown an advantage of their own natural resources and the Northern neighbor Nicaragua where they've easily sailed through initiatives and gained into 75% efficiency in 2015, with hopes of 75% efficiency by 2017 and 90 percent by 2020 and in a country where a luxurious lifestyle is not the one of the US, but also where I personally know single grocery store shopping bags are non-existent, and instead improvised baskets and carts, compared to the US' 13 percent but also in the complex differences of the #1 economy not owning its own obligations of this, especially as a socialist country such as Daniel Ortega's where his renewables record dates to 2007 with a \$1.5 million investment and what has earned it #5 renewable GDP by 2012. It's especially in the time-ticking circumstances where the 2006-2012 assessing shows: 16 percent of geothermal, 15 percent of wind, 12 percent of hydropower and 7 percent of biomass, but also a country where the sharp issues of complete natural biodiversity are met with continued ecosystem changes and as with South America, where the incomparable history of centuries is as easily removed as several world treasures, there cannot be wasted time as there is, whether or not the climate change support is silent as is expected with the new extremist views taking society today, but also where such a #1 economy is as capable as the #1 world pineapple producer Costa Rica easily achieved a 2015 record of 285 days of 100% renewable energy, and in such an economy where it averages an easy 1,000 over the #2 pineapple producer, the Philippines, another country that has raged into a renewables sector including as coal was once still a strong presence, it's also Costa Rica that sets its 1000 away from our fellow American continental Brazil and also then Indonesia, it's also Nicaragua that set the US apart when they signed the Paris Climate Accord in October 2017, a coincidental occurrence before there was the violent government protests the following year, there is no such thing as environmental peace if it's not a world initiative.

It's also Brazil where since 2014 and 2017 themselves, hydropower is a constant renewable presence and a steep difference from the classic fossil fuels, but it's also no match to the still occurring deforestation in the country of the one and only Amazon, and also in a country where South America altogether is seeing an environmental crisis, and one unable to be resolved without a motherboard of rebooting the internal systems running in their government, and especially necessary to say since Ecuador is #1 at endangered species of all South

American countries, 2589, and Brazil is the #2 with 1721, Colombia at #3, 1484, the issues couldn't be clearer when Venezuela follows #4 at 792, it's an issue regarding a double-handed approach in closing all human presence-driven threats happening in the first place, and these threats also couldn't be clearer in a Jair Bolsonaro approach of the similarly pro-restoring of business once as usual before such as Mexico's fossil fuels dependence and one following our own, with former President Trump's coal industry reviving but also where this current year allows a new makeover of the entire last 4 years of one where history can still turn the page on otherwise laudable examples. Especially since the second Brazil nature threat is the ecosystem-impacting human activities that also follow in #3, developing, and it's also where the major Brazilian states are expected in these threats: Bahia, Minas Gerais, Rio de Janeiro, Espirito Santo, Amazonas and Sao Paulo, and in a country where being the 2nd largest hydropower producer in the world, over 70% of its entire electric grid, and with China at #1 and it is sure to say there was a lot not captured in the US energy interests including in a country of such vastness including with two coasts but also all the advantageous daily resources and in the drought sense, we can also only attribute to climate change given Brazil itself saw another yet continuance of a 40 year long drought, and one that as recent as February's data showing the typical dry season became heavily drier, with only 3 sparse areas of South American heavy rains alone, East Venezuela-West Guyana to nearly Suriname, Far East Brazil and North Argentina-South Bolivia, and in these areas, where extreme drought shook the Central, North and East of Colombia, worse when considering the earlier statistics, it continues with all coastal Peru, edging into the trifecta of Bolivia, Chile and Argentina, where it affects all three of these but also the other countries Paraguay and Uruguay, the only silver linings here were the one Argentina had with better rain into February accounting to better corn harvesting, as the world's #3 corn producer.

It's also in returning to Brazil where the NASA GRACE satellite especially has captured the insistent grips of drought in Brazil, calculated from 2003 where drought was especially noticed and a constant zig-zag throughout but especially worsening post-2008 global recession, 2012 and onto where the latest data came, 2014 and 2015 and including at a time where the 2015-2016 El Nino event saw the worst droughts, something of a redundance given it has continued the last 40 years but especially where this also mirrors the previous data showing East Brazil, and where the populous areas saw their energy usage return to fossil fuels in the last month of 2015 and only the drought subsiding because of early 2016 rain, but also with Sao Paulo being South America's #1 populated city, they were especially hit hard by the 2015 drought, but it's also because this happened over the highly celebrated Christmas season in mainly Christian-Catholic and Protestant Brazil and one where temperatures ticked at 95F, and where Sao Paulo trains were delayed, opposite an area where the Central West Brazil had severe droughts, barely south out of the Amazon and edging close to Bolivia, but the exceeding tensions of having to import energy from Argentina, a country of mainly natural gas, but also where oil drilling is still a threat in Argentine, a sensitive subject when Nicaragua has no oil and instead harvests its own renewable sources, alike to the entire South of South America, Argentina, Brazil, Chile, Peru and Uruguay all hotspots of wind energy in the entire continent. The other pending issue is what the Paris Climate Accord has cost us as we're the only pin standing with Syria, a war-torn country with the cause of not signing.

Climate change in Brazil has especially roared its shaking presence given climate change was the cause of 95 endangered species, the species being all over the place, and there are

6 different aviary species, 2 flower and shark, 1 frog, fungi and shark species, but it's especially the neighbors Uruguay whose energy grid is 60% of hydropower that also share their own worrisome species issues and in country entirely shaped out by water except the northern side with Brazil, the entire South American system is affected by climate change and where the new and old statistics show again but also where the climate change heat sense is felt everywhere, an area where, without the Amazon, greenhouse emissions would surely worsen but it's also ecosystem restoring what we need in balancing environmental peace again: 36 Venezuelan, 31 Ecuador species, 17 Colombian, 16 Bolivian and Brazil, together as these nations, the endangered species count is 532 and there's 1 casualty to the graveyard so far: longnose harlequin frog, the quint state-inhabiting frog but it was a multi-threat stacked of agriculture and aquaculture, developing, ecosystem changing, invasive species and pollution (including agricultural waste), but it's especially a South American issue given Uruguay's neighboring waterways are a climate change threat: the namesake Uruguay River, the Rio Parana (coming from the Paraguayan Paraguay River as it is), Rio Parana de las Palmas, Rio Parana Guazu.

Renewables are a captured reality in Brazil with an expected 69% of wind power by 2025, meanwhile it has taken contemplating so long on the S. 372 (Thirty by Thirty),

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**Concern ID: 62332**

**The commenter provided a general critique of failures to tackle climate change, to embrace renewable energy and to halt environmental degradation.**

**Response ID: 15783**

Comment noted. The comment does not appear to include any comments regarding the analysis of the Project contained in either the EIS or Restoration Plan.

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**Correspondence ID:23707**

Daniel Cliffe

Seems like we have an opportunity to actually fix a problem. Might as well take it while it lasts. I support the Mid-Barataria Sediment Diversion Project.

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:23719**

Linda Yow

The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea level rise. This loss threatens the health and stability of the entire Barataria Basin. This region also continues to feel the impacts of the Deepwater Horizon Oil Spill.

We now have an opportunity to harness the natural land-building power of the Mississippi River to maintain vital wetlands and restore the health and vitality of the entire ecosystem. The proposal in the draft Restoration Plan to use funds of the Deepwater Horizon Oil Spill settlement to implement this project is a good one.

A future without the Mid Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the use of Deepwater Horizon settlement dollars to pay for the projects construction and associated mitigation and stewardship activities.

God bless you and your work there.

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**Concern ID: 63045**

**The ongoing loss of Louisiana's coastal wetlands makes local communities increasingly vulnerable to stronger hurricanes and sea-level rise, threatening the health and stability of the entire Barataria Basin.**

**Response ID: 16051**

The Draft EIS discussed the value of wetlands in the Barataria Basin, including as flood control and protection from storm surge (see Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the EIS).

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:24538**

Wade DesRoches

I own a camp/home in the Deer Range area in Plaquemines parish. I am hearing that this diversion will raise the tides in my area which will flood our property. This diversion will also ruin the fishing without a doubt. What mitigation plan is considered to offset ruining our properties in my area which has hundreds of homes and camps? Raising the tides at our camps and homes will render the properties useless. Myself and many others have invested a lot of money in the area and it is not fair to disregard the residents.

I am totally against this project as are all people in the area but we are not being kept up to date on what is happening.

My home address is [REDACTED]. I would like to have a say in what is happening and what mitigation processes are considered.

Wade DesRoches  
[REDACTED]

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**Concern ID: 62807****The local population is not being kept up-to-date on the mitigation that would be done for their communities.****Response ID: 16381**

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area over the past several years. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures, which were informed by CPRA's public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

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conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63102**

**Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.**

**Response ID: 16640**

The commenters' concern regarding the adequacy of the funding for mitigation measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts of the Project on surrounding communities outside levee protection, including potential mitigation measures to address increased water levels due to the Project. In response to comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:25381**

Vu Nguyen

My name is Vu Nguyen and would like your help with a loan to help with making our vessel able to provide better quality shrimp. We would use the loan for vessel refrigeration to keep the product fresh as we can stay longer on the fishing grounds. Gear improvement, as the water rises we need to make our out rigger bigger to reach the button and strong enough for the weather that has to come while we're out there.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:26415**

University of Denver Master Student

Maggie Miller

After reading this and evaluating all the alternatives, the first alternative is still the best choice. There are some concerns with this, such as temporary habitat degradation. Still, this method also considers the flow rate at which the Mississippi River prevents the reverse flow of sediments from the Barataria Basin. Going with the second alternative could avoid reversal flow and cause the least amount of temporary habitat degradation, but it will also limit the growth of the Barataria Basin. Therefore, I believe that temporary habitat degradation can be overlooked to provide a better outcome. But something that this project does not consider is the number of sediments that are trapped upstream by dams further north on the Mississippi River (National Academies Press, 2011, 100). Will there be enough sediment and a consistent amount of deposit to maintain the repairs to the coastal wetlands? To keep this project, will changes need to be made upstream on the Mississippi River? With these questions in mind, I believe that it would be essential to understand how dams affect this project and how the removal could benefit this project or make it more sustainable. Another factor that should be addressed in this project is how recreational activities will need to be limited to protect the area as it is recovering. Certain water activities can also cause changes to the outflow of sediments, and this is a crucial piece of information that has been overlooked in this project.

Reference:

S.), National Academies Press (U. "Sediment Management Alternatives and Opportunities." Essay. In Missouri River Planning: Recognizing and Incorporating Sediment Management, 88-102. National Academies Press, 2011.

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**Concern ID: 61786**

**The commenter stated that something that this Project does not consider is the number of sediments that are trapped upstream by dams farther north on the Mississippi River, calling into question whether there would be enough sediment in the river to build coastal wetlands in the basin. The commenter requested that a study be conducted to determine whether changes like the removal of dams would need to be made upstream of the diversion for the Project to achieve land and wetland creation goals.**

**National Academies Press. 2011. Sediment Management Alternatives and Opportunities. Missouri River Planning: Recognizing and Incorporating Sediment Management, 88-102.**

**Response ID: 16416**

The commenter's concerns regarding the sediment load of the river were considered in the Draft EIS. The USACE agrees that the Mississippi River is carrying much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. As stated in the National Academies report cited

by the commenter, the possible causes of the diminished sediment load include both trapping by dams and hardening of banklines. Other possible contributing factors include improved farming practices across the river basin, as explained in Chapter 3, Section 3.4 Surface Water and Coastal Processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is a worthy research project, but beyond the scope of the Draft EIS. Appendix E Delft3D Modeling, Section 5.2.2 of the EIS takes the diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin. The National Academies Press (2011) citation has been added to the discussion in Chapter 3, Section 3.4.2.5.1 Historical Context in Surface Water and Coastal Processes in the Final EIS.

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**Concern ID: 61907**

**Commenters suggested that recreational activities would need to be limited to protect the area as it is recovering. In addition, water activities can cause changes to the outflow of sediments.**

**Response ID: 16237**

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the proposed Project would impact recreational and sport fishing in the Barataria Basin, including the potential for the Project to affect site accessibility due to sedimentation in some navigation channels. Permanent, moderate, adverse impacts on boat-based recreation may occur where sedimentation from proposed Project operations accumulates to the extent that water depths decrease and restrict access to deeper draft vessels.

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**Concern ID: 61913**

**While a commenter acknowledges temporary habitat degradation with the Applicant's Preferred Alternative, the commenter supports the Applicant's Preferred Alternative.**

**Response ID: 16000**

The commenter's support of the proposed Project is acknowledged. Refer to Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the EIS for terrestrial wildlife and habitat impacts.

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**Correspondence ID:26571**

Anita Klaeser

The Mid-Barataria Sediment Diversion has been heavily researched and seems to be an adequate solution for restoring habitat after the Deepwater Horizon oil spill. There have been sufficient alternatives evaluated and the process for evaluation did not seem to be flawed. However, I think that the public participation process is flawed. The public participation options did include a wide range of activities from in-person meetings and media events to conferences and environmental NGOs. However, the geographical range for these events did not extend very far. Because this project was brought into motion because of the Deepwater Horizon oil spill, which was covered by media nationally, I believe that the public participation for this project should extend beyond coastal Louisiana. There are many people throughout the country that were invested in the outcome of the Deepwater Horizon oil spill that would be interested in knowing what measures are being taken to restore the areas that were most affected. While expanding community meetings may take too much time or cost too much money, I think that expanding certain public participation methods such as media events or environmental NGOs beyond Coastal Louisiana would be productive for the project. This project is a great example of one option for restoration after an oil spill and there are likely people beyond Louisiana that have expertise in this field that could be helpful in the public participation process. Ensuring that the project is able to have the best possible commentary from experts in the field is essential to its success. Expanding the geographical location of the public participation would allow for more expertise during the comment period.

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**Concern ID: 61953**

**The public participation process is flawed because the public participation for this proposed Project should extend beyond coastal Louisiana. Expanding certain public participation methods such as media events or environmental NGOs beyond coastal Louisiana would be productive for the proposed MBSD Project. This proposed Project is a great example of one option for restoration after an oil spill and there are likely people beyond Louisiana that have expertise in this field that could be helpful in the public participation process. Ensuring that the proposed Project is able to have the best possible commentary from experts in the field is essential to its success.**

**Response ID: 15897**

The public participation process has been and would continue to be open to all public, agency, and stakeholder input regardless of geographic residence. USACE has provided multiple means for the public to engage in the permit and environmental review processes including providing public notices for the permit application and the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and libraries. Materials and information related to the proposed Project are available on the USACE New Orleans District website, including the Draft EIS at <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>. The virtual nature of the public meetings held for the Draft EIS and LA TIG's Draft Restoration Plan in April 2021 allowed participants from any geographic residence to participate in the meetings and provide verbal comments through a internet/web-based conferencing application or by telephone.

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Approximately 39,303 (out of 40,699) comments on the Draft EIS were received from outside the State of Louisiana.

CPRA and the LA TIG would continue to seek input from the public, agencies, and groups interested in and affected by coastal restoration, including the proposed Project if implemented, and other restoration efforts.

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**Correspondence ID:26724**

Gillian F

Hello,

The first issue that comes to mind in this project is the cost- -yes, the environmental costs, of course, but also the long-term financial costs of it. At first glance, it does seem incredibly possible and beneficial to the area. BP is setting aside \$8 billion to account for the disaster they caused a decade ago; the Mid-Barataria Sediment Diversion Project will cost around \$2 billion. Not only is that cost covered, but it is only a piece of BP's fund. Even if the project goes over budget, there is so much wiggle room that it doesn't even seem possible that the project would need any additional coverage. However, I do wonder about the timeline and long-term effects of the project and what its upkeep costs might end up becoming, as well as the cost of what local basin oystermen and fishermen will incur by how the new freshwater will impact their catches. With the project set to last about 50 years, what will truly happen after its lifetime ends, or even before then? With current climate change trends (which could easily become more severe) leading to rising sea levels, it seems that a very close watch on this project would need to be kept in order for the concrete structure in Plaquemines Parish to change with any rising sea levels and changing water flows. At the area's current state, this project's benefits seem to very much so outweigh any negatives. But with the unpredictability of the local and national environmental health, there seems to be the possibility of complications, especially for local residents' land. The project will bring elevated water levels and those levels can certainly negatively impact the locals' land through things like flooding.

To perhaps better account for that possibility, perhaps using some more of BP's fund to create protections against inevitable flooding for local residents could alleviate at least some of the downsides and potential negative impacts of the project. As of right now, the solutions proposed to alleviate the hardships that will be inflicted on locals often seem inadequate. For example, the offer to pay for refrigeration for shrimp boats because of longer journeys now necessary for catching shrimp only helps boats that can even handle that sort of equipment; most shrimping boats cannot (Schleifstein 2021). Much of the collaboration between project officials and local fishermen seems performative, like nothing significant will actually come of it. Putting in more time to communicate with these workers could result in better ideas that work for both parties. In short, the project has support- -and it should. It is possible and has great potential to benefit the environment. However, there are probable negative effects that should be focused on more, and communication with locals should have a much higher level of consideration and influence.

Schleifstein, Mark. 2021. "The Host Parish for Mid-Barataria Diversion Just Voted against It; Here's Why." The Times Picayune, April 9, 2021.

[https://www.nola.com/news/environment/article\\_a787e932-996f-11eb-9b2a-8b8fd10c9798.html](https://www.nola.com/news/environment/article_a787e932-996f-11eb-9b2a-8b8fd10c9798.html).

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**Concern ID: 63934**

**Implementing agencies should be adaptive and transparent in how they mitigate impacts to communities. CPRA has done a great job in outreach and the same level of outreach and engagement should continue through construction and Project operation.**

**Response ID: 16581**

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CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA would continue outreach to help ensure that impacted communities become aware and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded. The MAM Plan also includes particular measures including engagement with stakeholder groups. See Section 2.2.2.2 (Stakeholder Review Panel) of the MAM Plan (Appendix R2 to the Final EIS).

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**Correspondence ID:26873**

## Form Letter 16

Louisianas coast is in crisis. The ongoing loss of its coastal wetlands, which has already claimed an area equal in size to the state of Delaware, makes communities increasingly vulnerable to stronger hurricanes and sea level rise.

This loss, coupled with saltwater intrusion and sea level rise, threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife and vital resources depend. This region continues to feel the impacts of the Deepwater Horizon Oil Spill, which further decimated wetlands and devastated wildlife more than 10 years ago.

In the face of these challenges, we have an opportunity to harness the natural land-building power of the Mississippi River to maintain vital wetlands and restore the health and vitality of the entire ecosystem. I support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the Army Corps and Louisiana Trustee Implementation Group:

- Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion: For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this project is the best long-term solution and necessary to meet the challenges we face from land loss, sea level rise and climate change. Reconnecting the river to nearby wetlands through this project provides our greatest opportunity to avoid a devastating future for Louisianas communities, wildlife and economy. The Mid Barataria Sediment Diversion is the cornerstone of Louisianas Coastal Master Plan and will help support and enhance the lifespan of other coastal restoration and protection projects.
- Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan: As Barataria Basin continues to recover from the devastating impacts of the oil spill, this project is vital to restoring the health and function of the entire ecosystem. The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the United States. Combined with other proposed restoration projects, the Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisianas coast.

As the project advances, I urge federal and state decision makers to consider the following:

- Center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. We applaud the commitment of the Federal Trustees and Louisianas Coastal Protection and Restoration Authority to address impacts that could result from the construction and operations of the project. Louisiana and the other Trustees will dedicate approximately \$300 million to fund a robust stewardship and mitigation plan, addressing any potential impacts that may occur. The Trustees must work proactively and collaboratively with potentially impacted

communities to develop and implement ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning and implementation processes.

- Commit to developing a robust adaptive management program: To ensure the project meets its restoration goals in response to changing environmental conditions, I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

A future without the Mid Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the projects construction and associated mitigation and stewardship activities.

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**Concern ID: 61716**

**The ongoing loss of Louisiana’s coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.**

**Response ID: 16026**

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG’s Preferred Alternative in the Restoration Plan. The LA TIG’s Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates**

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**knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63361**

**Move this proposed Project forward and prohibit the oil companies from endangering the local people and their way of life.**

**Response ID: 16323**

The commenter's support for the proposed Project is noted. The regulation of oil companies and their activities is outside the scope of the EIS, as described in Chapter 1, Section 1.6 of the EIS; however, past, present, and reasonably foreseeable activities in the Project area (including oil and gas activities) are included in the Cumulative Impacts assessment (Chapter 4, Section 4.25 Cumulative Impacts of the EIS), where their contribution to impacts on resources within the proposed Project area are considered. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Correspondence ID:27223**

Anthony Henry

My name is Anthony Henry. I have washed the leases in Bayou Cook in Bay Adams. My grandfather started this back in 1920. We'll keep trying to keep a family tradition going and your type of waterway will ruin the whole system. It is not appreciated in any respect. There should be different ways that you can find to make land since the oil companies already tore it up, now you're going to totally ruin it. No thank you for it, and, just letting you know, I think it's the ruination of the whole entire area. Goodbye.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:27243**

Scott Bergeron

I don't want the fresh water conversion. Because it will raise the water levels the streets that are already flooding. Also it will erode the streets that need to be fixed already. Stop wasting money on that and put in a levy with a gate around the Myrtle Grove subdivision. To protect millions of dollars of real estate and the streets from repair.

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**Concern ID: 63103**

Commenter suggests that a floodgate across the canal would be a better solution and would not harm property.

**Response ID: 16641**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) outlined the mitigation measures proposed by CPRA to address and offset the projected impacts of Project operations on surrounding communities, including providing mitigation for increased water levels due to the Project. In response to comments, CPRA has expanded and refined the Final Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

As part of developing the Final Mitigation and Stewardship Plan, CPRA considered the possibility of installing a flood gate for the Myrtle Grove Marina Estates Subdivision. CPRA decided not to pursue this option for several reasons. While some property owners in Myrtle Grove have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the Barataria Basin. CPRA has proposed instead other structural mitigation measures to address the projected impacts of the Project on water levels and boat accessibility in the Mitigation and Stewardship Plan.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE

does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to

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installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:27325**

Episcopal Church

Frederick Devall

Friends,

I fully support the Mid-Barataria Sediment Diversion. The sooner this project comes on line, the sooner we will begin stabilizing wetlands on the west bank.

From the air, one can see the vast difference between east and west bank marshes. On the east, where there are enough natural breaks in the river levees, it's easy to see the vibrant green vegetation growing on old and new- yes newly built land from the natural process of delta building. Mid-Barataria will replicate that building process on the west bank in a process that has been studied and verified.

Please do not let the interests of the few who oppose this diversion outweigh the interests of the many hundreds of thousands of people and jobs who will benefit from a healthier ecosystem and improved hurricane protection. We cannot afford further delay. The time to act is now.

Sincerely,

Fred Devall

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**Concern ID: 63053**

**Newly built land is evident from the air on the east bank of the Mississippi River, where there are enough natural breaks in the river levees to allow the natural process of delta building.**

**Response ID: 16059**

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the Draft EIS explained how the proposed Project is designed to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. This is also discussed in Chapter 3, Section 3.2.1.1 in Geology and Soils of the LA TIG's Restoration Plan.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:27380**

Chris Bowers

I'm not opposed to the diversion simply because I know it'll happen. All I can do is adapt and hope for the best. I harvest oysters and I am a shrimper. As far as oystering goes, I'd just reform my oyster boat into a tour boat and charge \$150 a head to take people out to see alligators because there will be plenty of them when this diversion is built. As for shrimping, that will all be killed, I'd have to take money for gear improvements and money for a bigger boat because I'd have to most definitely go out further. There's just no money in shrimping anymore sadly and this is going to be the nail in the coffin for many fishermen who don't know how to adapt or have other marketable skills to do so. I'm fortunate in that I can make money in many other ways than a lot of fishermen where I'm from. And one last thing, WHY ISN'T DREDGING AN OPTION??? Diversions aren't going to build as much land as they think, at least not fast enough. But there's some college graduate or Senator's son who said that diversions are the way and so as long as they're making money then who cares about the little guy. The paltry mitigation measures just won't be enough to make people whole despite what you all think. The industry will be KILLED BY THIS DIVERSION.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale

sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPR and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

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CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.



The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63726**

**Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.**

**Response ID: 16702**

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:27453**

Donald McMillion

Why would you destroy the fishing industry and sport fishing in such a huge area all in the misconception on deposits from the fresh water. The fresh water indulging into the salt water estuary will kill off many of the saltwater species and vegetation. The water flows a such a velocity that sediment can't fall out and the rushing water will erode the banks as it flows thru. Nature build up the land mass over thousands of years with over banking of the rivers during the spring that was slow moving water over the whole area before the levees where built and it is not going to be replaced with the torrent water flow from a diversion. More land will be lost than is gained until the flow slows down. Jobs will be lost due to the decline in the fishing industry, which is contrary to what the economy needs right now. Now there are dredging processes going on continuously at the mouth of the river because when the water flow slows down sediment falls out and if water from the river is diverted the water flow will slow down and more sediment will form. A better solution maybe to take the dredgings from the mouth of the river and deposit them along the barrier islands building up the area without the torrent water flow from a diversion.

In short man has changed, damaged, what mother nature took thousands of years to develop by building the levees along the river, there should have been hundreds of small overflows thru-out the South, channeling the water with its sediment to the Gulf and man can't change it in a few years.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62659**

**The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.**

**Response ID: 16632**

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The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62690**

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**The proposed Project would destroy the ecosystem and its flora and fauna, including oyster, shrimp, crabs, fish, sea turtles, and dolphins.****Response ID: 16073**

As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated to those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts on the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. For example, the decrease in salinity that would occur upon initial operation of the proposed Project would result in major adverse impacts on various species (oysters, brown shrimp, bottlenose dolphins) over a relatively short period of time; however, the accumulating fresh water and sediments would create or maintain wetlands over long-term or permanent basis (that is, extending through the remainder of the 50-year period of analysis) which would benefit other commercially or recreationally important aquatic species such as white shrimp, blue crab, and Gulf menhaden, and would increase storm protection for communities north of the immediate outfall area; the Delft3D Basinwide Model projects these benefits to increase over time and to be greatest in the 2060s (see Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S., 4.10.4.5 in Aquatic Resources, 4.11.5.2 in Marine Mammals, and 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). As discussed in Section 4.12.2.2 Sea Turtles, the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp's ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts, if shrimp and shrimp fishers move from mid-basin locations to locations lower in the basin or in nearshore/offshore waters (where more sea turtles would be present). However, NMFS has determined that these impacts would not jeopardize the continued existence of sea turtles (see Appendix O4 NMFS Biological Opinion of the Final EIS).

The USACE and the LA TIG are evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions in the basin. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the

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suitability of habitat for many of the species that currently occur in Barataria Basin. The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. The LA TIG's Restoration Plan indicates that by reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustees' Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

The CPRA has revised its Mitigation and Stewardship Plan and Monitoring and Adaptive Management (MAM) Plan in response to public concerns about these impacts. See Appendices R1 and R2 to the Final EIS for more information.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider

public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:27745**

Scott McQuaig

Dear Sirs - My parents and I have been residents of Happy Jack, Louisiana, for over fifty years. The following are our comments relative to the proposed Mid-Barataria Diversion project. We oppose the project, for the following reasons. First, the effect it will have on the fisheries upon which we all rely will be devastating. It will negatively change the salinity levels and corresponding eco-system for miles below the project location. Next, it has been projected that the project will result in a permanent increase of our water levels by .5 ft to over 1 foot or more. An increase of this amount will render our road useless, will put most of our homes, lots, docks and boathouses under water, and will negatively change the flood elevation levels of our homes making them uninsurable. We have been advised that mitigation and remediation funds will be allocated to compensate property owners in this regard. Once again, an increase in the water level to that extent will require all of our docks, boathouses, homes, and lots to be raised and elevated to avoid the higher water levels and allow usage of our properties, and will also require the construction of a new road as our existing road will be permanently underwater. It is suggested that the amount of funds presently discussed for these purposes is woefully insufficient. Property owners in our area have lived there and paid taxes for many, many years and our properties should not be sacrificed at our expense. Finally, the project in question is not accompanied by other collateral, and likely more efficient projects, such as the construction of linear islands in Barataria Bay, which would stop storm surge and create natural barriers to further erosion. We oppose the project.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62083**

**Commenters suggested that shrimping, fishing, and oysters would disappear in the Barataria Basin because of the fresh water diluting the salinity to a level that cannot sustain breeding of these species.**



**Response ID: 16247**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS described impacts of the proposed Project on finfish and shrimp and oyster species. As described, impacts may include those associated with changes in salinity. As summarized in EIS Section 4.14.5 in Commercial Fisheries, as compared to the No Action Alternative moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative sometime after 2050. While abundance of shrimp and oysters would decline under the Applicant's Preferred Alternative (as compared to the No Action Alternative), the EIS impact analysis does not anticipate shrimp and oysters would disappear from the basin. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63102**

**Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.**

**Response ID: 16640**

The commenters' concern regarding the adequacy of the funding for mitigation measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts of the Project on surrounding communities outside levee protection, including potential mitigation measures to address increased water levels due to the Project. In response to comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

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The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in

those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:27854**

Amy Weeks

Dear U.S. Army Corps of Engineers, New Orleans District,

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion, and I urge the U.S Army Corps of Engineers to move forward with construction quickly. 30 years of research has led to this point. It is time to act.

I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

Louisiana's coast is in crisis, putting coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

1. Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.
2. Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to do the following:

1. Develop a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders as well as local community members.
2. Work proactively and collaboratively with potentially impacted communities including local tribal communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

I look forward to seeing the development of resilient coastal communities via the proposed and well-researched plan. We will all benefit from it.

Thank you.

Sincerely,

Amy Weeks

Farmington, MI 48336

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the

Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders

and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public

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through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:27923**

## Form Letter 17

Louisiana's coast is in crisis and along with it, a huge part of our American hunting and fishing legacy is in jeopardy. Our Sportsman's Paradise attracts hunters and anglers from all over the world, and is a critical component of our sportsman culture - - not to mention offering major economic impact. The ongoing loss of Louisiana's coastal wetlands threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife and vital resources depend. This region also continues to feel the impacts of the Deepwater Horizon oil spill, which further decimated wetlands and devastated wildlife more than 10 years ago.

In the face of these challenges, we have an opportunity to harness the natural land-building power of the Mississippi River to maintain vital wetlands and restore the health and vitality of the entire ecosystem. I support moving forward with the Mid-Barataria Sediment Diversion as the preferred alternative as outlined in the Draft Environmental Impact Statement. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon oil spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following:

\*Reconnect the river to its nearby wetlands and move forward with the Mid-Barataria Sediment Diversion as the preferred alternative outlined in the Draft Environmental Impact Statement: For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this project is the best long-term solution and necessary to meet the land loss challenges we face from storms, sea level rise and climate change.

\*Use money from the Deepwater Horizon oil spill settlement to fund the project, as outlined in the draft Restoration Plan: As Barataria Basin continues to recover from the devastating impacts of the oil spill, this project is vital to restoring the health and function of the entire ecosystem. The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the United States. The Mid-Barataria Sediment Diversion would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisiana's coast.

As the project advances, I urge federal and state decision makers to consider the following:

\*Center community needs in planned mitigation and stewardship efforts. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning and implementation processes.

\*Commit to developing a robust adaptive management program: To ensure the project meets its restoration goals in response to changing environmental conditions, I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

A future without the Mid-Barataria Sediment Diversion is a future sportsmen cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact

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Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the project's construction and associated mitigation and stewardship activities.

Thank you,

Amanda Moore

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**Concern ID: 61716**

**The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.**

**Response ID: 16026**

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

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The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach

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efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:27968**

Form Letter 18

Louisiana's coast is in crisis. This region also continues to feel the impacts of the Deepwater Horizon oil spill, which further decimated wetlands and devastated wildlife more than 10 years ago.

In the face of these challenges, we have an opportunity to harness the natural land-building power of the Mississippi River to maintain vital wetlands and restore the health of the entire ecosystem to ensure the wildlife and habitat Louisiana is famous for has a more sustainable future.

I ask the following:

\*Reconnect the river to its nearby wetlands and move forward with the Mid-Barataria Sediment Diversion as the preferred alternative outlined in the Draft Environmental Impact Statement. For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this project is the best long-term solution and necessary to meet the land loss challenges we face from storms, sea level rise and climate change.

\*Use money from the Deepwater Horizon oil spill settlement to fund the project, as outlined in the draft Restoration Plan. As Barataria Basin continues to recover from the devastating impacts of the oil spill, this project is vital to restoring the health and function of the entire ecosystem. A future without the Mid Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the project's construction and associated mitigation and stewardship activities.

Thank you,

Lynne Rosenfield

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**Concern ID: 62680**

**Commenters noted the long-term impacts that have been felt since the oil spill 10 years ago and supported using the natural land-building power of the Mississippi River to maintain and restore the health of the entire ecosystem for the future.**

**Response ID: 16500**

The long-term impacts of the oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss notes the ongoing impact of the DWH oil spill on wetland loss, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species provides an overview of the adverse impact of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG believes that reconnecting and reestablishing deltaic processes between the Mississippi River and Barataria Basin is critical for supporting the long-term viability of existing and planned coastal restoration efforts. These deltaic processes include sediment retention and accumulation and new delta formation. As discussed in Section 3.2.1.6 Benefits Multiple Resources of the LA TIG's Restoration Plan, through reconnecting and reestablishing these sustainable deltaic processes, the Project would help restore the habitat and ecosystem services injured in the northern Gulf of Mexico by the DWH oil spill.

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**Concern ID: 63337**

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**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:28063**

Webley Bourgeois

I've been a commercial fishermen all my life and really don't know of any other way to make a living. And although I'm considered a younger fishermen at 49 years old, I don't think I'd benefit from workforce training because employers don't want to hire older people and especially inexperienced. I dropped out of school when I was in the 8th grade and unfortunately I don't have the technical skills to effectively market my business even with help the likes of LA Sea Grant who'd probably assist fishermen with marketing strategies. I could see myself applying for a grant for gear improvements for my existing vessel and/or a refrigeration unit, but then my maintenance expenses would go up because it'd be a bigger boat with more complex equipment to maintain. If I did apply for those grants then I'd definitely need help with covering the increased expense costs for at least five years. Put it this way, I'd be going from driving a Hyundai to a Mercedes and those oil changes aren't the same price. You can't just give me a Mercedes and expect me to be able to afford it right away when you took away my perfectly operating Hyundai! Furthermore, the nuisance flooding will be an issue so I'd definitely need money to elevate my home and what about flood insurance costs? Will my increase premiums be covered too? I'd support a mitigation measure of a lump sum of \$25,000 for each fishermen as well, especially for those who are lower income because we'd be affected the most.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship

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measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected



impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted**

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**mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to

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implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:28171**

Niki Butcher

Please help keep the earth healthy and safe by going forward with this project.

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:28181**

Flowers, Bobbie

Louisianas coast is in crisis. The ongoing loss of its coastal wetlands, which has already claimed an area equal in size to the state of Delaware, makes communities increasingly vulnerable to stronger hurricanes and sea level rise.

This loss, coupled with saltwater intrusion and sea level rise, threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife and vital resources depend. This region continues to feel the impacts of the Deepwater Horizon Oil Spill, which further decimated wetlands and devastated wildlife more than 10 years ago.

As the project advances, I urge federal and state decision makers to consider the following:

- Center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. We applaud the commitment of the Federal Trustees and Louisianas Coastal Protection and Restoration Authority to address impacts that could result from the construction and operations of the project. Louisiana and the other Trustees will dedicate approximately \$300 million to fund a robust stewardship and mitigation plan, addressing any potential impacts that may occur. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning and implementation processes.

- Commit to developing a robust adaptive management program: To ensure the project meets its restoration goals in response to changing environmental conditions, I encourage the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

A future without the Mid Barataria Sediment Diversion is a future we cannot afford, which is why I support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the projects construction and associated mitigation and stewardship activities.

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**Concern ID: 61716**

**The ongoing loss of Louisiana's coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.**

**Response ID: 16026**

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

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**Concern ID: 62675**

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**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

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where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project

alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:31950**

Don Balius

I fully object to the Mid Barataria Diversion project. Please record my comment as a "No or Against" this project!!

Regards,

Don Balius

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:31951**

JoAnn Harper

I live in Bay St Louis, MS on the Jordan River which leads into the MS Sound and the Gulf of Mexico. Two summers ago fresh water was dumped into the MS River causing a Blue/Green Algae that caused the MS Gulf Coast beaches and businesses to close, it was devastating to the economy of the Gulf Coast. Bay St. Louis had the most adverse effects because of its location. Dolphins and sea turtles died because of the salinity of the water changing! Oyster beds, fish and shrimp died along with tourism, restaurants, hotels and a multitude of other businesses. This happened from April through October 2019. So we've had a preview of what this project would cause to MS Gulf Coast and it's unfathomable that this project is actually being considered and in the report it doesn't even mention the effects on the water, animals, economy or lives of Mississippi!

This project should not be delayed any further it just should NOT be approved, EVER!

Sincerely,

JoAnn Harper

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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JoAnn Harper

REALTOR

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Licensed in Mississippi and Louisiana

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**Concern ID: 62786**

**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID: 31967**

R Eugene Turner

May 4, 2021

United States Army Corps of Engineers  
New Orleans District  
Attn: CEMVN-OD-SE, MVN-2012-2806-E00  
7400 Leake Avenue, New Orleans, LA 70118

Email attachments sent to: [CEMVN-Midbarataria@usace.army.mil](mailto:CEMVN-Midbarataria@usace.army.mil)

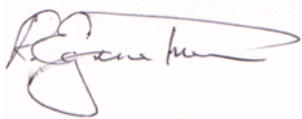
Re: Mid-Barataria Sediment Diversion EIS

Dear Mr. Brad LaBorde:

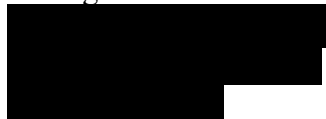
This is an unsolicited set of comments on the Mid-Barataria Sediment Diversion EIS. I have read the permit application, examined aerial photographs and published multiple scientific journal articles on issues involved in the diversion impacts.

For the record, we have never met that I can recall; you did not request these comments; and I am providing these comments as a private citizen who has an interest in the stewardship of Louisiana's natural resources. My work address is at LSU, where I have been for 45 years. My expertise includes professional credentials as a research scientist and teacher in wetland ecology at the local, regional and international level.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Eugene Turner". The signature is written in a cursive style with a long horizontal stroke extending to the right.

R. Eugene Turner



### Summary

The EIS for the proposed Mid-Barataria Diversion (MBD) is premature, the modeling justifying it is incomplete and not trustworthy, and the anticipated benefits are contradicted by empirical data from three large diversions operating for decades. The model does not use any results from these three diversions to calibrate the model. Cautionary notes in the Appendix E (model results) self-identify some sources of this model uncertainty. The low and high sea level rise numbers used to compute land gain and loss are already present for the low one and the high one is not high enough, at all. There would be zero land gain for the high one if realistic SLR rates were used. There are mis-representations about how nutrients in the river will spread out far from the sand deposition area to lower plant biomass belowground. Proven alternatives to build land are not discussed, which would increase wetland area faster and for a much lower cost per area.

### Sections

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## 1

## The existing diversions caused land loss

There are three river diversions on the east and west bank of the Mississippi River go into emergent wetlands. These three diversions resulted in land loss after they began. One is the constructed Caernarvon Diversion that opened in 1992, another is the St. Philips natural crevasse that opened in 1973. A third is the Davis Pond diversion that opened in 2002. These three are discussion below.

### Caernarvon

The Coastwide Reference Monitoring System (CRMS) administered by the Louisiana Department of Natural Resources collects data on plant cover in geographically fixed 1 km<sup>2</sup> sites (Fig. 1). There are 14 sites within the Caernarvon flow path and 18 outside of the flow path located to the east, north and west. There are 65 data sets with a mean  $\pm$  1 SEM of the percent plant cover values in each quadrat from 1985 to 2016. The time periods are for: 1) before the diversion was operational in 1991, 2) after operation began, but before Hurricane Katrina, and, 3) after Hurricane Katrina (n = 8, 16, and 11 years, respectively). The data for CRMS stations within the Caernarvon diversion flow path of Breton Sound were sub-divided into the 7 northern and the 7 southern stations. A Before-After, Control-Impact (BACI) analysis (Underwood 1994) was done using the General Linear Models (GLM) procedure in SAS/STAT software (Version 9.4 TS level 1M2) of the SAS System for Windows (Copyright © [2002-2012] SAS Institute Inc., Cary, NC, USA). The "Before" and "After" classes are based upon the timing of the event being studied (diversion and hurricane). The "Control stations" were the CRMS stations outside of the diversion flow path and the "Impact" stations were within the diversion flow path.

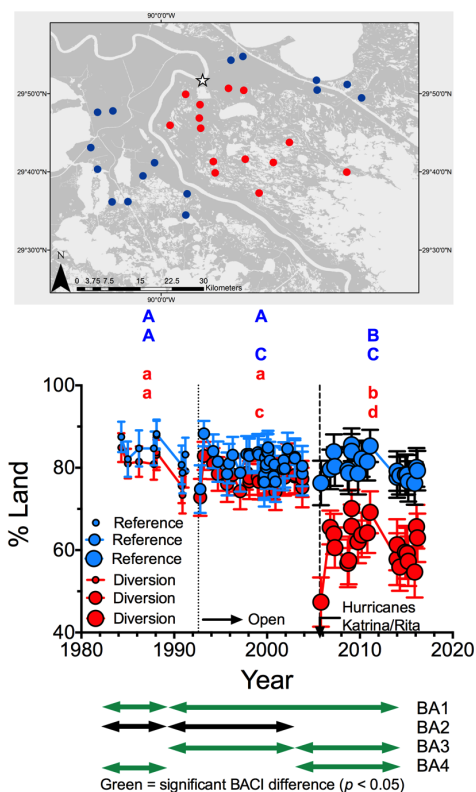


Fig. 1. The percent land in the monitoring sites within the Caernarvon diversion flow path (red dots) and outside (blue dots). The mean and SEM is shown. The data are divided into three periods: 1) small circles representing before the diversion was opened, 2) medium-sized circles after the diversion was opened, but before hurricane Katrina, and 3) the large circles after hurricane Katrina. The results from an ANOVA test for difference between the three periods is indicated by the letters where the upper case blue letters are for the reference site and the lower case red letters are in the diversion flow path. The results from the BACI test indicates a significant change in the percent land after the diversion was opened compared to before the opening for all data (BA1) and after hurricane Katrina (BA4). There was no change detected before the diversion opening and in the first few years afterwards (BA2). The %land after the diversion opened was lower after the hurricane compared to before the hurricane (BA3).

The results (Fig. 1) demonstrate a significant Control-Impact interaction term for intervals BC1, BC3, and BC4, indicating that there was a different response between the Control and Impact sites. There was no increase in the percent land within the flow path (restoration or rehabilitation) from 2010 through 2016 (Fig. 1). The percent land was the same in the 14 reference sites before the diversion opened compared to afterwards (but before the hurricane) ( $p > 0.05$ ), but lower in the flow path after the hurricane ( $p < 0.001$ ; Fig. 1). The interaction term was not significant for interval BC2 indicating that the control and impact sites had the same rate of change.

*Summary Caernarvon:* The Caernarvon diversion had no appreciable land gain, and perhaps a slight land loss in the first few years after it opened, and then considerable losses after Hurricane Katrina which resulted in a loss of 25% of the larger area (Kearney et al. 2011). The hurricane losses in the first few years afterwards were about one-third of the wetlands in the flow path.

### Fort St. Philip

The natural crevasse (100-130 thousand cfs) at Fort St. Philip was described as a “loss accelerant” in a US COE study because it has not regained the 52% of land lost when it opened in 1973 (Suir et al. 2014; Fig. 2). The Fort St. Philip diversion was about 12 times larger at maximum flood than the potential discharge size at Caernarvon, and one-third larger than the flow capacity of diversions proposed. The discharge at Fort St. Philip is not monitored on a regular basis, and so further comparisons are not possible. This natural diversion resulted in land loss.

*Summary Fort St. Philip:* The Fort St. Philip diversion had massive losses of wetlands after it was opened.

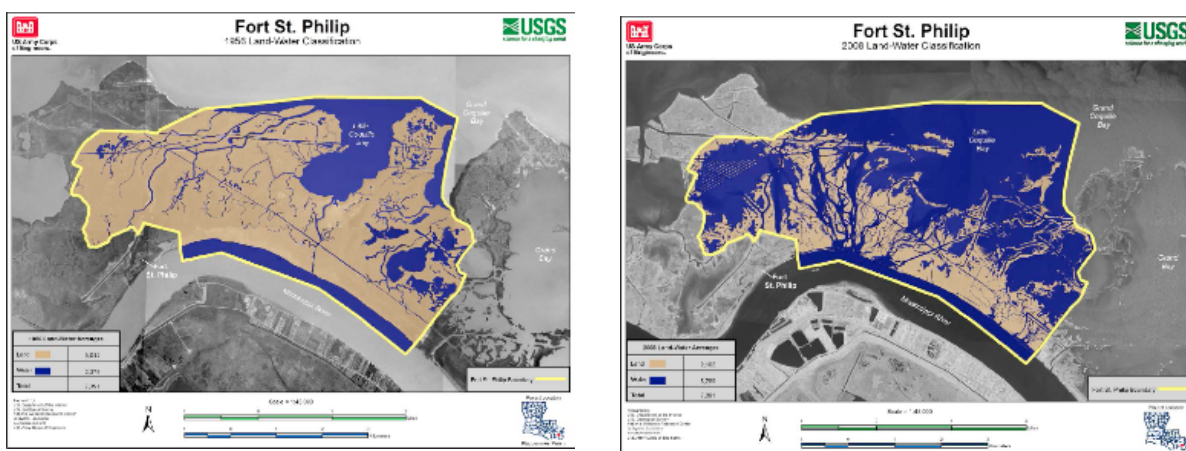
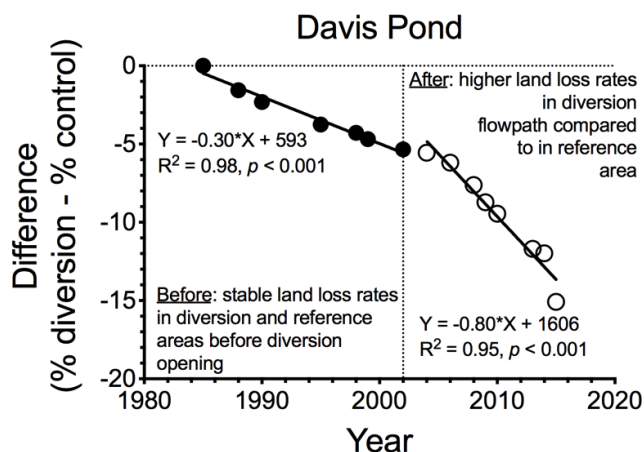


Fig. 2. 1956 and 2008 land (brown) and water (blue) at the St. Philip natural crevasse area that opened in 1973 (from Suir et al. 2014).

### Davis Pond

The Davis Pond diversion began operation in 2002, has a design capacity of  $396 \text{ m}^3 \text{ s}^{-1}$  and was projected to benefit or enhance at least  $3,278 \text{ km}^2$  wetlands (USCOE 2004). It had an average discharge of  $46.1 \text{ m}^3 \text{ s}^{-1}$  from January 2002 to August 2018. The land loss was determined using remote sensing imagery analyses that estimated the percent land in multiple years beginning in 1985. The data sets were developed using Landsat satellites equipped with different multispectral sensors. The data set is from 1985 to 2015 and is described by Couvillion et al. (2016) and located at: <https://www.sciencebase.gov/catalog/item/5a67a8cde4b06e28e9c57150>. A supervised and unsupervised classification was then used to correct for areas incorrectly classified by using only the NDWI. These steps were manually recoded by expert analysis (Couvillion 2017). The data are used by State and Federal programs to monitor land-loss trends for the whole coast and changes within specific restoration project areas (Couvillion 2017). The data were sub-divided into periods for before and after the diversion was first opened. The range in % land cover (normalized to the 1985 values = 100%) for each of the intervals. The percent land loss at Davis Pond remained stable at the reference site but decreased significantly within the diversion flow path after it was opened at an enhanced loss rate of  $0.49\% \text{ y}^{-1}$  (Fig. 3).

Fig. 3. The percent land in the flow path of the diverted water (open circles), and in the reference (filled circles) site. The data were normalized to the land area in 1985. The dotted vertical line indicates when the diversion was first opened.



*Summary Davis Pond:* Land loss inside the diversion compared to in reference area immediately outside the diversion increased from  $0.30\% \text{ y}^{-1}$  to  $0.80\% \text{ y}^{-1}$  after the diversion was opened.

### Summary: Land loss at these three diversions

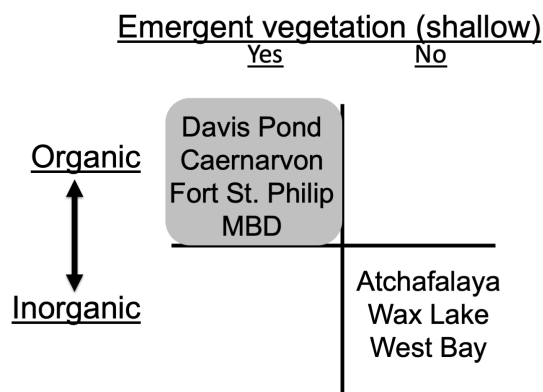
There is no evidence of a net land gain or conservation within the sites after the diversions began. There was sometimes a dramatic land loss afterwards the diversion that has not reversed. The three diversions did not create/restore land, but did result in land loss.

A pregnant question: Why would the proposed MBD be different?

## 2 Uncertainties

The computer model used to predict land gain from these diversions is not validated by reproducing the results from the existing diversions. The models used give no quantification of the unknown outcomes – a confidence interval. Their predictions could be quite wrong or right, but we will not know until the diversion is built for considerable money and time with political trust at risk. The West Bay diversion was used for model verification. But the West Bay diversion goes into mineral soils with deep water, not the shallow soils covered with emergent vegetation inhabiting organic soils (Fig. 4). The unsuccessful West Bay diversion was supposed to create 10,000 acres after 20 years and goes into deeper water, but it has no significant amounts of new emergent wetlands, except from the disposal of beneficial use materials. The Atchafalaya/Wax Lake Delta discharges one third of the flow of the Mississippi River into open water that overlies mineral soils and does not go into wetlands composed of organic soils like at the proposed diversion (Turner 2017). There is no on-the-ground data documentation, no computer code or reliable way of confirming the accuracy of the models and, therefore, and no logical reason to accept the ecosystem model output. The model output is compromised as a result.

Fig. 4. The differences between the proposed and existing diversions and the diversion used to calibrate the model.



### Uncertainties pointed out in Appendix E

Some uncertainties in the model are described in Appendix E. Sections in Appendix E say, for example, that it is an incompletely calibrated model. Some of these are quoted in the next text box. There is uncertainty in any model, but those uncertainties are not indicated in the estimates of net gain or loss – there are no ‘error bars’ as the statistician might say. One way to scale the accuracy needed is to realize that the net gain projected over the entire 50 years is between 2 and 4% of the total land area. This is a very small change that is projected. The model would have to be very precise and accurate to measure such a small change.

The incomplete physical components include consideration of geological faults that Chris McLindon’s comments described as incompletely assessed. Some of the missing, incompletely or poorly unknown processes that are not included in the model are biological – the effects of flooding, nutrients and resistance to erosion occur far from the sand deposition. The executive summary says that the “nutrients transported as part of the proposed project could contribute to increased primary production (above and below ground plant biomass)” (ES-9), which is contrary to results from multi-year experiments nearby in Louisiana and in other places (see



section on nutrients). If the model has positive influences where they are the opposite, and important drivers are absent from the model, then how is the model accuracy not compromised?

“it should be noted that even if the uncertainties associated with one single driver (for example, relative sea-level rise, rainfall) can be projected, quantifying how these uncertainties propagate in the Delft3D Basinwide Model and how they affect the prediction of a specific parameter is a very complex task, and coupled with the complexity of the model setup, feedbacks between different processes and period of predictions, *was not feasible as part of this EIS analysis.* (p.41, Appendix E; *emphasis added*)

“Finally, it should be also noted that while many of the dominant physical processes are included in the Delft#D Basinwide Model, *other common ongoing phenomena are not.* These processes might have different temporal spatial scales and variability, for example erosion caused by hurricanes, marsh edge erosion or bank erosion from vessel traffic navigable channels. *Simulating these processes is beyond the capabilities of any existing modeling software that attempts long-term change at this spatial scale. These processes can have an important role on a long-term scale,* and they are important when forecasting several decades or more into the future. (p.43, Appendix E; *emphasis added*)

“Overall, *these additional uncertainties and their effect on the model predictions are difficult to assess or quantify.*” (p. 43, Appendix E; *emphasis added*)

#### Missed opportunity to calibrate the model

One way to accommodate these uncertainties is to calibrate the model against the results from the other three diversions. In particular, the 1973 Fort St. Philip natural crevasse is well-described by the ACOE report (Suir 2012). It is the same size as the MBD and goes into shallow water with wetlands and lost 58% of its wetlands thereafter. There is no calibration of the system behavior when a diversion has been operating. Using all three diversions to calibrate the model would create conditions to the ‘bounds of expectations’ – the uncertainty.

#### Adaptive management is not a Get-Out-Of-Jail card.

What are the conditions for closure? If the MBD causes 5000 acres of wetland loss in the first 5 years, or floods Lafitte, will it be shut down?

Diverting river water for wetland restoration is new, complex and expensive, and so knowing the long-term consequences makes it important to populate models with empirical results. Model results must accurately reflect the empirical results, even if the underlying causes are not understood. The cost, efficacy, and duration of ecological restoration is illuminated, developed and improved by incorporating the empirically-defined field data, especially in a newly developing modeling field like wetland restoration (Zedler 2017). This one does not do that.

## 3

### Levees on the Mississippi River are not the problem causing coastal land loss.



Fig. 5. Canals and spoil banks in coastal Louisiana.

The Louisiana coastal zone in 2017 had a cumulative total length of 33,705 km of spoil bank created when canals are dredged through wetlands for mineral recovery activities. The dredged material is placed in linear rows on either side of the canal to form spoil banks whose height is up to 3-10 times the natural tidal range (Fig. 5).

The spoil bank length in the Louisiana coastal zone in 2017 was equal to more than 3/4ths the distance around the circumference of the Earth, and long enough to cross the Louisiana coast east-to-west 79 times (Turner and McClenachan 2018). There are multiple kinds of wetland changes documenting how these canals and spoil banks become a significant factor influencing wetland health including longer individual flooding and drying intervals, pond formation, sulfide buildup. Dredging canals at this landscape scale fundamentally changes the movement of water in and out of the wetland, leading to their demise. As a result, about 4.6 times more land is lost for every one of canal formed. The spatial and temporal distribution of permitting is not only coincidental with land loss (Fig. 6A, B), but the intercept of land loss and canal density in Fig 8B is zero, implying a dominant causal relationship. Dredging is the cause (>90%) of all land loss on this coast (Turner and McClenachan 2018).

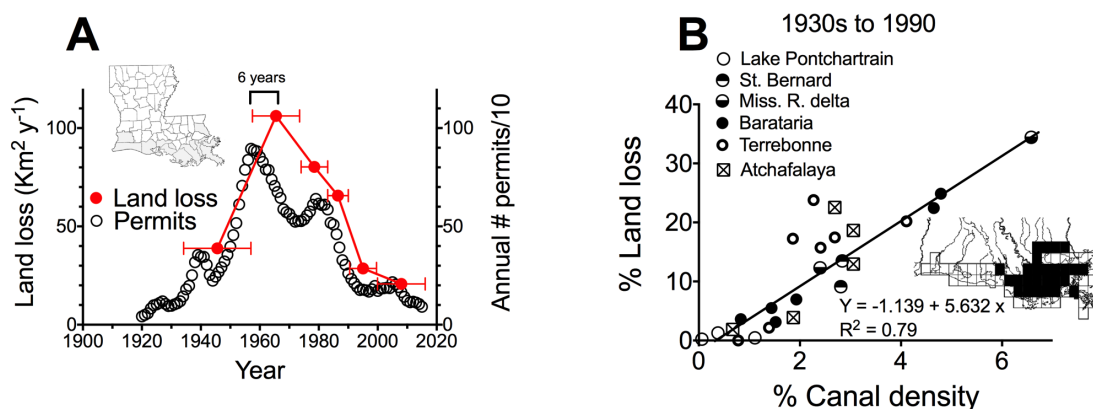


Fig. 6. A. The number of oil and gas permits issued annually in fourteen parishes and the land loss rates. B. The land loss rate from the 1930s to 1990 and canal density in 15 minute quadrangle maps (Turner and McClenachan 2018).

The result is that the land loss on the coast has stabilized (until Sea level rise reaches a tipping point for wetland survival). There has been a slight gain in land since 2010 (Fig. 7).

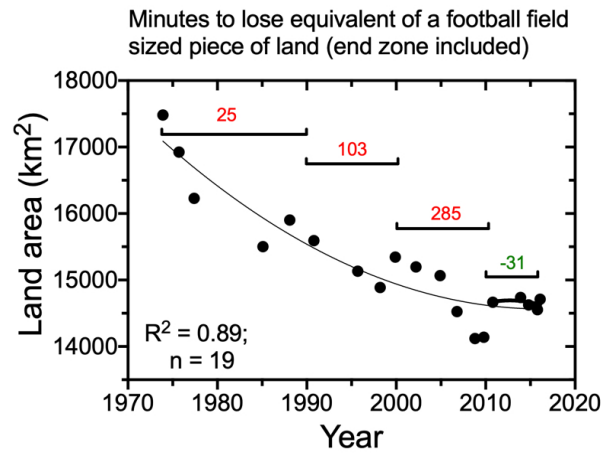


Fig. 7. Land area since the peak of land loss rates in the 1970s (when consistent aerial imagery is available) to present. The numbers above the bars are estimates of how many minutes it takes to lose (red) or gain (green) a football field. Data from Couvillon et al. (2017).

Whatever their role, Mississippi River flood protection levees are greatly exaggerated as a land loss cause. The understated cause of coastal land loss is dredging canals and building spoil banks, which diversions do not address.

## 4 Sea Level Rise

The EIS has two ‘scenarios’ of sea level rise (SLR) from 2020 to 2070 that are used in the model to project land gain/loss. These are 0.39 m and 0.79 m, equivalent to 7.8 and 15.8 mm  $y^{-1}$ . They come from Sweet et al. (2017).

### The low EIS SLR rate has already been exceeded

The low SLR used in the EIS is a lower than is at Cedar Key, Florida for the last 20 years (Fig. 8). The SLR at Cedar Key is about twice the global average, which is not an anomaly for the region. The western Atlantic and the GOM are global highs in eustatic SLR and the Pacific has global lows (Fig. 9). What is the point of using this low rate as a prediction? The SLR has already gone higher than this.

Fig 8. Sea level rise at Cedar Key. The data were downloaded from the National Oceanography Centre, Permanent Service for Mean Sea Level (<http://www.psmsl.org/>).

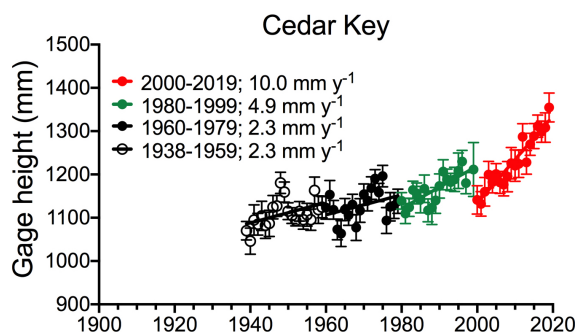
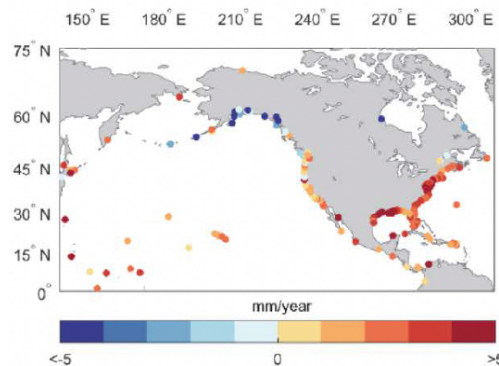


Fig. 9. Sea level trends for >30 years above the global sea level rise. The GOM is about 5 mm  $y^{-1}$  higher (red). From Sweet et al. 2017)



### The EIS high SLR rate is way too conservative

A 2017 update projects uses an intermediate, high, and extreme SLR of 10, 20, and 25 mm  $y^{-1}$ , respectively, by 2050, and 15, 35, and 44 mm  $y^{-1}$ , respectively, by the end of the century (Sweet et al., 2017) (Table 1). The 2070 SLR in this table is 13, 28 and 35 mm  $y^{-1}$ . The EIS chose 15.8 mm  $y^{-1}$  as the high amount by 2070. So the low SLR estimate in the EIS is lower or near the present rate (10 mm  $y^{-1}$ ), and the higher estimate is the same as occurring now is a very conservative amount compared to the global value, and quite low compared to the future regional estimate. If this table is an authoritative trajectory for SLR scenarios, then the ‘Extreme’ scenario is the one to chose since the 2020 value is the present SLR at Cedar Key. The corresponding SLR for 2070 is, therefore, 35 mm  $y^{-1}$ , not 25 mm  $y^{-1}$ .

| GMSL Scenario Rates (mm/year) | 2010 | 2020 | 2030 | 2040 | 2050 | 2060 | 2070 | 2080 | 2090 |
|-------------------------------|------|------|------|------|------|------|------|------|------|
| Low                           | 3    | 3    | 3    | 3    | 3    | 3    | 3    | 3    | 3    |
| Intermediate-Low              | 4    | 5    | 5    | 5    | 5    | 5    | 5    | 5    | 5    |
| Intermediate                  | 5    | 6    | 7    | 9    | 10   | 12   | 13   | 14   | 15   |
| Intermediate-High             | 5    | 7    | 10   | 13   | 15   | 18   | 20   | 22   | 24   |
| High                          | 6    | 8    | 13   | 16   | 20   | 24   | 28   | 31   | 35   |
| Extreme                       | 6    | 10   | 15   | 20   | 25   | 30   | 35   | 40   | 44   |

Table 1. The projected rates of global sea level rises ( $\text{mm y}^{-1}$  for 19 year averages; centered on decade) associated with the median Global mean sea level heights for this century. From Sweet et al. 2017). The ‘extreme’ rise in the GOM is  $10 \text{ mm y}^{-1}$  in 2020 in this table, which is the SLR rate at Cedar Key for the last 20 years.

#### Model projections are zero land gain by 2070

When the projected land gain for the two SLR scenarios are plotted out as a function of the SLR used, then the gain is zero when SLR is higher than  $11 \text{ mm y}^{-1}$  (by 2070). Again, this is the ‘intermediate’ value for the global ocean in Table 1, whereas the GOM is twice as high. The clear conclusion is that the model will predict zero land gain by 2070 if even low estimates of an accelerated SLR are used.

## 5

**Increasing nutrient loads from diversions will weaken soils, not strengthen soils**

The modern Mississippi River has nutrient concentrations that are much higher than when the mostly organic soils were created centuries ago (Turner et al. 2007) and may weaken soils by 30%, resulting in less belowground biomass, and change vegetation from being comprised of perennials to annuals (Turner et al. 2011). Increased flooding inundation, which is a consequence of river diversions, also weakens the belowground biomass of wetland plants (Morris et al. 2017) that may erode during high water events or from hurricanes (Kearney et al. 2011; Howes et al. 2010). Individual roots become weaker when exposed to ambient levels of nutrients found in the river (Hollis and Turner 2019a, b, Hollis and Turner 2021). The soil becomes degraded, accumulates less biomass, decomposes and erodes faster (Swarzenski et al. 2008; Hebert et al. 2020). The diversion of riverwater into the nearby marshes will almost certainly weaken soils, making them less resistant to wave energy and hurricanes. A striking example is the net loss of wetlands in the Davis Pond diversion where increased land loss occurred beginning the year after the diversion opened (Turner et al. 2019). This is an area that has no significant sediment input.

## 6

**Alternatives missing**

Less expensive ways to restoring the same area of wetlands are not discussed; the discussion of alternatives is restricted to diversions. But there are much more cost-effective ways of restoring wetlands, and sooner. The price of tearing down spoil banks and filling in canals (without sediment added) was \$9,266 ha<sup>-1</sup> in 2005, and \$12,224 ha<sup>-1</sup> in 2018 when adjusted for inflation. The rough approximation of filling in **all** abandoned canals is, therefore, about \$335 million dollars (Turner and McClenachan 2018). The cost of this diversion is about \$2 billion, so far, at a cost of about \$100 thousand per acre. The same amount of land could be restored by filling in canals (backfilling) at 5% of the per acre cost. This would involve restoring wetlands by dealing with these canals and spoil banks 6 to 17% of the abandoned canals on this coast. The money could be spent to reverse/restore the effects of the main cause of land lost across the whole coast, not one part of one delta, and sooner.

**Other:** The estimates of land gain in the Executive Summary do not match what is in Table 8.2.1.

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**Concern ID: 61853**

**The amount of acres of habitat that would be restored through the preferred alternative would not justify its high cost. Given Louisiana's annual coastal habitat loss rate, investing in a nearly \$2 billion Project that would provide relatively little benefit compared to this annual loss is not justifiable.**

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**Response ID: 16618**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has conducted its own economic evaluation of the costs of a proposed Project. USACE will conduct a public interest review as part of its permit decision-making process, which weighs the anticipated harms of a project against its anticipated benefits.

As part of the OPA analysis, LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and successfully develop deltaic habitats that connect nearshore and offshore ecosystems. Wetlands are one component of a restored ecosystem to be achieved. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The creation of marsh habitat would provide substantial benefits to nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, terrestrial wildlife, and offshore marine ecosystems (see Section 3.2.1.6 [Benefits Multiple Resources] of the Restoration Plan). Given the high rates of erosion and land loss, the land created by the Project would become even more important to the coastal ecosystem over time.

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**Concern ID: 61832**

**Commenters expressed concern that the uncertainties of the model were not quantified or identified in the model results. For example, with respect to the projections of land change, the ranges of potential acres to be created/lost along with a confidence level that each range is accurate were not provided. Commenters noted that the model predicted a net land gain of only 2 - 4 percent of the total land area within the Project area over the 50-year analysis period and questioned whether the model is sensitive enough and accurate enough to predict such a slight change.**

**Response ID: 16479**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft3D Basinwide Modeling, Section 8.0 Model Limitations and Uncertainties. The land-change uncertainty bounds were not included in the summary in Section 4.1.3.3. In response to this comment, the USACE has added a summary of land-change uncertainty to that section in the

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Final EIS. Where the model's quantitative results are presented, the EIS identified the model uncertainties. A footnote has been added to the Executive Summary and to Table 4.2-6 in Section 4.2 Geology and Soils of the Final EIS providing the uncertainty bounds for land-change projections.

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 61842**

**Commenter is concerned about the accuracy of the sea-level rise projections used in the Delft3D Basinwide Model to predict land changes. In particular, the commenter suggests that if updated sea-level rise rates (as provided in Sweet et al. 2017 and Church et al. 2014) were applied, the modeling would project no land-gain benefits from the diversion.**

**Response ID: 16480**

Large variability in projected relative sea-level rise does introduce corresponding uncertainty into land-loss and land-gain projections. The literature provided by the commenters has been reviewed. Measured and projected relative sea-level rise rates vary substantially by location, and using projections at a station in Florida, such as Cedar Key, are not useful for projections in the central Gulf Coast. Citing the USACE and NOAA sea-level projection tool (USACE 2019d), the MBSD Project Modeling Work Group chose a sea-level rise scenario based on the 2017 Coastal Master Plan "moderate" scenario, which is slightly higher than the USACE's "Intermediate" rate for the Barataria Basin water level station at Grand Isle, LA, as shown in Chapter 4, Figure 4.1.3 of the Draft EIS. The USACE rate reflects sea-level rise data collected at Grand Isle over the period 1947 to 2007. The MBSD Project Modeling Work Group determined that the use of that 2017 Coastal Master Plan Intermediate Sea-Level Rise curve was an appropriate choice at the time the modeling was conducted in 2019.

The sea-level rise value used in the Delft3D Basinwide Model simulation for the Draft EIS considered "intermediate" at the time of the modeling, is close to the low projection (0.3 m Global Mean Sea Level) given by Sweet et al. (2017) for Grande Isle. The commenter's suggestion of the Church et al. 2014 reference, which provides useful information, has been added as a reference in the Final EIS in Chapter 4, Section 4.1.3.2 Sea-Level Rise. Use of a different sea-level rise rate would affect the impact projections of all the alternatives considered in the EIS, including the No Action Alternative. If the relative sea-level rise rate used in the model is an underestimate, the effect on model results was mitigated, but not eliminated, by the use of a "No Action Alternative compared to Action Alternatives" comparison method. (In other words, if sea-level rise was underestimated, it was underestimated for all alternatives, including No Action Alternative. The impacts of the proposed Project presented in the Draft EIS are the net difference in impact magnitude between the No Action Alternative and the proposed Action Alternatives). Chapter 4, Section 4.1.3.2 Sea-level Rise states that higher sea-level rise rates would reduce anticipated land creation. However, in light of the commenters' concern, the USACE has amended the last sentence of the next to last paragraph of that section in the Final EIS to say, "If actual sea-

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level rise is higher (as is predicted by Sweet et al. 2017) than the value used in the Delft3D Basinwide Model, water levels would be higher and loss rates and land gains would be different than what the Delft3D Basinwide Model projects.”

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**Concern ID: 61843**

**The Delft3D Basinwide Model results are flawed because the model was not calibrated to data from the Fort St. Philip, Davis Pond, and Caernarvon Diversions. Instead the model was calibrated to the unsuccessful West Bay Diversion, which has not produced any land in 20 years of operation (other than that created by the deposit of dredged material). Calibration to West Bay is not appropriate because the West Bay Diversion outfall area is comprised of deeper water and mineral soils, while the outfall area of the proposed MBSD Project diversion is comprised of shallow water covered with emergent vegetation inhabiting organic soils.**

**Response ID: 16481**

The Delft3D Basinwide Model was not calibrated to Fort St. Philip because it is a naturally-occurring crevasse rather than an engineered diversion. The Davis Pond and Caernarvon Diversions are freshwater diversions intended to reduce salinity through the introduction of fresh water and were not designed to channel sediments from deep in the river.

The West Bay Sediment Diversion is a large, uncontrolled diversion with a discharge of 20,000 to 50,000 cfs. Constructed in 2003, the goals for the project included: 1) increase land:water ratio; 2) increase mean elevation in the wetland; and 3) promote marsh habitat. To date, the restoration actions have successfully restored a portion of the land and habitat previously present in West Bay. (McQueen et al., 2020). Because the modelers considered the West Bay Sediment Diversion to be a reasonable analog to the proposed Project and in accordance with professional standards, they validated the Delft3D Basinwide Model to the West Bay Sediment Diversion. The accretion rate of inorganic sediment was also validated using data from the Big Mar Lake adjacent to the Caernarvon Diversion. The Delft3D Basinwide Model is a public-domain, physics-based model in which water depth and consolidation of underlying soils are accounted for by appropriate equations. The consolidation feature of the model is described in the below reference, which was included in Chapter 10 (References) and cited in Chapter 2 (Alternatives) of the Draft EIS. Therefore, differences in water depth and underlying soils are accounted for in the model's physics-based calculations.

Uncertainties associated with the validation using West Bay were assessed using sensitivity tests and were considered in the analysis by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in Appendix E (Delft3D Modeling) and incorporated into the Draft EIS conclusions throughout Chapter 4 Environmental Consequences.

CPRA. 2011. Myrtle Grove Delta Building Diversion Modeling Effort in Support of the LCA Medium Diversion at Myrtle Grove with Dedicated Dredging Project: Data Collection, Preliminary Design, and Modeling Initiative. Available online at: <https://www.lacoast.gov/reports/project/4900753~1.pdf>.

As part of developing the EIS, the USACE, together with the members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative

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production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 61844**

**The Delft3D Basinwide Modeling used for the EIS is flawed because it was not calibrated against empirical results from three diversions that, like the proposed MBSD Project diversion, include an outfall area comprised of shallow water with organic soils: Fort St. Philip natural crevasse, Davis Pond Diversion, Caernarvon Diversion (see Zedler 2017, Suir 2012, and Turner 2017). Further, there is no evidence of a net land gain or conservation within those sites after the diversions began. There was sometimes a dramatic land loss after diversion implementation/start that has not reversed (Couvillion 2017, USACE 2004, Suir et al. 2014, Kearney et al. 2011, Underwood 1994).**

**Response ID: 16482**

The Delft3D Basinwide Model was not calibrated to Fort St. Philip because that is a naturally-occurring crevasse rather than an engineered diversion. The Davis Pond and Caernarvon Diversions were designed to primarily divert fresh water in order to lower salinities in the receiving basins. Unlike the MBSD, they were not designed to divert sand-sized sediment, which is needed to build land.

The West Bay Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation." (Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, Estuarine, Coastal and Shelf Science, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

The Zedler (2017) reference cited by the commenter is useful. Zedler wrote approvingly of the application of integrated habitat and hydrodynamic models in an adaptive management framework for restoration of coastal Louisiana. That is the same approach described in the Draft EIS in Chapter 4, Section 4.27 Mitigation Summary.

The Turner (2017) reference about using a correct mineral sediment supply baseline for coastal restoration is also useful. The Delft3D Basinwide Model results used in the EIS confirm the conclusion in Turner (2017) that Mississippi River diversions upstream of the birdfoot delta increase deterioration of the birdfoot delta, as noted in Chapter 4, Section 4.2.3.3 in Geology and Soils of the Draft EIS.

The references provided by the commenter were considered and incorporated into the EIS. Couvillion et al. 2017 is included in Chapter 3, Section 3.2 Geology and Soils and Section 3.6 Wetlands and Waters of the U.S., Kearney et al. 2011 is cited in Chapter 2, Section 2.4.1.3.3 Lower Barataria Basin, and Underwood 1994 is cited in Appendix R2 Monitoring and Adaptive Management Plan of the EIS. Suir et al. 2014 was added to Chapter 2 Alternatives, Table 2.3-1 of the Final EIS.

Couvillion, B.R., H. Beck, D. Schoolmaster, and M. Fischer. 2017. Land area change in coastal Louisiana 1932 to 2016: U.S. Geological Survey Scientific Investigations Map 3381, 16 p. pamphlet. Available online at: <https://doi.org/10.3133/sim3381>.

Kearney, MS, JCA Riter, and RE Turner. 2011. Freshwater river diversions for marsh restoration in Louisiana: Twenty-six years of changing vegetative cover and marsh area. *Geophysical Research Letters*, Vol. 38, L16405, doi:10.1029/2011GL047847m August 26, 2011.

Suir, GM, WR Jones, AL Garber, JA Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Geomorphology and Potamology Program, MRG&P Report 2. U.S. Army Corps of Engineers, Mississippi Valley Division, Vicksburg, Mississippi.

Underwood, AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Applications* 4: 3–15.

As part of developing the EIS, the USACE, together with the members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. No related edits have been made to the Final EIS.

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**Concern ID: 61845**

**The Delft3D Basinwide Modeling for the EIS projects positive results when existing evidence from nearby sites in Louisiana show the opposite results. Commenter stated that the model does not incorporate important biological drivers such as the effects of flooding, nutrients, and resistance to erosion, and consequently questioned the accuracy of the model.**

**Response ID: 16483**

Comparing observed effects of various diversions has limited value, since diversions and receiving environments often exhibit unique attributes or behaviors that correlations do not account for. For that reason, the Delft3D Basinwide Model, even with its limitations and uncertainties, is a better predictor than anecdotal comparison to Fort St. Phillip or other sites where diversions were designed to divert primarily water, not land-building sediment.

The Delft3D modeling did incorporate flooding, nutrients, and resistance to erosion in its results. Flooding, nutrients, and resistance to erosion are described in Appendix E. See generally Figure 5-1 regarding model module interaction, Section 5.2 Morphodynamics Module and 5.4 Vegetation Module in Appendix E for additional information.

Uncertainties associated with the validation using West Bay were assessed using sensitivity tests and were considered in the analysis by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in Appendix E (Delft3D Basinwide Model) and incorporated into the Draft EIS conclusions throughout Chapter 4 Environmental Consequences.

The references provided by the commenter were considered and incorporated into the EIS. Couvillion et al. 2017 is included in Chapter 3, Section 3.2 Geology and Soils and Section 3.6 Wetlands and Waters of the U.S., Kearney et al. 2011 is cited in Chapter 2, Section 2.4.1.3.3

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Lower Barataria Basin, and Underwood 1994 is cited in Appendix R2 Monitoring and Adaptive Management Plan of the EIS. Suir et al. 2014 was added to Chapter 2 Alternatives, Table 2.3-1 of the Final EIS.

Couvillion, B.R., H. Beck, D. Schoolmaster, and M. Fischer. 2017. Land area change in coastal Louisiana 1932 to 2016: U.S. Geological Survey Scientific Investigations Map 3381, 16 p. pamphlet. Available online at: <https://doi.org/10.3133/sim3381>.

Kearney, MS, JCA Riter, and RE Turner. 2011. Freshwater river diversions for marsh restoration in Louisiana: Twenty-six years of changing vegetative cover and marsh area. Geophysical Research Letters, Vol. 38, L16405, doi:10.1029/2011GL047847m August 26, 2011.

Suir, GM, WR Jones, AL Garber, JA Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Geomorphology and Potamology Program, MRG&P Report 2. U.S. Army Corps of Engineers, Mississippi Valley Division, Vicksburg, Mississippi

Underwood, AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. Ecological Applications 4: 3–15

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 61862**

**The estimates of land gain in the Executive Summary do not match what is stated in Chapter 4, Environmental Consequences.**

**Response ID: 15935**

The estimates of land gain were reviewed for discrepancies in both the Executive Summary and Chapter 4, Environmental Consequences of the Draft EIS and have been determined to be accurate in both instances. However, to help address these concerns, the EIS has been revised to add a discussion to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Geology and Soils section of the Executive Summary and to Chapter 4, Section 4.2.3.2.2.1 Geology, of the Final EIS.

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**Concern ID: 61894**

**Consider the alternative of tearing down spoil banks and backfilling abandoned canals before, in addition to, or instead of implementing the proposed MBSD Project.**

**Response ID: 15987**

This suggested alternative would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. It would not re-establish deltaic processes between the Mississippi River and Barataria Basin through the delivery of sediment, fresh water, and nutrients. However, the EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the Final EIS), and has

updated the analysis to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The EIS recognizes that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years.

This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan and the LA TIG through Natural Resources Damage restoration planning.

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**Concern ID: 61999**

**A commenter provided a specific reference for use in the EIS regarding diversions and coastal wetland restoration/creation. (Turner RE, Boyer ME 1997. Mississippi River diversions, coastal wetland restoration/creation and an economy of scale. Ecological Engineering 8: 117-128)**

**Response ID: 16331**

The reference has been reviewed, included in the list of references, and some additional information has been included in Chapter 2, Section 2.3.7 Multiple Small-Scale Diversions of the Final EIS.

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. Nature Geoscience 2, 488-491.**

**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. Ecological Economics. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

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**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D

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Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62836**

**What are the conditions for closure of the diversion? For example, would the diversion be shut down if there is community flooding or a large amount of wetland loss in the first 5 years? CPRA's stated commitment to adaptive management may eventually result in the agency making substantial adjustments to the operational regime of the proposed Project without providing recourse for affected stakeholder groups.**

**Response ID: 16663**

Information regarding Project operations, including the plan for when the diversion would be shut down for emergencies and storm events, is set forth in CPRA's Operations (Water Control) Plan issued with the Draft EIS (Appendix F2).

With regard to community flooding, the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) details mitigation strategies that would address increased water levels in impacted communities. With regard to ensuring Project performance, in accordance with the Monitoring and Adaptive Management (MAM) Plan, CPRA would monitor Project performance over the life of the Project and adaptively manage the Project to ensure Project success (for examples of potential adaptive management actions, see Tables 4.1-1 through 4.1-3 in the MAM Plan in Appendix R2 to the Final EIS). If the Project is implemented, CPRA would continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

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Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62882**

**The understated cause of coastal land loss is dredging canals and building spoil banks, which diversions do not address.**

**Response ID: 15834**

The EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see Chapter 3, Section 3.6.2.2.4 in Wetland Resources and Waters of the U.S. of the EIS), and the analysis has been updated in the Final EIS to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The EIS recognizes that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years. In addition, Chapter 1, Section 1.2.1 in Project Background and Chapter 3, Section 3.1.4 in Introduction describes the historical reasons for coastal land loss within the Barataria Basin and notes that as a result of this coastal land loss, various agencies and non-governmental organizations have implemented coastal protection, restoration, and rehabilitation projects within the basin. CPRA has identified the proposed Project for implementation based on the recommendations in its Coastal Master Plan and identified large-scale sediment diversions as a restoration tool for sustainable ecosystem restoration to counter the basin-wide effects of erosive processes such as sea-level rise and subsidence.

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**Concern ID: 63015**

**There are misrepresentations in the EIS about how nutrients in the river would spread out far from the sand deposition area to lower plant biomass belowground. Increasing nutrient loads from diversions would weaken soils, not strengthen soils.**

**The modern Mississippi River has nutrient concentrations that are much higher than when the mostly organic soils were created centuries ago (Turner et al. 2007) and may weaken soils by 30 percent, resulting in less belowground biomass, and change vegetation from being comprised of perennials to annuals (Turner et al. 2011). Increased flooding inundation, which is a consequence of river diversions, also weakens the belowground biomass of wetland plants (Morris et al. 2017) that may erode during high water events or from hurricanes (Kearney et al. 2011, Howes et al. 2010). Individual roots become weaker when exposed to ambient levels of nutrients**

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found in the river (Hollis and Turner 2019a, b; Hollis and Turner 2021). The soil becomes degraded, accumulates less biomass, and decomposes and erodes faster (Swarzenski et al. 2008, Hebert et al. 2020). The diversion of river water into the nearby marshes would almost certainly weaken soils, making them less resistant to wave energy and hurricanes. A striking example is the net loss of wetlands in the Davis Pond Diversion where increased land loss occurred beginning the year after the diversion opened (Turner et al. 2019). This is an area that has no significant sediment input.

Turner RE, Rabalais NN, Alexander RB, Mclsaac G, Howarth RW 2007. Characterization of nutrient and organic carbon and sediment loads and concentrations from the Mississippi River into the northern Gulf of Mexico. *Estuaries Coasts* 30: 773-790.

Turner RE 2011. Beneath the wetland canopy: loss of soil marsh strength with increasing nutrient load. *Estuaries Coasts* 33 1084-1093.

Morris JT, Barber DC, Callaway JC, Chambers R, Hagen SC, Hopkinson CS, Johnson BJ, Megonigal P, Newbauer SC, Toxler T, Wigand C 2016. Contributions of organic and inorganic matter to sediment volume and accretion in tidal wetlands at steady state. *Earth's Future* 4, doi:10.1002/2015EF000334.

Kearney MS, Riter CA, Turner RE 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847

Hollis LO, Turner RE 2019a. The tensile root strength of *Spartina patens* varies with soil texture and atrazine concentration. *Estuaries and Coasts* 42: 1430-1439. doi: 10.1007/s12237-019- 00591-5

Hollis LO, Turner RE 2019b. The tensile root strength of *Spartina patens*: response to atrazine exposure and nutrient addition. *Wetlands* 39(4): 759-775. Doi:10.1007/s13157-019-01126-1

Hollis LO, Turner RE 2021. The tensile root strength of *Spartina patens* declines with exposure to multiple stressors. *Wetlands Ecology and Management* 29: 143-153. Doi: 10.1007/s11273- 020-09774-5

Howes NC, FitzGerald DM, Hughes ZJ, Georgiou IY, Kulp MA, Miner MD, Smith JM, Barras JA 2010. Hurricane-induced failure of low-salinity wetlands. *Proc Natl Acad Sci USA*; 107: 14014-14019.

Swarzenski CM, Doyle TW, Fry B, Hargis TG 2008. Biogeochemical response of organic-rich freshwater marshes in the Louisiana delta plain to chronic river water influx. *Biogeochem* 90:49-63.

Hebert ER, Schubauer, JP-Berigan, C 2020. Effects of 10 yr of nitrogen and phosphorus fertilization on carbon and nutrient cycling in a tidal freshwater marsh. *Limnology and Oceanography* 65: 1669-1687

Turner RE, Layne M, Mo Y, Swenson EM 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. *Restoration Ecology* 27: 1231-1240. <https://doi.org/10.1111/rec.13024>

Mo Y., Kearney M, Turner RE 2020. Excess nutrient impairs the resilience of coastal ecosystems to hurricanes: a long-term satellite and ground-based study for Louisiana

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**coastal marshes. Environment International 138: 105409.**

<https://doi.org/10.1016/j.envint.2019.105409>

**Response ID: 16028**

The literature cited by the commenters has been reviewed, including Turner et al. 2007, Turner et al. 2011, Morris et al. 2017, Kearney et al. 2011, Howes et al. 2010, Hollis and Turner 2019, Swarzenski et al. 2008, Hebert et al. 2020, Turner et al. 2019, and Mo et al. 2020, and Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS has been revised to include additional analysis regarding the impact of nutrient input from the proposed Project on vegetation communities and soil shear strength.

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**Concern ID: 63024**

**The Draft EIS failed to properly capture the state of the science on the effects of nutrient inputs on wetlands. While the views indicating the detrimental effects of nutrient input are included, few opposing views are described, and the science is not settled on this issue.**

**Response ID: 16034**

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledges uncertainty regarding the effects of nutrient inputs on wetlands. Additional analysis regarding the impact of nutrients that would be transported by the proposed Project on vegetation communities and soil shear strength has been incorporated into Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

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**Concern ID: 63046**

**Coastal land loss is caused by dredged canals through wetlands and associated spoil banks, rather than by Mississippi River levees, resulting in greater than 90 percent of all land loss on this coast (Turner and McClenachan 2018). These features become a significant factor influencing wetland health, resulting in longer individual flooding and drying intervals, pond formation, and sulfide buildup. Large-scale dredging fundamentally changes the movement of water in and out of the wetland, leading to wetland loss; as a result, about 4.6 times more land is lost for every one canal formed. The spatial and temporal distribution of canal permitting is not only coincidental with land loss, but data analysis implies a dominant causal relationship. The result is that the land loss on the coast has stabilized (until sea-level rise reaches a tipping point for wetland survival). There has been a slight gain in land since 2010 (Figure 7 of the attachment).**

**Turner R.E. and G. McClenachan G. 2018. Reversing wetland death from 35,000 cuts: opportunities to restore Louisiana's dredged canals. PLOS ONE 13(12): e0207717.**

<https://doi.org/10.1371/journal.pone.0207717>

**Response ID: 16052**

The influence of canals and spoil banks on wetland losses in Barataria Basin are discussed in Chapter 3, Section 3.6.2.2 Causes of Wetland Loss of the EIS. The literature cited by the commenters (Turner and McClenachan 2018) has been reviewed and additional detail has been added to Chapter 3, Section 3.6.2.2.4 Canals and Spoil Banks of the Final EIS. However, as described in the EIS, risk reduction levees have been shown to reduce the sediment load that enters the Barataria Basin. As the deficit of sediment, combined with

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increased rates of sea-level rise, contributes to wetland losses, the Mississippi River levees do contribute to coastal land loss.

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**Concern ID: 64682**

**The Delft3D Basinwide Modeling conducted to assess impacts of the proposed Project in the Draft EIS includes incomplete physical components, including a lack of consideration of geological faults, which McLindon et al. (2017) described as incompletely assessed.**

**Response ID: 16410**

The impacts raised by the commenter were considered in the Draft EIS. To clarify, additional language has been added to the Final EIS to make clear the potential, but unquantified, probability for slip events along the Ironton fault during operations of the proposed Project based upon the framework estimates in the McLindon et al. (2017) provided by the commenters. This additional discussion and a citation for McLindon et al. (2017) has been added to Chapter 4, Section 4.2.3.2.2.4 Faulting of the Final EIS.

The USACE agrees that the Delft3D Basinwide Model results include uncertainties. As discussed in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E (Delft3D Basinwide Modeling, Section 8.0 Model Limitations and Uncertainties), those uncertainties were examined through sensitivity tests and by comparing the No Action Alternative to the Action Alternatives. The results of this comparison are provided in the EIS conclusions throughout Chapter 4 (Environmental Consequences).

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the proposed MBSB Project EIS impacts analysis of the alternatives.

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**Correspondence ID:31968**

FEMA

Charlie Cook

Good morning, regarding this project from USACE, please ensure that you are working with the local floodplain administrator to obtain any needed local floodplain permits.

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**Concern ID: 62192**

**Commenter states that CPRA should coordinate with the local floodplain administrators to obtain any needed local permits.**

**Response ID: 15741**

CPRA would be responsible for coordinating as needed with the appropriate floodplain administrator(s) regarding any necessary permits prior to Project commencement if the Project is approved by USACE and funded by the LA TIG.

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**Correspondence ID:31969**

Linda Newell

I oppose this project because it will result in "major, adverse, direct and indirect, permanent impact" to our oysters and brown shrimp, "wiith major decrease in abundance." It is simply unacceptable to decimate this industry, which is a major contributor to the Louisiana economy, and a delight to seafood lovers across the nation.

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:31970**

LJL, Inc.

Lanvin LeBlanc

hello my name is lanvin leblanc life long resident of lafitte louisiana 63 yrs old where do i start ? i shrimp for a living my whole life mostly around barataria bay and from vermilion bay to mississippi state line im make some comments on diversion; these waters around lafitte area towards the gulf produces a special shrimp seems like the people pushing this has got there mind and pockets (dollars) made up they well know it will change our living as we know it , went to meeting in 2017 bell chase for public comment 'but could not comment ? they claim tides will be up close to 3feet than normal my property will be flooded dont you think everyone down here in lafitte area should know ; who is going to take responsible if i loose my living are property ? we and they know this will happen and elected officials still push for it , fact is it wont build up land the size of a football field in 30 yrs so why put it and spend all this for so little in return ? pollution will come down from river . oysters, shrimp , crabs ; sport fishing, maybe all gone // the living we know maybe all gone / grass and algae will grow where you wont be able to work either / theres other means of building loss land back , dredges and rock formation would end what land we loosing and prob be less costly all way around .and core of engineers well know this ( we got worlds largest pumping station in harvey canal but told it cant be run to its full potential ) same people that wants this diversion / yrs ago i personally ask core to build a large leavy from lafouche levy to mississippi river levy and put few flood gates and no one would have to raise houses ' ; common sense /just remember 98 percent of these people making these decisions have no clue how fishermen in lousiana really go through and work hard for our living / our elected officials dont know so before they make these changes should always put people and there communities first and not ' ; THE POCKETS OF SELECTED FEW ;SURE THEY TOOK OFFICE AND A OATH TO STAND BY THE PEOPLE WHEN THEY WERE HIRED ON ;; thank you

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

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As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 61853**

**The amount of acres of habitat that would be restored through the preferred alternative would not justify its high cost. Given Louisiana's annual coastal habitat loss rate, investing in a nearly \$2 billion Project that would provide relatively little benefit compared to this annual loss is not justifiable.**

**Response ID: 16618**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has conducted its own economic evaluation of the costs of a proposed Project. USACE will conduct a public interest review as part of its permit decision-making process, which weighs the anticipated harms of a project against its anticipated benefits.

As part of the OPA analysis, LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and successfully develop deltaic habitats that connect nearshore and offshore ecosystems. Wetlands are one component of a restored ecosystem to be achieved. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The creation of marsh habitat would provide substantial benefits to nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, terrestrial wildlife, and offshore marine ecosystems (see Section 3.2.1.6 [Benefits Multiple Resources] of the Restoration Plan). Given the high rates of erosion and land loss, the land created by the Project would become even more important to the coastal ecosystem over time.

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**Concern ID: 61954**

**A commenter noted that they attended a scoping meeting in 2017 but were not able to comment.**

**Response ID: 15899**

USACE regrets that the commenter was not able to comment during the 2017 scoping meetings. Note that there were multiple opportunities available to comment on the scoping meetings over a 60-day comment period including in-person orally via a court reporter, written on comment cards or letters either in-person or via the postal service, and via electronic mail.

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**Concern ID: 61955**

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**Commenters are concerned that all those that are impacted may not be aware of the proposed Project, its impacts, or potential mitigation. There are many people that may not have the knowledge, time, or resources to be deeply involved in these issues, but who also have a stake in what is happening. Consider the needs of these people in making a decision about moving this proposed Project forward. If this proposed MBSD Project and similar projects move forward consider opportunities to better engage people across Louisiana’s coast in the value of projects like these and why they are crucial to the future of our region.**

**Response ID: 15900**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG’s Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a “one-stop shop” and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and the LA TIG conducted public outreach and provided public comment opportunities throughout the development of the Draft EIS and the LA TIG Draft Restoration Plan. Details on USACE’s and the LA TIG’s outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG’s Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG’s Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG’s Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. Throughout the public comment period and concurrent with the

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preparation of the Final EIS and LA TIG's Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups.

This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented.

Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts

and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62187**

**The commenter believes that decisions have already been made to approve or fund the proposed Project.**

**Response ID: 15766**

USACE, in its role as the lead federal agency, is responsible for preparing the EIS and ensuring fulfillment of the NEPA process with respect to its decisions on CPRA's Section 10/404 permit application and Section 408 permission request. The Final EIS will inform

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USACE decision making on the Department of Army Section 10/404 permit and Section 408 permission relative to the proposed Project. By regulation, the USACE is neither for nor against the proposed Project. USACE has not made any decision regarding the proposed Project and will not make a decision until it issues a Record of Decision after publication and public review of the Final EIS.

The LA TIG federal agencies (NOAA, DOI, USEPA, and USDA) participated in the NEPA process as cooperating agencies for the EIS to support LA TIG decision making on the Restoration Plan. The role of the LA TIG is to prepare a Restoration Plan to evaluate the Project and its alternatives under the requirements of the Oil Pollution Act (OPA). The LA TIG proposed a preferred alternative in the Draft Restoration Plan. Decisions regarding the selected alternative are made in the Final Restoration Plan and decisions regarding funding will not be made until the completion of all required administrative waiting periods.

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**Concern ID: 62354**

**The commenter asserts that elected officials push for the Project even though they know it would increase water levels in some communities.**

**Response ID: 15794**

USACE is evaluating CPRA's proposed Project through the EIS and will make its decision in compliance with the statutes, orders, and policies outlined in Chapter 5 of the EIS.

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**Concern ID: 62355**

**There are better ways to build land and the Corps knows how. Our elected officials should put people and communities first instead of the pockets of a selected few people.**

**Response ID: 15955**

The range of reasonable alternatives evaluated in the EIS were based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS and consistent with CEQ NEPA regulations. As described in Chapter 2, an alternatives screening process was conducted where screening criteria were identified and a wide range of alternatives were evaluated including other available coastal restoration tools and methods. The screening criteria included key concepts from the purpose and need including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. The Project-specific purpose and need built on analyses in the LA TIG's SRP/EA #3, including its initial screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. Based on a review of the various alternatives against these criteria developed from the purpose and need only large-scale sediment diversions with varying capacities were brought forward as alternatives to the LA TIG's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described



in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the LA TIG's Restoration Plan for a discussion regarding the LA TIG's evaluation of the range of alternatives and identification of the LA TIG's Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54 and it strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG 2018, page 3-32) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in this Restoration Plan. It is also worth noting that the LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina

Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure

that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:31971**

Tom Taggart

This project will likely have a negative impact on approximately twenty thousand people that live in the area. It will have a positive impact on over one million people residing in the greater New Orleans area.

The good of the many vastly outweighs the good of the few.

I hope your project will be a huge success.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:31972**

Catherine Makk

I fully support the Mid Barataria Sediment Diversion Project. South Louisiana is a treasure that must be cultivated and not only fight against man made climate change but put into place proactive long term solutions.

The only way we will keep future generations in the region is to act now.

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**Concern ID: 63336**

**This proposed Project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.**

**Response ID: 16292**

The commenter's support for the proposed Project is noted. The proposed Project, by reestablishing deltaic processes, is intended to build coastal resiliency and protection for the coastal communities behind Barataria Basin. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

See Sections 3.2.1.6 (Benefits Multiple Resources) and 3.2.1.7 (Public Health and Safety) of the LA TIG's Restoration Plan for a detailed discussion of the proposed Project's potential benefits and public health and safety impacts, respectively.

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**Correspondence ID:31973**

Erin Davis

This is a necessary step toward correcting environmental damage done to Louisiana by artificially directing water down the Mississippi. Information about the necessity of healthy coastal marsh systems wasn't available when those decisions were made. It is especially viable that we restore our coastline in preparation for climate change, which will hit Louisiana harder than most states.

We do have a responsibility to compensate people who have their primary residence in directly affected areas, so that they have the ability to move or elevate their residence, if they insist on remaining. This assistance should NOT apply to vacation homes, rental homes or planned homes.

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**Concern ID: 62954****Compensation should not be provided for impacts to vacation homes, rental homes, or planned homes.****Response ID: 16612**

The comment that compensation should not be provided for impacts to vacation homes, rental homes, or planned homes, is acknowledged. CPRA's mitigation measures set forth in the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) do not differentiate between primary residences and second, vacation or rental homes in terms of the mitigation planned as part of the Project or offered to any property owner. In cases where CPRA acquires property interests as part of implementing the mitigation measures, CPRA will compensate the landowner for that property interest.

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**Concern ID: 63362****This is a necessary step toward correcting environmental damage done to Louisiana by artificially directing water down the Mississippi River. Information about the necessity of healthy coastal marsh systems wasn't available when those decisions were made. It is especially necessary that the coastline is restored in preparation for climate change, which would hit Louisiana harder than most states.****Response ID: 16324**

The commenter's support for the proposed Project is noted. The impacts of climate change and sea-level rise in Louisiana were discussed in Chapter 3, Sections 3.1.3 in Introduction and 3.4.1.1 in Surface Water and Coastal Processes of the Draft EIS and were factored into the Delft3D Basinwide model results discussed throughout Chapter 4 Environmental Consequences. Impacts to marsh and to flood risk for various communities are discussed for both the No Action Alternative and the Applicant's Preferred Alternative.

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**Correspondence ID:31974**

Burt Neal

It is way past time to do this. The greater good outweighs the few, that is the way an intelligent society would work.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:31975**

Wayne Malone

Dont want it! It will be the end of the shrimp and oyster industry as we know and like it.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:31976**

Wayne Malone

Dont want it! It will be the end of the shrimp and oyster industry as we know and like it.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:31977**

Charlie Tester

Have a good day

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**Concern ID: 62426**

**Several commenters submitted test messages, well wishes and miscellaneous text.**

**Response ID: 15871**

Acknowledged.

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**Correspondence ID:31991**

Bob Stewart

This is an amazing document - the depth and breadth of the issues are exemplary, and thorough. I've often noted that the science based program to produce the program and the draft EIS are fantastic models for national and international program. I realize there are communications coming in that will require some tweaking of the program and look forward to seeing the final.

I've attended or listened to several programs where CPRA presented overviews of the diversion and listened to the discussions with people in the audience. The presentations were excellent and the response from many who were opposed to the diversion were passionate - mostly from those living in the coastal areas. Within their passion it seemed difficult for them to understand the future without the diversion project and the impacts that future would have on their interests or dwellings. So it seems we have additional work to do in education.

I congratulate those involved in the development and writing of this document. I am proud that this program is in Louisiana and that it is serving as a national and international model of how to approach and solve complicated issues.

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**Concern ID: 61757**

**Commenters recommended educating the public about the proposed Project as well as the impacts of the No Action Alternative. There would be a benefit of continued education with the affected communities.**

**Response ID: 15893**

As part of the Draft EIS process, USACE prepared various materials to educate the public regarding the analysis and impacts included in the Draft EIS. This included an Executive Summary summarizing the details of the Draft EIS into a concise, easy to read, document. Additionally, at the beginning of the public comment period, CEMVN posted to the CEMVN's Project website several pre-recorded presentation videos consisting of an explanation of how to comment on the Draft EIS and/or LA TIG's Draft Restoration Plan, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS. These pre-recorded presentation videos were then consolidated into one presentation and played at the beginning of each of the three public meetings. This consolidated pre-recorded presentation was also translated into Spanish, Vietnamese, and Khmer and available on CEMVN's Project webpage. In addition, dedicated toll-free numbers were provided during the public comment period on the Draft EIS and LA TIG's Draft Restoration Plan through which Spanish, Vietnamese, and Khmer-speaking individuals could listen to the translated pre-recorded presentation.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through newspapers, mail outs, and local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public

meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. The Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, the Executive Summary for the LA TIG's Draft Restoration Plan, and the public meeting presentations were translated into Spanish and Vietnamese. As noted above, the consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage. As stated in Chapter 7 Public Involvement of the EIS, public engagement has been a vital element of developing and evaluating the proposed MBSD Project. Since 2016, CPRA has participated in nearly 200 outreach and engagement activities focused on the proposed MBSD Project, reaching more than 7,000 people. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. These outreach and engagement efforts provided the public with an opportunity to ask questions and obtain information about the proposed MBSD Project. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings and public outreach conducted by CPRA can be found in Chapter 7 Public Involvement of the Final EIS.

For more information about proposed Project's operational and adaptive management governance, see Final EIS Appendix R2: Monitoring and Adaptive Management (MAM) Plan. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

In addition, EIS Chapter 4, Section 4.24.3 Operations Impacts in Cultural Resources and Section 4.9 of the Final Mitigation and Stewardship Plan (in Appendix R1 to the Final EIS) discuss the NHPA process and mitigation for the proposed Project. The NHPA Programmatic Agreement developed for the proposed Project through the NHPA Section 106 consultation sets forth the alternative historic and cultural resources mitigation to be implemented by CPRA as part of implementing the Project. An Alternative Mitigation Plan is appended to the Programmatic Agreement and describes in detail the mitigation proposed to resolve adverse effects within the Operational Impacts APE. A website and public education materials are included in the Alternative Mitigation Plan as products to be developed through the alternative historic and cultural resources mitigation. The Programmatic Agreement is provided in Appendix K Cultural Resources Information of the Final EIS and attached as Appendix A to the Final Mitigation and Stewardship Plan located in Appendix R1 of the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring,

or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63363**

**The commenter expressed support for the thorough analysis in the EIS, with the acknowledgement that modifications would be present in the Final EIS to account for ongoing communications about the proposed Project.**

**Response ID: 16325**

The commenter's support for the proposed Project is noted. Revisions have been made to the Final EIS based on public comments received on the Draft EIS, input from cooperating agencies, and continued Project evaluation. Changes between Draft and Final EIS are identified through markings along the margins on the applicable pages, as described in Chapter 1, Section 1.7 Public Involvement Summary.

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**Correspondence ID:32089**

Lawrence Taggart

I am in support of this project. While it will have negative impact on people and wildlife in the area, I believe the overall benefit to Southeast Louisiana for outweighs the negative aspects. Please proceed with the project.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:32091**

Vick Corso

I am totally against this project. Seems to me there must be a better way channel settlement more to the outer edges of the coastline. Not total destroy all the intercostal areas where people fish and live. This is a great place to fish in myrtle grove and I seen what sediment(from river water down in south pass Venice) does to areas where there is no dredging in place. This mean no access so no people. This is the dumbest proposal I've ever seen.

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**Concern ID: 61905**

**Commenters expressed that residents' way of life including living off of and recreating in the water would be impacted by an influx of fresh water due to the MBSD Project.**

**Response ID: 16235**

The issues raised by the commenters were considered in the Draft EIS. As described in the Existing Conditions in Chapter 3, Section 3.16 Recreation and Tourism, as well as Appendix H1 Socioeconomics Technical Report, the Draft EIS acknowledges the importance of recreational use in the region, describing many types of outdoor recreational activities, including fishing, hunting, boating, wildlife viewing, and general shoreline use, among others. The EIS further acknowledges that extensive estuarine and freshwater wetlands provide habitat for many kinds of fish, birds, reptiles, and mammals that are an integral component of recreation in the region. The evaluation of environmental changes in the basin under the No Action Alternative shows that the abundance of target recreational species, including spotted seatrout and red drum, would decline over time. Access to recreational boating sites would also increase from negligible impacts in the early decades to major, adverse impacts in the later decades, leading to decreases in recreational use in the southern portions of the basin even without the Project. Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe how changes in the amount of fresh water due to the MBSD Project would impact recreation and tourism. As noted, there would be adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to tidal flooding, sedimentation, and invasive plants. There would be adverse impacts on recreational fishing for spotted seatrout and beneficial impacts on recreational fishing for red drum.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)

- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:32096**

Coalition for Coastal Resilience and Economy

Brandon Nelson

At the beginning of March, we reached a critical moment in Louisiana's battle to combat coastal land loss and rebuild our coast. The U.S. Army Corps of Engineers released its draft Environmental Impact Statement on the Mid-Barataria Sediment Diversion, a key step in permitting for a major component of the state's Coastal Master plan. The Mid-Barataria Sediment Diversion is a game-changing coastal restoration project that must move forward if we are to turn the tide on Louisiana's land loss crisis. As the chairs of Greater New Orleans, Inc., and GNO, Inc.'s Coalition for Coastal Resilience and Economy, respectively, we are voicing support for this project, which implements an innovative and sustainable approach to reducing our land loss, rebuilding our wetlands, and creating significant economic benefit.

Being the largest individual restoration project in U.S. history, the Mid Barataria Sediment Diversion will build more wetlands than any other project of its kind in the world. The project, funded by the BP Deepwater Horizon settlement funds, will develop new land and sustain existing wetlands by using the power of the Mississippi River to move sediment and fresh water from the river into nearby basins, mimicking nature's historic land-building processes. Without this project, over the next 50 years, the Barataria Basin alone could lose an additional 550 square miles of land, which is approximately one and a half times the size of the city of New Orleans. Such outcome would jeopardize the safety and prosperity of the entire region, threaten our way of life, and eviscerate coastal habitat that wildlife need to survive.

In the words of Michael Hecht, President and CEO of GNO, Inc., "Coastal restoration is truly where the economy meets the environment." Economic development and coastal restoration are intrinsically linked: by committing to restoring the coast, we protect existing and future investment in Louisiana, while developing an exportable knowledge-based industry and specialized workforce. Implementation of projects outlined in Louisiana's Comprehensive Master Plan for a Sustainable Coast, such as the Mid-Barataria Sediment Diversion, will preserve our working coast, reduce hurricane storm surge, and encourage business growth.

Coastal projects foster diversity and growth for our economy, as highlighted by GNO, Inc.'s 2019 Coastal Restoration Workforce Outlook, which found that Coastal Master Plan projects will yield thousands of jobs in operations, maintenance and monitoring, as well as construction. The Corps analysis indicates that the Barataria project could generate an impressive 12,400 jobs in the state, mostly in the Greater New Orleans region, during its three to five-year construction period. Particularly if coupled with local training, these jobs will expand opportunities for locals to enter good paying career paths including dredge operators, carpenters, plumbers, pipefitters, drafters, engineers, architects, computer analysts and programmers, and more. In a 2017 report, Dr. Stephen Barnes of LSU found that coastal restoration and protection jobs yield an average wage of \$59,000/year, significantly higher than the state's median wage of \$34,9000/year.

Businesses will benefit, too. According to a 2019 report by economist Dr. Loren Scott, construction of the Mid-Barataria and Mid-Breton Sediment Diversion projects will support an increase in regional business sales by \$3.1 billion.

While the Mid-Barataria Sediment Diversion is the right step in the right direction, we recognize and cannot ignore that there will be inevitable environmental impacts that will have

to be addressed. We are encouraged that the state has outlined mitigation strategies and designated significant resources to lessen the potential impacts, such as job training programs and startup financial assistance for impacted industry members. Along those same lines, organizations, such as GNO, Inc. are postured to serve as connectors to bring together industry and higher education/workforce development training partners to offer assistance to those seeking to transition.

Coastal restoration and protection is a cornerstone to securing a thriving economy in the Greater New Orleans region, presently and for future generations. We support the construction of the Mid-Barataria Sediment Diversion, as it is our best shot at protecting vulnerable communities, reducing hurricane storm surge, and fostering economic growth for years to come. The Mid-Barataria Sediment Diversion is where the economy meets the environment, and thrives.

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**Concern ID: 62022**

**The Draft EIS lays out how many jobs would be created through construction and the proposed Project would also bring desperately needed jobs and economic growth. Plaquemines Parish, where the proposed Project would be constructed, and the surrounding region - including Orleans and Jefferson Parishes - would expect to see a significant economic boost.**

**Response ID: 16218**

The EIS describes the jobs impact from the construction of the diversion in Chapter 4, Section 4.13.4.2 in Socioeconomics. The EIS finds that moderate to major, temporary economic benefits are anticipated from proposed Project construction.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final

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EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:32104**

Nick G

No more diversion projects- all of these projects are destroying Louisiana's marsh and lakes. People come from all over the world to eat our seafood and go fishing in what is considered some of the best fishing grounds in the U.S. No more of our water ways have to be ruined and fish and animals killed do to these projects that do more harm than good.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:32111**

Nhieu Tran

I would like to request to have a deep freezer for my boat to help with shrimping season. Is there any way that we as shrimpers get the opportunity to receive high end nets to help with stability strength while shrimping. ? That would really help all of us as a whole. My family has been struggling to make ends meet. Is there anything that can help with my children for college? I have been with this job almost most of my life. I will continue to support this community with my all. If there is any thing that can help with my children tuitions for school, that would be greatly appreciated. My English isn't where I want it to be, so it's a very hard time trying to keep up with news that can help fund and support my family in these hard times. I believe that we as a community stick together as a team because everything doesn't seem to be flowing all that well. We have been mentally and physically drained from the current state that COVID left us in. All I want to have is a job that I can depend on because this job isn't just a job to me. It's a piece of who I am and i don't know how to sit still or do anything else. The wetlife is where I lay my head half the year.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)

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- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:32119**

Myrtle Grove Estates

Mark Bergeron

I am adamantly opposed the fresh water diversion project, If the developers cannot present an plan that mitigates the flooding impact residents will experience in and around their Myrtle Grove homes. The incremental 2-3 foot surge on top of high tide and wind effects will disenfranchise home owners; and permanently damage the real estate values and way of life. Further, There has to be a maintenance plan fully funded in place going forward to maintain navigation from the Myrtle Grove area to Bay Barataria as it exists today and before any levees were constructed.

The developers do not have answers to many difficult questions, therefore nothing should move forward until the Residents have real solutions to their concerns.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur

in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire

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this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood**

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**insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or

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increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:32125**

Deborah Eickenhorst

I am in favor of implementing The Mid-Barataria Sediment Diversion. I believe it is critical to ensuring that the Louisiana shoreline environment is stabilized and arrests the erosion currently impacting the coast.

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**Concern ID: 63334****The proposed MBSD Project would maintain and restore coastal lands and should move forward.****Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:32148**

Form Letter 19

\*\*\*\* Attached dolphin reference

Re: Mid-Barataria Sediment Diversion Draft Environmental Impact Statement

To Whom It May Concern:

These comments are on behalf of the Save Louisiana Coalition, and the hundreds of members of the commercial and recreational fishing industries, as well as concerned coastal community residents we represent.

The Save Louisiana Coalition is in total opposition of this project, and the following comments are in direct response to the Draft Environmental Impact Statement.

The EIS states the project's purpose and need is to "restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. The proposed project is needed to restore habitat and ecosystem services injured in the northern Gulf of Mexico as a result of the DWH oil spill."

As noted in the EIS, this project will NOT restore damages caused by BP, but would actually cause further damage to wildlife habitat, dolphins, brown shrimp, and oysters. The legality of using fines meant to mitigate damages to the environment and wildlife, to further harm the same environment and wildlife, comes into question.

The discharge of water from the Mississippi River, which is classified as the second most polluted River in the U.S., during the 2019 Bonnet Carre' Spillway opening, caused a declared fishery disaster in Louisiana of \$258 million. The Spillway was opened for a total of 123 days. It also resulted in the deaths of over 300 dolphins, causing NOAA to declare an Unusual Mortality Event, (UME), citing fresh water lesions as the cause of the necropsy evaluated deaths of these animals.

According to the planned operational regime of the Mid-Barataria Diversion ,and according to this same river flow of 1,000,000 cubic feet per second, had it been operational, the diversion would have operated at maximum 75,000 cfs for 201 days. This would have resulted in as much river water as the spillway opening, causing just as many millions of dollars of adverse impacts.

The EIS describes the project's likelihood of "severe, permanent adverse impacts on the natural environment", and yet, the vague figure of \$300 million for mitigation of damage is laughable.

In 2018, according to LDWF statistics, the landings value of Brown Shrimp alone, in Barataria Bay was over \$11 million. I would like to point out that retail value is over 4 times greater than landings value, putting the loss of Brown Shrimp at over \$44 million annually.

The EIS also points out severe, permanent, adverse impacts to the socio-economic well being of affected coastal communities. These communities are dependent of harvesting and processing of the seafood resources that will be devastated by this project. This harvesting is directly linked to the favorable conditions of the estuary that will be forever changed by the introduction of polluted river water. This project will undoubtedly cause drastic, permanent, economic harm on businesses, families, and individuals.

The land building capabilities of this project are highly exaggerated, and the EIS supports previous findings that the project may actually accelerate land loss, increasing flood risks. The depletion of historic sediment loads of the Mississippi River is well documented. Given the projected 2000-3000 acre land loss in the Birdsfoot Delta cited in the EIS, the projected land building acres exaggeration is obvious. The Corps own Engineer Research and Development Center, (ERDC), conclude that:

"diversion-induced inundation results in a reduction in plant productivity, which induces acceleration of land loss".

The EIS also notes that the project will raise water levels in Barataria Bay by as much as 1-2 feet, prolonging inundation, and causing flooding issues to the communities in proximity to this project, i.e., Lafitte, Happy Jack, Myrtle Grove, and putting further stress on these communities' levee systems.

CPRA has a history of mis-operation of existing diversions, as well as neglect in maintaining previous salinity control structures, i.e., the Naomi Siphon, Bayou Lamoque, and the Bohemia Control Structure, which is now known as Mardi Gras Pass.

The mitigation for damages to our estuary, water quality, brown shrimp, oysters, dolphins, coastal communities, as well as loss of jobs will run in the BILLIONS of dollars, not millions, and where is a mitigation actual figure stated in the EIS?

The Parish Councils of St. Bernard, Plaquemines, and St. Tammany have passed formal resolutions against this project. Louisiana's own Lt. Governor, Billy Nungesser has publicly voiced his opposition to this project.

Given the specific references in the EIS to the major, adverse, permanent, negative impacts caused by the Mid-Barataria Sediment Diversion, the speculated, exaggerated, long term benefits do not justify the permitting of this project.

Sincerely,

Capt. George Ricks

Captain George Ricks President, CEO

Save Louisiana Coalition

\*\*\*\*\* Attached dolphin reference

Please include this recent study on the effects on the Bottlenose Dolphin affected by the proposed Mid Barataria Sediment Diversion in my recent submission of comments on the project. This project will cause EXTINCTION of the dolphin, not only in Barataria Bay, but out to the barrier islands.

Marine Mammal Commission,  
[REDACTED]  
[REDACTED]

13<sup>th</sup> May 2021

Dear Marine Mammal Commission,

We greatly appreciate your interest in our research, and the letter (dated 5<sup>th</sup> April 2021) with your follow-up questions related to our presentation on 23<sup>rd</sup> March 2021 of the Barataria Bay dolphin population model. Your questions regarding the projected effects of the proposed Mid-Barataria Sediment Diversion (MBSD) project on recovery of the Barataria Bay Estuarine System (BBES) dolphin stock are important to consider when balancing the benefits and costs of the proposed MBSD project. The expected effects on the stock over time and space are also important to consider for ensuring sufficient monitoring of dolphin population health status and resources for stranding response, and to develop potential mitigation measures. To summarize briefly, you asked us to incorporate the modeled annual survival rates estimated by Dr. Garrison into the refined population model discussed by Dr. Schwacke to determine 1) the projected effects of the project on dolphin recovery over time, and 2) how the project could delay recovery of the BBES Stock.

We have conducted the requested analysis and provide a description of methods and findings in an attached report. In brief, our analysis indicates that the project (based on the Applicant's Preferred Alternative [APA]) will not only prevent the recovery of the BBES Stock, but it will result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area. The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group will become severely reduced over the 50-year planning horizon of the MBSD project.

Yours faithfully,



Len Thomas and coauthors Tiago Marques, Cormac Booth, Ryan Takeshita and Lori Schwacke

5 April 2021

Dr. Lori Schwacke  
Chief Scientist, Conservation Medicine  
National Marine Mammal Foundation

[REDACTED]  
[REDACTED]

Dr. Mridula Srinivasan, Director  
Dr. Lance Garrison, Research Biologist  
Marine Mammal and Turtle Division  
National Marine Fisheries Service  
Southeast Fisheries Science Center

[REDACTED]  
[REDACTED]

Dear Drs. Schwacke, Srinivasan, and Garrison:

The Marine Mammal Commission would like to thank you for your participation in the “Effects of Low Salinity Exposure on Bottlenose Dolphins” webinar on 23 March 2021, and the presentations made by Drs. Schwacke and Garrison on the status and health of the Barataria Bay (BB) stock of common bottlenose dolphins and the potential effects of the Mid-Barataria Sediment Diversion (MBSD) on that dolphin stock.

The BB stock of bottlenose dolphins experienced significant mortality from the 2010 Deepwater Horizon (DWH) oil spill. There was a 51 percent mean proportional decrease of the BB bottlenose dolphin stock as a result of acute DWH oil spill-related exposure (Schwacke et al. 2017). A large percentage of the pre-spill cohort continues to exhibit poor health, most notably from persistent lung disease, impaired stress response, and other ailments. The refined population model discussed by Dr. Schwacke on the webinar showed that the BB population is currently near its lowest level, ten years after the spill. The population’s recovery is still uncertain, but the projected time to recovery estimated by the refined model is 32 years. The effects of various restoration efforts (whether positive or negative), as well as a changing climate, were not included in the refined model but Dr. Schwacke noted those effects could have a significant impact on population recovery trajectories.

Dr. Garrison presented a model showing the projected impacts of the MBSD on the BB dolphins, as outlined in more detail in Garrison et al. 2020. The model indicated a 36 percent reduction in the mean annual survival rate of dolphins due to projected freshwater inputs. That projection was based in part on dose-response functions generated by an expert elicitation of the effects of low salinity water exposure on bottlenose dolphins (Cormac and Thomas 2021), which were also presented as part of the 23 March 2021 webinar.



Would it be possible to incorporate the modeled mean annual survival rates estimated by Dr. Garrison into the refined population model discussed by Dr. Schwacke to determine the projected effects of the MBSD project on dolphin recovery over time, and how the MBSD project could delay recovery of the BB dolphin population?

The Commission is very interested to know whether you would be able to conduct these additional analyses, particularly before the end of the public comment period on the MBSD draft environmental impact statement (4 May 2021).

Sincerely,



Peter O. Thomas, Ph.D.,  
Executive Director

Cc: Drs. Cormac Booth and Len Thomas, SMRU Consulting, Inc.

## References

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# Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion project on bottlenose dolphins in the Barataria Bay Estuarine System Stock

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## Summary

1. The proposed Mid-Barataria Sediment Diversion (MBSD) project will result in decreased levels of salinity in Barataria Bay, Louisiana. This decreased salinity has been predicted by the National Oceanographic and Atmospheric Administration (NOAA) to cause increased mortality of bottlenose dolphins in the Barataria Bay Estuarine System (BBES) Stock.
2. We used an existing model for the population dynamics of this stock to predict the population consequences of the increased mortality. We compared population projections under two scenarios (described in the Draft Environmental Impact Statement for the proposed project), “Applicants Preferred Alternative” (APA) and “No Action Alternative” (NAA), using the same four geographic regions (“strata”) as NOAA and assuming no movement of animals among strata.
3. The model predicts an immediate and severe population-level decline under the APA. In the first year of operation under the APA (2027), median predicted excess mortality under the APA is 585 dolphins (95% confidence interval [CI] 131-1459), leading to a median stock decline of 23% (95% CI 3-55). By contrast, under the NAA the stock is predicted to increase by 3% (95% CI 1-5) – the increase is because the stock is estimated to still be in recovery from the *Deepwater Horizon* oil spill. Therefore, after one year of operation, the stock is predicted to be 25% smaller (95% CI 6-56) under the APA than under the NAA.
4. After 10 years of operation, the parts of the stock in the Central and West strata are predicted to be functionally extinct (probability of < 30 animals remaining is 1 in the Central stratum and 0.99 in the West stratum). The part in the Southeast stratum, while not extinct, is predicted to be 82% lower (95% CI 44-96) under the APA than under the NAA. The Island stratum is less severely affected with a median predicted decline of 38% (95% CI 9-84).
5. After the planned 50 years of operation, dolphins in three out of the four strata are predicted to be functionally extinct under the APA, with the remaining Island stratum being severely reduced relative to the NAA (median predicted population size of Island stratum is 85% lower [95% CI 28-99] under the APA than under the NAA). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the APA is 143 dolphins (95% CI 11-706) compared to 3363 (95% CI 2831-4289) under the NAA. In other words, the stock is predicted to be 96% smaller (95% CI 80-100) under the APA than then NAA.

## Introduction

The Barataria Bay Estuarine System (BBES) Stock of bottlenose dolphins was heavily impacted by the *Deepwater Horizon* (DWH) oil spill. A population model (Schwacke et al. 2017) was developed to quantify the impact, and this model has recently been updated as part of a Gulf of Mexico Research Institute consortium project (CARMMHA) to collect additional information and refine the impact quantification (Schwacke et al. in preparation).

One proposed habitat restoration effort is the proposed Mid-Barataria Sediment Diversion (MBSD) project, which proposes to intermittently release water from the Mississippi River into the upper Barataria Basin. This will result in decreased levels of salinity in the basin that, in turn, will cause mortality of dolphins in the BBES Stock. The potential extent of this mortality was examined in a recent report by the National Oceanographic and Atmospheric Administration (NOAA; Garrison et al. 2020). That report gave predictions of annual survival rates in four geographic regions (“strata”) within the Barataria Basin (Island, Southeast, Central and West) under two scenarios presented in the Draft Environmental Impact Statement for the proposed project: the “Applicants Preferred Alternative”, where the MBSD is constructed and begins operation in 2027, and the “No Action Alternative”, where the MBSD is not constructed.

In this report, we integrate the annual survival of dolphins in each of the four strata from the two scenarios of Garrison et al. (2020) into the population model developed under the CARMMHA project, and use this to predict the consequences of the proposed MBSD project for the dolphin stock.

## Methods

### Impact on survival from NOAA analysis

We obtained from NOAA 1,000 replicate predictions of estimated annual survival under APA and NAA scenarios in each of the four strata, derived from the model of Garrison et al. (2020). The replicate predictions represent the range of scientific uncertainty on possible impacts, accounting for factors such as uncertainty on the salinity field for a given set of hydrographic conditions, uncertainty on animal movement and hence exposure, and uncertainty on the effect of low salinity on dolphin survival (see Garrison et al. 2020 for details). Note that all predictions are based on a single assumed annual hydrograph, that for 1970 (Garrison et al. 2020), and so do not account for uncertainty in future hydrographic conditions (see Discussion).

For each replicate prediction and stratum, we calculated the percentage difference in survival between the APA and the NAA as follows:

$$\% \text{ difference in survival} = \frac{\text{survival under APA} - \text{survival under NAA}}{\text{survival under NAA}} \times 100$$

The resulting distribution of percentage difference in survival in each stratum is shown in Figure 1, with associated summary statistics in Table 1. For the Island stratum, the median prediction is of a 2% decline in survival under the APA relative to the NAA, although in 10% of replicates the predicted survival decline is greater than 20%. For the Southeast stratum, the median prediction is of a 14% decline in survival with 40% of replicates predicting a survival decline of greater than 20%. Note, however, that 24% of replicates in this stratum predict an increase in survival under APA relative to the NAA. For the Central and West strata there is a large predicted decline in survival under almost all replicates.

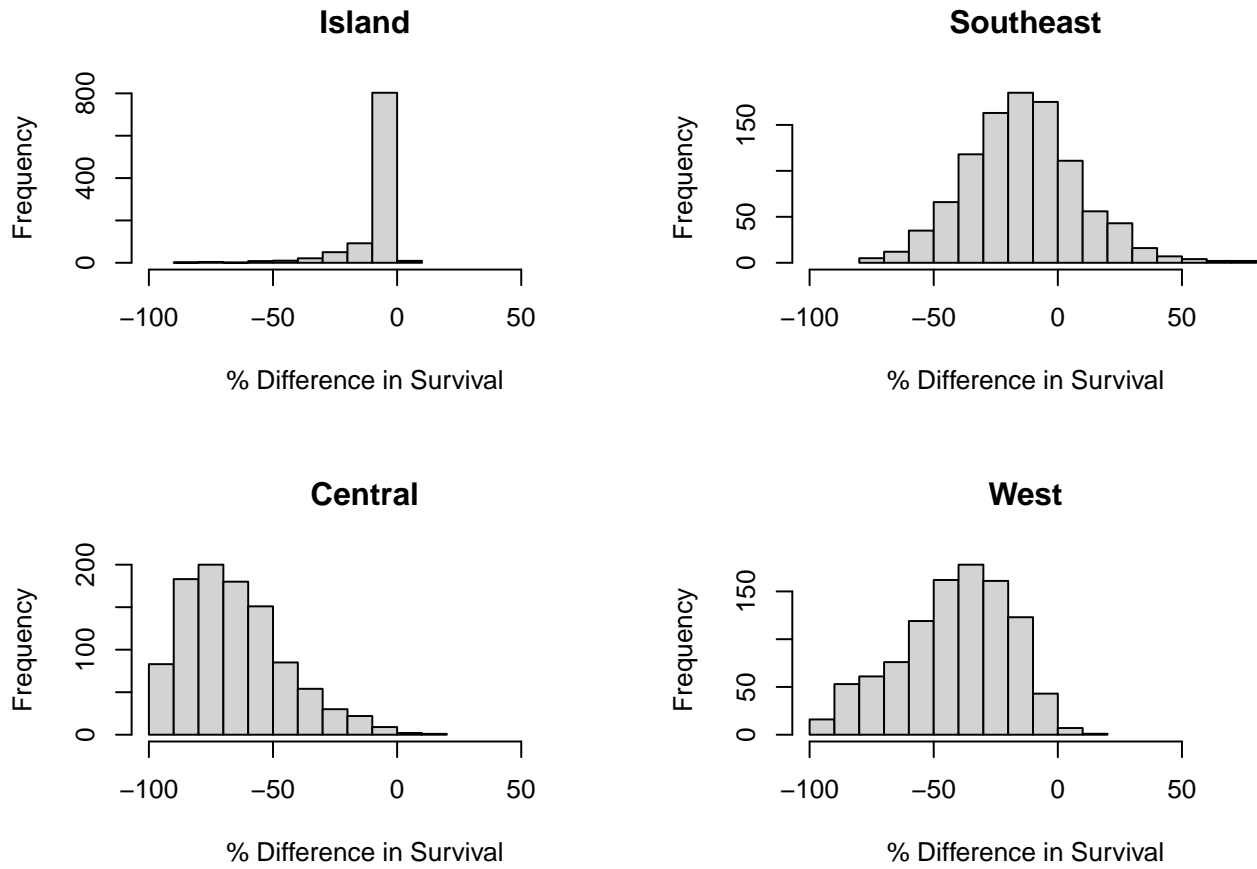


Figure 1: Predicted percentage difference in dolphin annual survival under the Applicant Preferred Alternative (APA) compared with the No Action Alternative (NAA). One thousand predicted survival rates were provided by NOAA and were derived from the model of Garrison et al. (2020).

Table 1: Summary statistics on predicted percentage difference in dolphin annual survival under the APA relative to the NAA. First column is median predicted percentage difference, second is percentage of replicates that predict a decline in survival of 20% or more, third is percentage of replicates that predict an increase in survival.

| Stratum   | median % diff | % (diff < -20%) | % (diff > 0) |
|-----------|---------------|-----------------|--------------|
| Island    | -2            | 10              | 1            |
| Southeast | -14           | 40              | 24           |
| Central   | -68           | 97              | 0            |
| West      | -39           | 83              | 1            |

## Population consequences

The population model of Schwacke et al. (in prep.) gives estimates of the population trajectory of BBES dolphins from 2010 onwards, accounting for the estimated effect of the DWH oil spill. We used this model as the basis to predict the estimated effect of the proposed MBSD project (APA) on the dolphin population. Like the APA survival predictions from Garrison et al. (2020), the population model accounts for scientific uncertainty in predictions by allowing multiple replicates to be drawn. We therefore based our predictions on 1,000 replicate samples.

For each sample, we partitioned the BBES dolphin population into the same four strata as Garrison et al. (2020), using estimates of the proportion of the total population with home range centers in each of the four strata. These estimates come from a spatial capture recapture analysis (Glennie et al. in prep.) that forms part of the inputs to the Schwacke et al. model. For the purposes of this analysis, we assumed that each stratum is demographically independent – i.e., that dolphins in the BBES stock do not move from one stratum to another. For each stratum, we ran the Schwacke et al. model for 75 years (2010-2076), under two scenarios. In the first scenario, representing the APA, for each year after the proposed MBSD project begins in 2027 we adjusted the survival values from the Schwacke et al. model using a random draw from the 1,000 values of percentage difference in survival for that stratum. In the second scenario, representing the NAA, we ran the Schwacke et al. model without modification.

We calculated the following metrics to summarize outcomes from the population model:

- In the first year of operation of the MBSD (i.e., 2027-2028)
  - Excess mortality: the total number of dolphins that are expected to die this year under the APA minus the number that are expected to die in the same year under the NAA.
  - Change in population size under the APA and under the NAA.
  - Percentage difference in population size in 2028 between APA and NAA.
- After 10 years of operation of the MBSD (i.e., in 2037)
  - Probability of functional extinction, where functional extinction is defined as < 30 animals.
  - Percentage difference in population size in 2037 between the APA and NAA.
- In the final year of operation the MBSD operations planning horizon (i.e., 2076)
  - Probability of functional extinction.
  - Population size under the APA and under the NAA.

In each case, we report the median value from the 1,000 replicate simulations, together with the lowest 2.5th and highest 97.5th percentile – these latter values represent a 95% confidence interval on the prediction.

## Results

We first present graphical representations and a qualitative description of the results, before presenting the summary metrics described in the Methods.

Figure 2 summarizes the population trajectories over all 1,000 realizations under APA (red) and NAA (black) scenarios. The populations follow the same trajectory under both scenarios up until 2027, when proposed MBSD operations start. During this period (2010-2027) the populations experience the negative effect of the DWH oil spill and, starting around 2020, begin to recover. After 2027 under the NAA, the populations continue to recover and reach a steady state long before the end of the simulation time period. Under the APA the median prediction for the Island stratum is of a steady decline, while the other strata experience rapid declines to extinction. The prediction at stock level, i.e., summing across strata, is shown in Figure 3. Under the APA, the stock is predicted to decline precipitously at first and then more gradually, reaching very low levels relative to the NAA by the end of the simulation time period.

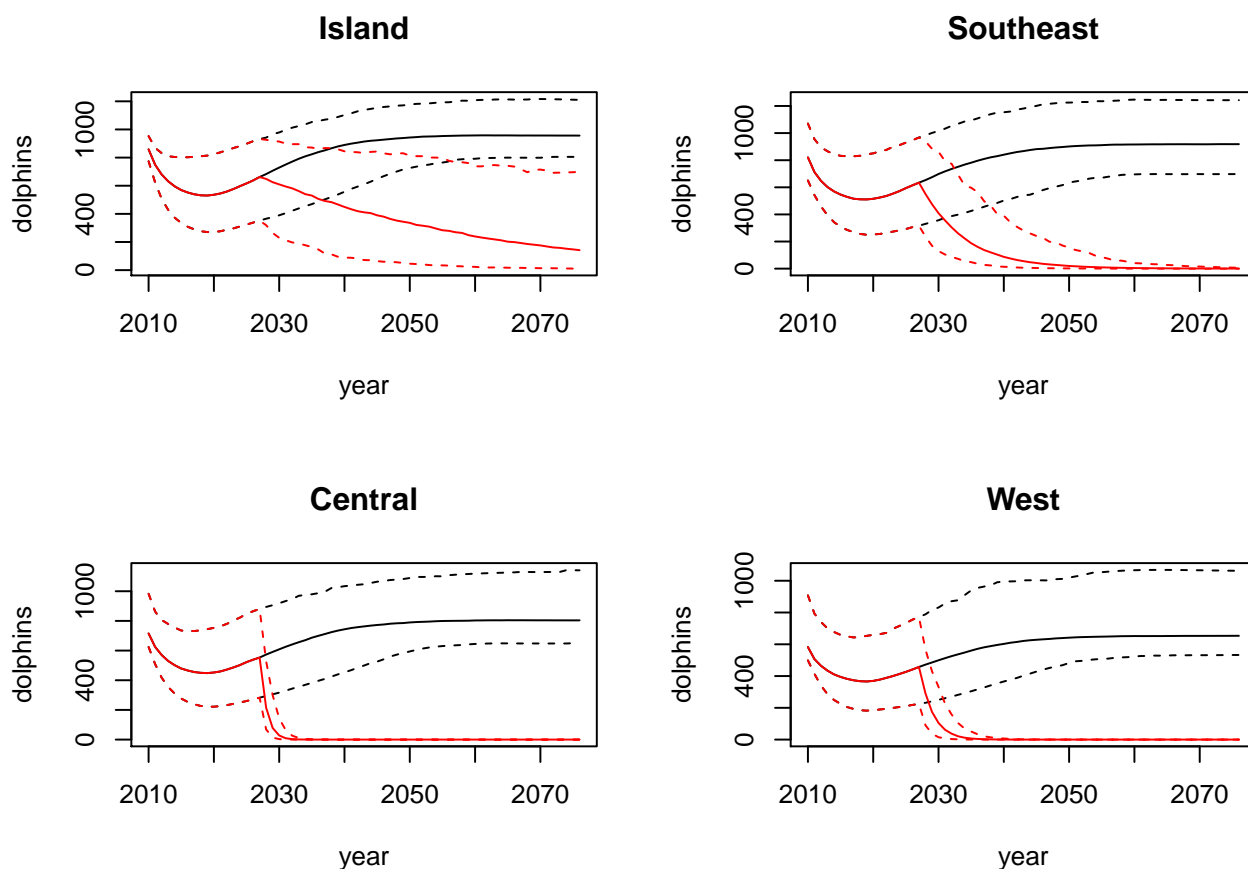


Figure 2: Summary of predicted population trajectories by stratum under the Applicant Preferred Alternative (red) and No Action Alternative (black) scenarios. Solid line shows median; dashed lines show 95% confidence limits.

The summaries given in Figures 2 and 3 are computed from 1,000 random realizations of the model. Figure 4 shows 10 example realizations. The part of the stock in the Island stratum experiences occasional large population decreases associated with years where there is a large decline in survival under the APA; in most years, however, there is little or no decline. After 50 years of operation, all realizations have experienced an overall decline and none are at the level of the corresponding NAA. The part of the stock in the Southeast stratum experiences frequent stronger declines, but also occasional increases associated with survival increase under the APA. Nevertheless, after 50 years of operation, all realizations are at or close to zero. The parts of the stock in the Central and West strata experience rapid declines towards zero in all realizations.

Quantitative summaries of the results are given in Tables 2-6<sup>1</sup>. Table 2 shows the predicted mortalities in the first year of the proposed MBSD operation (2027) under APA, NAA and the difference between the

<sup>1</sup>Note that in all these tables, the median shown in the “Total” row is calculated by first aggregating the strata and then calculating the median. This is not the same as simply summing the stratum medians. The same is true for the confidence limits.

### Barataria Bay Estuarine System Stock

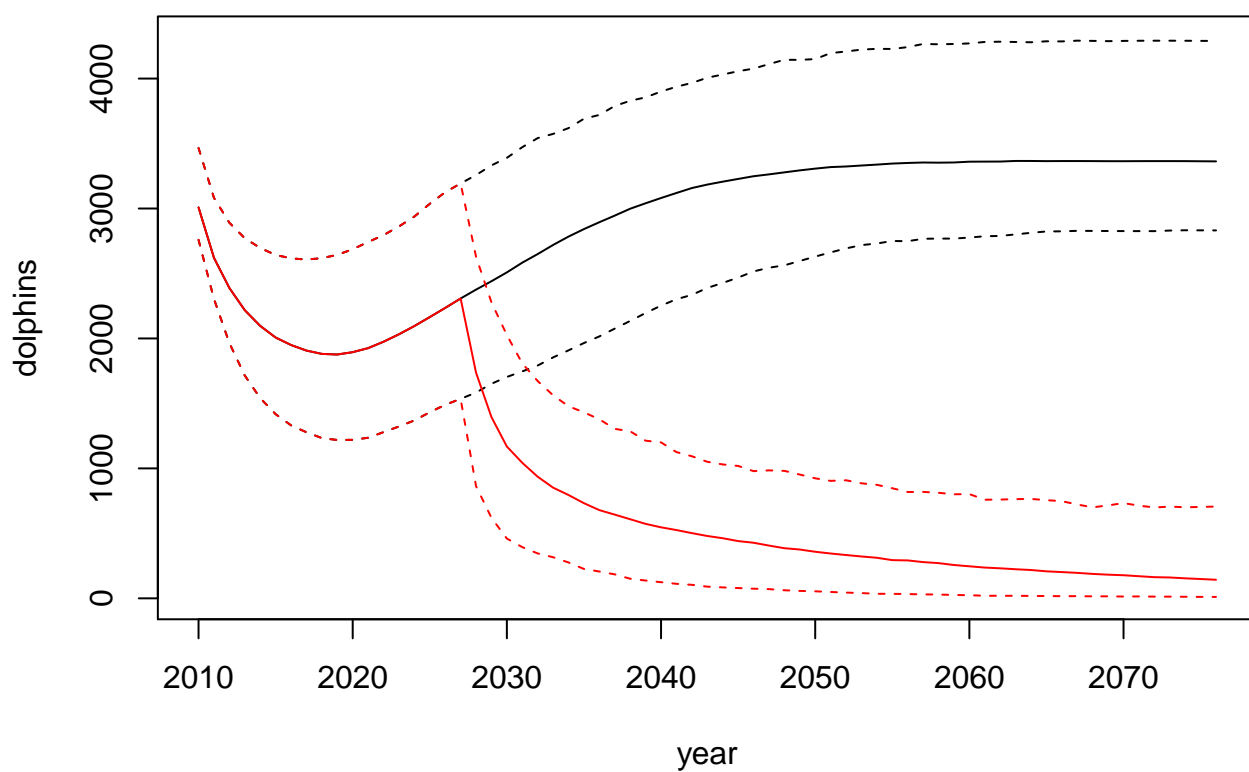


Figure 3: Summary of predicted stock trajectory under the Applicant Preferred Alternative (red) and No Action Alternative (black) scenarios. Solid line shows median; dashed lines show 95% confidence limits.

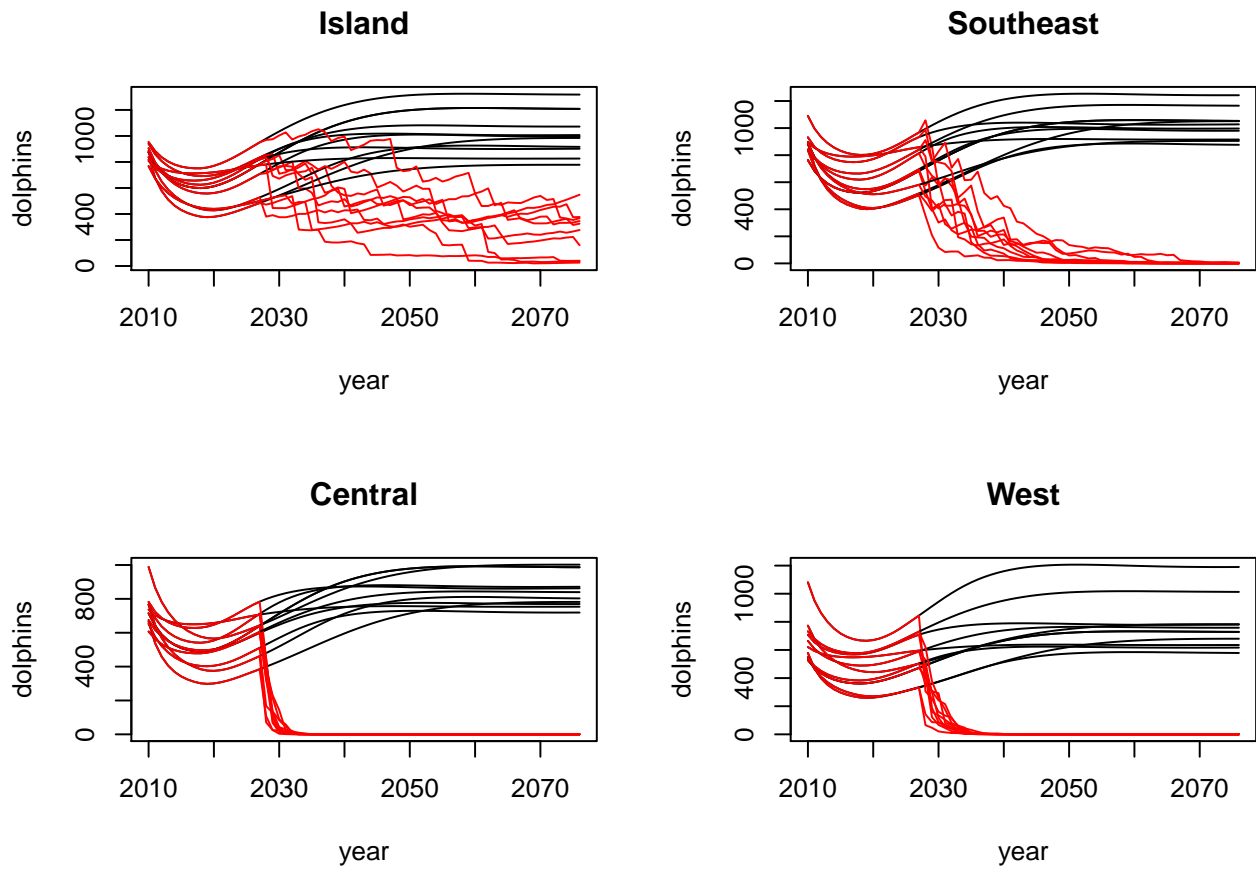


Figure 4: Ten example realizations of the population simulation under the Applicant Preferred Alternative (red) and No Action Alternative (black) scenarios.



two, which represents the predicted excess mortalities under the APA scenario. In this first year of MBSD operation, the median predicted excess mortality under the APA is 585 dolphins with 95% CI 131-1459. This excess mortality represents a median of 26% of the stock (95% CI 6-58) killed by the MBSD in its first year of operation.

Table 2: Predicted dolphin mortality in 2027 under APA and NAA scenarios. Last column shows excess mortality – i.e., mortality under APA minus mortality under NAA. Values are medians from the model simulations, with 95% confidence intervals in brackets.

| Stratum   | APA mortality   | NAA mortality | excess mortality (APA-NAA) |
|-----------|-----------------|---------------|----------------------------|
| Island    | 59 (26 — 261)   | 44 (23 — 64)  | 12 (0 — 217)               |
| Southeast | 111 (0 — 424)   | 42 (22 — 66)  | 69 (-50 — 367)             |
| Central   | 364 (120 — 715) | 37 (19 — 59)  | 326 (92 — 656)             |
| West      | 186 (53 — 461)  | 30 (15 — 52)  | 154 (31 — 420)             |
| Total     | 740 (26 — 261)  | 156 (23 — 64) | 585 (131 — 1459)           |

Estimated stock size in the 2027, before operation of the proposed MBSD, was 2307 animals (95% CI 1535-3193). Estimated stock sizes in 2028 under the APA and NAA are shown in Table 3. Under the APA, the stock is predicted to decline by 23% (95% CI 3-55) due to mortalities caused by the MBSD operation. By contrast, under the NAA the stock is predicted to increase by 3% (95% CI 1-5) – the increase is because the stock is estimated be still in recovery from the DWH oil spill. Therefore, by the end of the first year of MBSD operations, the stock is predicted to be 25% smaller (95% CI 6-56) under the APA than under the NAA (Table 3).

Table 3: Predicted number of dolphins in 2028 (after 1 year of operation of the MBSD) by stratum and overall under APA and NAA scenarios, and percentage difference between scenarios. Values are medians with 95% confidence intervals in brackets.

| Stratum   | APA dolphins      | NAA dolphins       | % difference    |
|-----------|-------------------|--------------------|-----------------|
| Island    | 648 (320 — 926)   | 683 (366 — 942)    | -2 (-31 — 0)    |
| Southeast | 551 (237 — 939)   | 653 (330 — 983)    | -12 (-49 — 7)   |
| Central   | 214 (68 — 528)    | 573 (294 — 894)    | -61 (-87 — -17) |
| West      | 291 (90 — 567)    | 472 (232 — 789)    | -35 (-79 — -7)  |
| Total     | 1736 (864 — 2629) | 2376 (1584 — 3258) | -25 (-56 — -6)  |

Tables 4 and 5 show the predicted population size in 2038 and 2076 respectively (i.e., after 10 years of operation of the MBSD and at the end of the 50 year planning horizon) under APA and NAA, as well as the difference between the two scenarios.

Table 4: Predicted number of dolphins in 2038 (after 10 years of operation of the MBSD) by stratum and overall under APA and NAA scenarios, and percentage difference between scenarios. Values are medians with 95% confidence intervals in brackets.

| Stratum   | APA dolphins     | NAA dolphins       | % difference       |
|-----------|------------------|--------------------|--------------------|
| Island    | 491 (118 — 868)  | 852 (503 — 1070)   | -38 (-84 — -9)     |
| Southeast | 137 (28 — 497)   | 810 (457 — 1126)   | -82 (-96 — -44)    |
| Central   | 0 (0 — 0)        | 712 (409 — 997)    | -100 (-100 — -100) |
| West      | 2 (0 — 21)       | 581 (328 — 964)    | -100 (-100 — -97)  |
| Total     | 644 (184 — 1304) | 2946 (2076 — 3790) | -78 (-93 — -59)    |

Table 5: Predicted number of dolphins in 2076 (at the end of the planning horizon for the MBSD) by stratum and overall under APA and NAA scenarios, and percentage difference between scenarios. Values are medians with 95% confidence intervals in brackets.

| Stratum   | APA dolphins   | NAA dolphins       | % difference       |
|-----------|----------------|--------------------|--------------------|
| Island    | 142 (11 — 700) | 956 (805 — 1210)   | -85 (-99 — -28)    |
| Southeast | 0 (0 — 7)      | 918 (698 — 1243)   | -100 (-100 — -99)  |
| Central   | 0 (0 — 0)      | 804 (650 — 1141)   | -100 (-100 — -100) |
| West      | 0 (0 — 0)      | 654 (533 — 1063)   | -100 (-100 — -100) |
| Total     | 143 (11 — 706) | 3363 (2831 — 4289) | -96 (-100 — -80)   |

Table 6 shows the predicted probability of functional extinction (i.e., proportion of simulation runs where the number of dolphins is less than 30) in each stratum in 2038 and 2076.

Table 6: Predicted probability of functional extinction (i.e., fewer than 30 dolphins remaining) by stratum in 2038 (after 10 years of operation of the MBSD under APA) and 2076 (at the end of the planning horizon for the MBSD)

| Stratum   | p(extinct) in 2038 | p(extinct) in 2076 |
|-----------|--------------------|--------------------|
| Island    | 0.00               | 0.1                |
| Southeast | 0.03               | 1.0                |
| Central   | 1.00               | 1.0                |
| West      | 0.99               | 1.0                |

## Discussion

Under the assumptions of this model, there is predicted to be a severe decline in stock size caused by the MBSD under the APA scenario. The stock is predicted to become functionally extinct in three out of four strata and severely reduced in the fourth. The declines are more severe than those estimated to have been caused by the DWH oil spill and will take place just as the stock is starting to recover from the oil spill. While the stock is estimated to recover fully from the DWH oil spill under the NAA scenario, this will not happen under the APA scenario.

We set a limit for “functional extinction” of 30 animals. To our knowledge there is no agreed threshold, and other reasonable values could have been used to indicate the point at which there are so few animals they no longer form a functioning part of the ecosystem. Regardless of the value used, the above findings would be

qualitatively the same

These results were generated by combining two separate analyses: the survival predictions from Garrison et al. (2020) and the population model of Schwacke et al. (in prep., updating Schwacke et al. 2017). These use some overlapping information – the photo-ID surveys undertaken in Barataria Bay from 2010-2019. Hence it would be possible, with more modelling effort, to integrate the two more closely by building components of the Garrison et al. model into the population model. However, this is not expected to make a qualitative difference to the population predictions.

The analysis undertaken here sampled values at random each year from the predicted survival effects under the APA and NAA generated by Garrison et al. (2020). This is equivalent to assuming the factors driving the uncertainty in predicted survival effects vary each year. While this is correct for some sources of uncertainty (e.g., uncertainty in salinity field given hydrography; animal movement and hence exposure), it is not fully correct for others (e.g., uncertainty on dolphin survival response given exposure). Ideally, the different components of uncertainty in the Garrison et al. model would be separated and then we could sample as appropriate at the annual level or just once per population projection. This reduction in annual variability would be expected to produce a somewhat more positive population projection, particularly in the Island stratum. However, one very important source of annual variability was neglected in these simulations: annual change in hydrography. The predictions we used from Garrison et al. model were based on a single annual hydrograph, from 1970 (cycle0, Garrison et al. 2020), when in reality hydrography is expected to vary substantially between years. This variability will mean that there are years of worse survival than predicted by Garrison et al. and years of better survival. The overall effect of this on the dolphin population will be to produce a more negative trajectory, because years of poor survival produce large decreases in population size, but in years of good survival the population can only increase by a small amount as it is constrained by the birth rate. The population can decline by 25% in a bad year but it cannot increase by 25% in a good year. Given this, we anticipate that addressing all of the issues related to uncertainty discussed in this paragraph will lead overall to more negative population predictions.

Another factor that makes our projections optimistic is that the population dynamics model is deterministic – it does not account for the random nature of births and deaths, and also allows non-integer population counts. Incorporating demographic stochasticity in the model, and restricting population sizes to be whole numbers will produce more negative predictions, although the difference will not be significant until the populations become small.

The analysis also assumed that the four strata are demographically independent. If dolphins move away from the three more affected strata into the Island stratum in response to low salinity then the stock-level effects may be lower; on the other hand, if dolphins disperse between strata without regard to salinity changes then more animals will move into the strongly-affected strata from the less-affected Island stratum and the stock-level effects may be greater. Genetic analyses have supported spatial structure within the Barataria Basin population, and have identified genetically distinct dolphin groups in the Western, East/Central, and Island portions of the basin (Rosel et al. 2017, Speakman et al. in prep.). Tracking of Barataria Basin dolphin movement patterns via satellite-linked tags has shown multi-year site fidelity to small home ranges (Wells et al. 2017), and have not shown changes in movement that are coincident with fluctuating salinity (Takeshita et al. submitted).

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions. To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the**

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**Mississippi River that would be routed to the Barataria Basin via the proposed diversion.****Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites. As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)

- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some**

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**degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the

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LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62356**

**CPRA has a history of mis-operation of existing diversions, as well as neglect in maintaining previous salinity control structures.**

**Response ID: 15875**

CPRA's history regarding its operation of other diversions and salinity structures was not evaluated as a factor contributing to the projected impacts of the proposed Project in the EIS and LA TIG's Restoration Plan.

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016).

Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it

considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63020**

**The Draft EIS highly exaggerated the land-building capabilities of the proposed Project, given that the depletion of historic sediment loads of the Mississippi River is well documented (including by the Expert Panel on Diversion Planning and Implementation [convened by the Water Institute of the Gulf] and USACE's ERDC) and that increased periods of inundation have been found to adversely impact existing vegetation and contribute to land loss. Further, significant uncertainty exists with respect to the response of the existing wetland vegetation to diversion-induced inundation (Brown et al., 2019, p. iii).**

**Response ID: 16032**

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The Draft EIS considered the commenter's concerns regarding the rates of land loss and land projected to be built during diversion operations. The Mississippi River is carrying much less sediment than it did in the past. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The Delft3D Basinwide Modeling accounts for those sediment supply changes as described in Appendix E Delft3D Modeling of the EIS, Sections 5.2.2 and 8.

Further, the Delft3D Basinwide Model incorporates inundation depths in the critical vegetation parameters to simulate vegetation losses and gains as a result of the diversion, as well as other sources of inundation (such as subsidence and sea-level rise). The model results should be interpreted in light of the uncertainties involved. The USACE-ERDC report cited by the comment (Brown et al. 2019), which documents the development and validation of the Adaptive Hydraulics (AdH) model to simulate hydrodynamic, salinity, sedimentation, and morphodynamic processes in the Mississippi River and Delta, was reviewed and used in preparing the navigation analyses in the EIS (see Appendix Q1 Dredging Analysis). The USACE-ERDC report also describes the SEDLIB-VEG model, which is less complex than the vegetation model (LaVegMod) used to project impacts from the proposed Project. While the AdH model was not used in preparing the land-building analyses in the EIS and the SEDLIB-VEG model was not used for the assessment of vegetation impacts from the Project, uncertainties identified in the report for numerical modeling (including uncertainty in the sediment rating curve, subsidence rates, and inundation effects on vegetation) were considered. As discussed in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences and Section 8 of Appendix E Delft3D Modeling, those uncertainties include the parameters used to simulate vegetation growth and mortality. Vegetation ranges were determined by the probability of establishment and mortality of each species used in modeling simulations, based on salinity and inundation depth tolerances.. Where feasible, uncertainties have been examined through sensitivity tests and model-to-model comparisons and incorporated in the conclusions. However, to further address the concern of exaggerated land building, Chapter 4, Section 4.1.3.3 in Model Limitations and Uncertainty, has been revised in the Final EIS to clarify uncertainty related to currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

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**Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on “Effects of Low Salinity Exposure on Bottlenose Dolphins,” 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>**

**Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.**

**McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.**

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al.2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG’s Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response

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actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et**

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al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.

Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.

Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.

Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.

Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289)

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predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than the No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 63182**

**Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.**

**Response ID: 16559**

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63726**

**Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.**

**Response ID: 16702**

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of

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the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 61873**

**The proposed Project's impacts are in contradiction with the Project's stated purpose and need to restore habitat and ecosystems damaged by the DWH oil spill given the permanent adverse impacts on fisheries, marine mammals, and water quality. The proposed Project is incompatible with both a healthy environment and healthy economy.**

**Response ID: 15829**

USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. If implemented, the proposed Project would deliver sediment, fresh water, and nutrients into the Barataria Basin. While there would be short- and long-term, adverse and beneficial impacts to physical, biological, and socioeconomic resources in the Project area due to the proposed Project, the sediment, fresh water, and nutrients are expected to restore habitat and ecosystems services injured in the northern Gulf of Mexico as a result of the DWH oil spill.

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**Correspondence ID:32149**

Stuart Guey, Jr.

Comments to Mid-Barataria Sediment Diversion EIS dated March 2021.

My name is Stuart J. Guey, Jr., a native, resident and outdoorsman of Plaquemines Parish, a practicing dentist for the last 46 years and presently serving on the Plaquemines Council representing District 4.

The directive established for the project is to make recommendations for a sediment diversion to address and correct impacts from the Deep Water Horizon Oil Spill. The Oil Pollution Act is a driving force to establish the funding and restoration of the area impacted by an oil spill and bring it back to its pre-spill condition. To my knowledge the Deep Water Horizon Oil Spill directly impacted the lower Barataria Basin and led to not only severe impacts to humanity and wildlife but also to the destruction of land. The upper Barataria Basin saw no oil. Yet, the area most negatively impacted by the Mid-Barataria Sediment Diversion Project will be the upper basin. According to the EIS this area will be impacted by the diversion resulting in severe negative impacts culturally, topographically and ecologically. There is no need to elaborate further since these negative impacts are clearly stated in the EIS. If the Oil Pollution Act is designed to restore areas impacted by an oil spill to its original condition, there seems to be a disconnect since the EIS facts do not support this rule when considering the upper Barataria basin.

Since sediment diversion is the main criteria and main emphasis in the directives established for this project, there seems to be a narrow interpretation regarding the definition of sediment diversion. All the alternatives for this project are similar with the various size of water flow through the diversion being the common thread. All of the alternatives also have the commonality of river water being free-flowing into the Barataria basin with the positive result of building land and the well stated and well defined negative effects to our economy, area residents, economy, culture and wildlife.

If land building is one of the main objectives, then let us start thinking about how we can build and sustain land without the negative impacts mentioned above. This is a directive we must strive to accomplish. Can we not use a sediment diversion to selectively build land by containing sediment and directing those land building efforts through innovative design?

Conceptually, the document prepared by Coastal Environments, Inc. of Baton Rouge, Louisiana in 1986 called Long-Term Management and Protection of Plaquemines Parish was commissioned by the Plaquemines Parish Commission Council and has components that are not new to the world of coastal engineering. The concept of management units to allow for sediment to be directed into a contained area for purposes of land building must be further studied as alternatives for this project.

Directing river sediment into designed containment locations being fed by a single major river diversion having the versatility of being able to change the direction of flow as needed into different zones would provide for needed land building and minimize those negative impacts stated above. Any damaging excess water overflow can be directed back to river from when it came and not into the Barataria ecosystem.

We live in the greatest country in the world. We have been able to place men on the moon, establish a space station, place a rover on Mars, split the atom and dissect the human genome. We have the scientists that can do just about anything when given the right

directive. Give them the directive to modify this landmark feat of engineering with a design that is not so narrow minded but opens us up to innovation that results in a win-win for everyone within the confines of available funds. A major hurdle will be the suppression of our egos so we can amicably and open-mindedly work together for our mutual common good.

Respectfully submitted,

Dr. Stuart J. Guey, Jr.

[REDACTED]

[REDACTED]

[REDACTED]

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**Concern ID: 61895**

**Commenters suggest using a sediment diversion to selectively build land by directing sediment to a contained area, such as a colmates system or large-scale marsh creation containment area. A controlled system of dredging to create dry land coupled with a system to contain sediment-infused river water in specific areas outside of the levee protection system would be most beneficial to create more land exactly where it's needed.**

**Response ID: 15988**

This method of sediment transport and/or sediment containment and land building would not meet the proposed Project's purpose and need of reconnecting and reestablishing sustainable deltaic process between the Mississippi River and the Barataria Basin. A colmate or other means of large-scale marsh creation using dewatered sediment would allow for sediment to be transported from the Mississippi River to the Barataria Basin and deposited into a location confined by containment berms, which would create an impoundment where the suspended sediment would settle out of the water column over time to create a marsh platform. Once the area dewateres and the platform stabilizes at an appropriate marsh elevation, the berms would be degraded or gapped to allow fish passage and hydrologic exchange. While this type of system would create marsh, it would not be a passive system and would require active management and maintenance, including potentially pumps to ensure sediment transport, mechanical gapping/degrading of the retention berms and periodic lifts to combat the effects of subsidence. It would not reestablish natural deltaic processes. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 62664**

**The Project, instead of restoring coastal Louisiana, would accelerate its degradation. The Upper Barataria Basin, which was not affected by the DWH oil spill, would be negatively affected by the proposed Project in terms of cultural, topographic, and ecological impacts. Because the Oil Pollution Act is designed to restore areas affected by an oil spill to their pre-spill conditions, the proposed Project should not be funded because it does not achieve this goal.**

**Response ID: 16623**

The potential impacts of the proposed Project on affected ecosystems and communities were considered in the Draft EIS. For example, Chapter 3 Affected Environment of the EIS

describes existing conditions within the Project area and Section 3.1 Introduction provides an overview and history of the Project area. These existing conditions are factored into the impact analysis in Chapter 4 Environmental Consequences of the EIS. Further, Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. notes the ongoing impact of the DWH oil spill on wetland loss, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 in Aquatic Resources provides an overview of the adverse impact of the oil spill on key aquatic species within the Barataria Basin.

The impacts raised by the commenters were also considered in the LA TIG's Draft Restoration Plan. As described in the Restoration Plan in Section 1.3 (Authorities and Regulations), the goal of the Oil Pollution Act of 1990, 33 USC 2701 et seq., is to make the environment and public whole for injuries to natural resources and services resulting from an incident involving a discharge or substantial threat of a discharge of oil. This goal is achieved through the return of the injured resources and services to baseline, and compensation for interim losses from the date of the incident until recovery. According to 15 CFR, Part 990.30, restoration is defined as "any action...to restore, rehabilitate, replace, or acquire the equivalent of injured natural resources and services", and 15 CFR, Part 990.53 (c) (2) specifies that compensatory restoration actions can include actions that provide natural resources and services of the same or comparable type and quality as the injured resources.

Considering the scale of impacts from the oil spill, the LA TIG also understands the importance of increasing the resiliency and sustainability of this highly productive Gulf ecosystem through restoration. As noted in the PDARP/PEIS, diversions of Mississippi River water into adjacent wetlands have a high probability of providing these types of large-scale benefits for the long-term sustainability of deltaic wetlands. As described in Section 2.3.3 (Proposed MBSD Project Location Alternatives) of the Restoration Plan, while a project in Lower Barataria Basin would provide restoration closest to where the heaviest oiling and associated injuries occurred, such a project would also require more time and more sediment to build land given the relatively deep open water in that area, and newly created marshes would be more quickly eroded by waves, tidal action, and storm surge. A project in the Mid-Barataria Basin is close to oiled shorelines but farther away from additional erosive forces found in the Lower Barataria Basin. The LA TIG selected the proposed Project location in the Mid-Barataria Basin because a project in this location would have the capacity to accept and disperse sediments and nutrients and would promote the long-term sustainability of existing and newly created marshes.

The LA TIG recognizes that the proposed Project would result in some adverse impacts to natural resources as described in Section 3.2.1.5 (Avoids Collateral Injury) of the Restoration Plan. However, these injuries occur primarily in the middle and Lower Barataria Basin, and the proposed Project would also restore natural resources that were injured by the DWH spill as described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan. The increase in wetland area under the Project is also expected to benefit communities on the West Bank, north of the diversion, by providing increased protection from storm surge (see Section 3.2.1.7).

Because the proposed Project would contribute to restoring natural resources injured by the DWH oil spill to their baseline conditions, the Project is consistent with OPA, the OPA NRDA regulations, the PDARP/PEIS, and the SRP. See Section 3 (OPA Evaluation of the

Alternatives) of the Restoration Plan for more details about the LA TIG's evaluation of the proposed Project and its alternatives.

The LA TIG has also funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 (Screening for a Reasonable Range of Alternatives) of the Restoration Plan provides a detailed discussion of the selection of the location for the LA TIG's Preferred Alternative in the Restoration Plan.

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**Correspondence ID: 32150**  
Myrtle Grove Homeowners Association



### **Myrtle Grove Homeowners Association Comments on Draft Restoration Plan and Draft Environmental Impact Statement (“EIS”)**

CPRA recognizes the diversion will impact Myrtle Grove (and other communities)

- Draft Restoration Plan Page ES-2: “increases in intensity and duration of flooding impacts for next 50 years.”
- Draft Restoration Plan Page 3-16: \$268,318,000 budgeted for land acquisition
- Draft Restoration Plan Page 3-48: “diversion would serve to accelerate tidal flooding impacts.”
- EIS Page 4-453: “minor to moderate, adverse impacts upon housing and property values” followed by “impacts to Myrtle Grove would be more substantial.”
  - Comment: How will the affected communities be compensated for the adverse impact of the diversion?

### **Water Levels**

December 18, 2019: Diversion Presentation by Brad Barth and Brian Lezina. Brian presented a graph showing maximum increase of water up to 2 feet. He also said it is a significant increase and it is being studied and will be addressed.

April 2020: In an article in the New Orleans Advocate. Brian Lezina stated the water level will increase 2.5 feet at the Wilkinson Canal and everything is on the table including elevation at the bulkheads and elevating roads if the diversion is built.

Early 2021: CPRA conducted meetings in Port Sulphur and had a continuous presentation showing the water levels will increase at Myrtle Grove .5 to 2 feet. CPRA stated they will assist property owners by:

- Elevating homes and structures on the property.
- Upgrade septic / sewer and other utilities.
- Elevating roadways and utilities; and

- Pay for losses in property value.
  - o Comment: CPRA, depending, on the presentation has different increased water levels in Myrtle Grove (see presentation to Myrtle Grove residents and a lower increase for Myrtle Grove at the presentation for Lake Hermitage residents).

EIS Executive Summary Page ES-8: Operational impacts on water levels in the Bartaria Basin from the project would be permanent, adverse, and range from major to minor, depending on the location in the Basin, with minimal increase of 1.1 feet in the immediate outfall area. Higher water levels would primarily occur when the diversion is flowing above base flow (greater than 25,000 cfs and up to 75,000 cfs).

EIS Executive Summary Page ES-14: The operation of the proposed project could lead to long term, minor to major, adverse impact on communities not protected by Federal Levees from acceleration of increase flooding and storm hazards.

EIS Table 4.20-2: Shows an increase of 119 days of more tidal flooding under Applicants Preferred Alternative in Myrtle Grove 2020-decade days with the project.

- Comment: 119 days is approximately one third of a calendar year. The result of the diversion will be that Myrtle Grove owners will only be able to enjoy the use of their property two-thirds of the year.

EIS page 4-694, Figure 4-20-3: Shows Myrtle Grove flooding twice as much in 2030 (inundated two-thirds of the year).

- Comments: These figures are inconsistent. What will be the actual impact upon Myrtle Grove?

### **Property Values**

EIS Page 4-554: There are 532 residential properties in the affected communities that had an assessed value of \$5.9 Million and this is the value for these properties.

Appendix H Table 2-6: Myrtle Grove has one marina, 76 homes and 231 undeveloped properties valued at \$52 million.

value for properties that rely on access to these channels could be adversely affected.

Loss of use of Wilkinson Canal (Appendix R page 19): If Wilkinson Canal impacted, CPRA **MAY** (emphasis added) take one or more actions such as adjust operations, conduct maintenance dredging, provide alternative boat access for Myrtle Grove. In EIS page 4-454, it states the loss of the Canal would result in “moderate, permanent adverse reduction in property values in Myrtle Grove.”

- Comment: Why is this not a duty for CPRA in the event Wilkinson Canal is impacted rather than just something CPRA **MAY** do?

### **Mitigation**

Appendix R Page 6.3.2 Property Impacts: CPRA is evaluating the area that could be exposed to project induction and researching regulatory and policy issues that pertain to powder lands and tidelands in the project area. A comprehensive inventory of the potentially affected properties and land services planning is progressing under an assumption that CPRA would mitigate for inundation

- Comments: Reconcile \$52 Million for Myrtle Grove and \$5.9 Million for Myrtle Grove and all the other affected communities
- Assessed value is not fair market value.

Appendix H Page 125: Impacts of the diversion:

- The operation of the project under Applicants Preferred Application is expected to have permanent, moderate, adverse impacts on land use and property values.
- Operation of the project is expected to increase the frequency and duration of tidal flooding in communities outside of the flood protection in and near the outfall.
- These temporary more frequent occurrence in flooding may lead to reduction in property values over time.
- As a result, operation of the project is expected to have permanent, minor, adverse impacts on the land uses and property values in the outfall area.

Chapter 4 4.13.3.3 Sedimentation: If additional dredging is not undertaken adverse impacts in addition property

caused by the project to properties which could take the forms of:

- Monitoring and adaptive management of operations
- Assisting property owners to elevate homes and other structures on private property.
- Property right acquisition (e.g., Flowage Easement fee acquisition, or others) CPRA would prefer to acquire easement rather than acquiring full ownership of affected properties.
- Structural mitigation (e.g., elevation public roadways, utilities, water control structures or other structural measures to offset additional induction
- The draft EIS for the Upper Barataria Bay has a Real Estate Plan for the affected communities.
  - o Comment: Why is there not a Real Estate Plan for Myrtle Grove and the other affected communities?
- Site selection mitigation could occur at the site of the impact, or other locations where structural measures would reduce inundation, or through property rights agreements.
  - o Comment: Every Flowage Easement found on the Corps of Engineers website contains an express prohibition against human habitation (homes) in the Flowage Easement. How can this be a preferred remedy since it would result in no one being able to live in Myrtle Grove and the other affected communities?

### **Land Building**

Executive Summary Page ES-10: The project is expected to cause moderate, permanent, adverse impacts on the wetlands in the Birdfoot Delta where wetlands would be lost due to reduced sediment and freshwater inputs. By year 2070, wetlands in Birdfoot Delta reduced to 3,510 acres without the project Birdfoot Delta 2070 would be 6,410.

EIS Figure 4.2-6: This graph shows in 2030 Basin acres is 300,000 acres including < 10,000 acres created. In 2070, total acres in the Basin will be 60,000 acres with just a little more than 10,000 acres.

- Additional Comments: This information contradicts what was shown in the amount of land created by

2070 in the December 18, 2019 presentation.

- The EIS does not have a reduction in land building in the event of hurricanes which can have a significant impact on any build-up of land.

### **Diversion Operation**

EIS Table 4.1-1: Shows the rivers in first decade of operation 158 days above 450,000 cfs and by 2070 224 days above 450,000 cfs.

EIS Page 4.13.3.3 Sedimentation: Operation of the Diversion would lead to an increase in sedimentation in channels and canals in outfall area that are important to both recreational boaters and commercial fishers.

EIS Appendix H 3.6.2 Construction Impacts: Construction of the project is expected to cause negligible impact on non-federal maintained canals.

EIS Appendix H 3.6.3 Operational Impacts: Because of uncertainties associated with DELFT and GIS modeling results and the number of variables need to estimate cost of dredging a range of cost were estimated to dredge only the Wilkinson Canal.

### **Dolphins**

EIS Appendix N provides all the marine species affected by the diversion but does not cover dolphins. While it is recognized that a waiver was obtained for the dolphins, the dolphins should have been studied and the adverse effects published to allow an appeal of the waiver due to the harm to dolphins. We believe the knowledge regarding the number of dolphins to be killed because of the diversion will result in a public outcry.

### **Additional Comments on the EIS**

- Throughout the EIS, it states multiple times the project will cause permanent, minor to major adverse impacts to the land use and property values and commercial fisheries in the Barataria Basin.
- With Global Climate Change the EIS used river

hydrology information from as early as 1964 and no later than 2011. Current information was not used. The EIS should contain a hydrology report and the report should be based upon recent data.

- From several resources (CPRA presentation, newspaper articles, EIS) increased water levels range from .5 to 2.5 feet. The information is not consistent on water levels.
- The only alternatives in the EIS are diversions at different flow rates. They have not listed other possible methods on building land in the Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion.
- The purpose of the diversion is to build land. However, the EIS Figure 4-2.6 is a graph showing the Barataria Basin has 300,000 acres with less than 10,000 acres created and 2070 with 60,000 acres with just over 10,000 acres created. This does not justify the cost of the diversion.

## **CONCLUSION**

CPRA is condemning the property in Myrtle Grove and other communities outside the levee protection for the benefit of the State of Louisiana. While understandable from a State's perspective, the owners in Myrtle Grove and the other affected communities need to be fully compensated for the taking of their property (i.e., paid fair market value for their property and homes)

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**Concern ID: 61772**

**The commenter pointed out that Figure 4.2-6 in Chapter 4, Section 4.2 Geology and Soils indicates that by 2070, total acres created by the Project in the basin would be about 10,000 acres. The commenter expressed concern that this contradicts the amount of land created by the Project as stated in the December 18, 2019 presentation by CPRA to the Myrtle Grove Homeowners Association.**

**Response ID: 16173**

The total acres projected to be created by the proposed Project were considered in the Draft EIS. The EIS contains projections derived from the most recent modeling efforts available by the Water Institute of the Gulf, and these projections may differ from those of earlier modeling efforts. A detailed overview of the modeling conducted to project land creation and land-loss impacts of the proposed MBSD Project is provided in Appendix E Delft3D Modeling of the EIS. To help further address these concerns, a discussion to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61787**

**The EIS used river hydrology information from as early as 1964 and no later than 2011. Current information was not used. The EIS should contain a hydrology report and the report should be based upon recent data.**

**Response ID: 16417**

The issue raised by the commenter was considered in the Draft EIS. The Mississippi River hydrologic boundary conditions used in the Delft3D Basinwide Model included continuous 50-year historical Tarbert Landing records from 1964 to 2013. For the Delft3D Basinwide Model hydrodynamic simulations, representative hydrographs were selected to represent each decade. The selection was the product of a statistical analysis performed by the Water Institute of the Gulf, as described in Draft EIS Appendix E Delft3D Modeling, Section 5.1.1. In addition, four additional Mississippi River annual hydrographs were selected to represent specific statistical characteristics including the 2011 hydrograph, as the commenter mentioned. It was selected because it represented a particular type of hydrograph - a high discharge, late spring flood. Later years, including those available when the modeling was performed, were considered but did not meet the selection criteria. No related edits have been made to the Final EIS.

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**Concern ID: 61853**

**The amount of acres of habitat that would be restored through the preferred alternative would not justify its high cost. Given Louisiana's annual coastal habitat loss rate, investing in a nearly \$2 billion Project that would provide relatively little benefit compared to this annual loss is not justifiable.**

**Response ID: 16618**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has conducted its own economic evaluation of the costs of a proposed Project. USACE will



conduct a public interest review as part of its permit decision-making process, which weighs the anticipated harms of a project against its anticipated benefits.

As part of the OPA analysis, LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and successfully develop deltaic habitats that connect nearshore and offshore ecosystems. Wetlands are one component of a restored ecosystem to be achieved. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The creation of marsh habitat would provide substantial benefits to nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, terrestrial wildlife, and offshore marine ecosystems (see Section 3.2.1.6 [Benefits Multiple Resources] of the Restoration Plan). Given the high rates of erosion and land loss, the land created by the Project would become even more important to the coastal ecosystem over time.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62010**

**Sediment transported by the diversion into the basin would cause the main waterways to have increased shoaling, become too shallow to pass through, and would require dredging in order to access personal properties. This plan should address the potential loss of access for homes, camps, and businesses due to the increased shoaling.**

**Response ID: 16208**

The impacts raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. The EIS describes impacts on marine transportation and maintenance dredging in Chapter 4, 4.21 Navigation. This section also describes potential impacts on access due to delays when dredging. In addition, refer to Section 4.13 Socioeconomics for a discussion of socioeconomic impacts due to potential sedimentation in Barataria Basin navigation channels and canals. The proposed Project would have moderate, intermittent but permanent, adverse impacts on marine traffic efficiency and safety for shallow-draft vessels. The proposed Project would also cause minor to moderate, permanent, adverse impacts in dredging requirements for portions of the Mississippi River Navigation Channel and the birdfoot delta due to Project-induced changes to typical shoaling patterns and locations. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the proposed Project area during Project operations. In acknowledgement of commenters' concerns regarding sediment and shoaling impacting navigation, the Mitigation and Stewardship Plan in Appendix R1 in the Final EIS includes measures to mitigate impacts on navigation in the basin resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62016**

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**Commenter inquired as to why CPRA is not required to adjust operations, conduct maintenance dredging, or provide alternative boat access for Myrtle Grove if Wilkinson Canal is impacted.**

**Response ID: 16213**

The impacts on channel and canal navigation raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the proposed Project area during Project operations.

In acknowledgement of the commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, CPRA has supplemented the Final Mitigation and Stewardship Plan with measures to mitigate impacts on navigation in the basin resulting from operation of the Project, including monitoring and dredging or other measures for certain federal and non-federal navigation channels including the Barataria Waterway and Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project..

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**Concern ID: 62150**

**The land-building results of the Project presented in Chapter 4, Section 4.2 Geology and Soils should include consideration of potential reductions in land building due to hurricanes, which can have a significant impact on any build-up of land.**

**Response ID: 16178**

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The commenter's concerns related to the effects of hurricanes and tropical storms on projected future land loss were considered in the Draft EIS; therefore, no related updates have been made to the Final EIS. The EIS includes extensive ADCIRC/SWAN modeling of storm surge and wave height elevation simulations based on historical hurricanes and tropical storms over the Project area for the 50-year analysis period. The details of these modeling efforts and the assumptions involved are provided in Chapter 4, Section 4.20 Public Health and Safety, including Flood and Storm Hazard Risk Reduction and in Appendix P (Flood and Storm Hazards Evaluation). Additional analysis regarding the potential impact of hurricanes on the extent of wetlands in the proposed Project area during operations is included in Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS.

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**Concern ID: 62236**

**The commenter asserts that information provided in several sections of the Draft EIS and in presentations are inconsistent and would like to know what the actual impact to Myrtle Grove would be.**

**Response ID: 15822**

The USACE acknowledges the commenters' concerns regarding the consistency and accuracy of the reported projections. USACE is the lead agency for development of this EIS, which contains the results from the Delft3D Basinwide Model regarding the projected effects of the Project on water levels in Barataria Basin, including areas close to the diversion outfall (within a 20-mile radius). The estimated flooding impacts in Myrtle Grove are described in Chapter 4, Sections 4.20.4.2.1.2 and 4.20.4.2.2.2 in Public Health and Safety. USACE is not familiar with other numbers that may have been reported by CPRA. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future conditions. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties).

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to

comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63047**

**The proposed MBSD Project would cause increased loss of wetlands in the birdfoot delta when compared to the No Action Alternative.**

**Response ID: 16053**

As indicated by the comment, the Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S. of the Draft EIS disclosed the increased wetland losses in the birdfoot delta when compared with the No Action Alternative.

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**Concern ID: 63069**

**The Draft EIS did not include detailed information about the potential impacts of the proposed Project on bottlenose dolphins.**

**Response ID: 16592**

The Draft EIS included an analysis of the impacts to marine mammals, including bottlenose dolphins, in Chapter 4, Section 4.11 (Marine Mammals). The EIS quantifies the impact on dolphin survival rates (the percentage of existing dolphins that would survive from one year to the next year) for different populations of dolphins (Table 4.11-5) from the most pronounced stressor, salinity, but also includes a qualitative assessment on other impacts such as wetland shifts, prey species impacts, HABs, water temperature, and other impacts. The Final EIS includes the incorporation of additional population impact analysis that was completed by Thomas et al. (2021) after the Draft EIS was released for public comment.

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**Concern ID: 63092**

**Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, "real estate plan" for impacted communities was not available.**

**Response ID: 16511**

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA's initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA's Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**



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**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

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The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance



IN REPLY REFER TO:

May 18, 2021

9043.1  
ER 21/0089

Mr. Brad LaBorde  
U.S. Army Corps of Engineers  
New Orleans District  
7400 Leake Ave,  
New Orleans, LA 70118

**RE: Draft Environmental Impact Statement for the U.S. Army Corps of Engineers  
Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish,  
Louisiana.**

Dear Mr. LaBorde:

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (EIS) for the Coastal Protection and Restoration Authority of Louisiana's (CPRA) Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana.

## Background Information

CPRA submitted a Joint Permit Application on June 23, 2016, to the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) for a Department of the Army (DA) permit under Section 10 of the Rivers and Harbors Act of 1899 (33 United States Code [U.S.C.] 403 and Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) and submitted a Section 408 Permission Request Letter (33 U.S.C. 408) to CEMVN on January 13, 2017 for activities related to the construction, operation, and maintenance of the proposed Mid-Barataria Sediment Diversion Project (MBSD Project). The proposed project consists of a multi-component river diversion system intended to convey sediment, freshwater, and nutrients from the Mississippi River to the mid-Barataria Basin at River Mile (RM) 60.7 near the town of Ironton, Plaquemines Parish, Louisiana.

## Fish and Wildlife Resources

The following comments and recommendations are submitted pursuant to the authority of, and in accordance with, the provisions of the National Environmental Policy Act of 1969 (83 Stat. 852, as amended P.L. 91-190, 42 U.S.C. 4321 et seq.), and the Fish and Wildlife Coordination Act of 1956 (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Coastal marshes are considered by the U.S. Fish and Wildlife Service (Service) to be aquatic resources of national importance due to their increasing scarcity and high habitat value for fish and wildlife managed by the Service (i.e., migratory waterfowl, wading birds, other migratory birds, threatened and endangered species, and interjurisdictional fisheries). Upon review of the Draft EIS, the Service finds it addresses all impacts and benefits, including those related to fish and wildlife resources, coastal wetlands, and threatened and endangered species.

The Preferred Alternative would directly impact 182.9 acres of jurisdictional wetlands and 266.3 acres of vegetated shallows (submerged aquatic vegetation or SAV) and other waters of the U.S. Additionally, because Mississippi River sediments would be diverted up river of the Birdfoot Delta, the Delta would experience a projected indirect loss of 2,891 acres of wetlands by 2070 when compared with the No Action alternative, of which 926 acres would be indirectly lost on the Delta National Wildlife Refuge (Delta NWR) and 37 acres on Pass-A-Loutre Wildlife Management Area (Pass-A-Loutre WMA). The indirect wetland losses to Delta NWR and Pass-A-Loutre WMA would be offset by the construction of crevasse projects as described in Recommendation #1 of the Draft Fish and Wildlife Coordination Act Report for the MBSD Project. The MBSD project anticipates a net benefit of 13,151 acres of marsh (3,848 AAHUs) near the outfall over the 50-year period of analysis. Overall, there would be positive net benefits to wetland resources in the project area, with the creation and preservation of emergent wetland habitat of high value to fish and wildlife resources.

The Service has continually been involved throughout the planning and evaluation process for the MBSD Project. The CEMVN and CPRA have been responsive to all our data needs, questions, comments, and concerns. Because of our extensive coordination, and the positive net benefits to wetland resources, all of our comments and suggestions have been sufficiently addressed at this time and the Service has no further comment.

We appreciate the cooperation of your staff on this project and look forward to our continued coordination to further protect fish and wildlife resources. If you need additional assistance or have questions regarding this report, please contact Cathy Breaux ( [REDACTED] ) of this office.

Sincerely,

John Nelson  
Regional Environmental Officer

Cc: Mr. Jeffrey Varisco at Jeffrey.J.Varisco@usace.army.mil  
NMFS, Baton Rouge, LA: Mr. Craig Gothreaux at craig.gothreaux@noaa.gov  
LDWF, Baton Rouge, LA: Mr. Kyle Balkum at kbalkum@wlf.la.gov  
CPRA, Baton Rouge, LA: Mr. Bren Haase at Bren.Haase@LA.GOV

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**Concern ID: 62959**

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (EIS) for the Coastal Protection and Restoration Authority of Louisiana's (CPRA) Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana.

The following comments and recommendations are submitted pursuant to the authority of, and in accordance with, the provisions of the National Environmental Policy Act of 1969 (83 Stat. 852, as amended P.L. 91-190, 42 U.S.C. 4321 et seq.), and the Fish and Wildlife Coordination Act of 1956 (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Upon review of the Draft EIS, the Service finds it addresses all impacts and benefits, including those related to fish and wildlife resources, coastal wetlands, and threatened and endangered species.

The Applicant's Preferred Alternative would directly impact 182.9 acres of jurisdictional wetlands and 266.3 acres of vegetated shallows (submerged aquatic vegetation or SAV) and other waters of the U.S. Additionally, because Mississippi River sediments would be diverted up river of the Birdfoot Delta, the Delta would experience a projected indirect loss of 2,891 acres of wetlands by 2070 when compared with the No Action Alternative, of which 926 acres would be indirectly lost on the Delta National Wildlife Refuge (Delta NWR) and 37 acres on Pass A Loutre Wildlife Management Area (Pass A Loutre WMA). The indirect wetland losses to Delta NWR and Pass- A-Loutre WMA would be offset by the construction of crevasse projects as described in Recommendation #1 of the Draft Fish and Wildlife Coordination Act Report for the proposed MBSD Project. The proposed Project anticipates a net benefit of 13,151 acres of marsh (3,848 AAHUs) near the outfall over the 50-year period of analysis. Overall, there would be positive net benefits to wetland resources in the proposed Project area, with the creation and preservation of emergent wetland habitat of high value to fish and wildlife resources.

The Service has continually been involved throughout the planning and evaluation process for the proposed MBSD Project. The CEMVN and CPRA have been responsive to all our data needs, questions, comments, and concerns. Because of our extensive coordination, and the positive net benefits to wetland resources, all of our comments and suggestions have been sufficiently addressed at this time and the Service has no further comment.

**Response ID: 15887**

Thank you for your comments. USACE solicited review according to 40 CFR Part 1503.1. If a permit is issued, CPRA would be required to obtain all applicable federal, state, and local permits before starting construction of the proposed MBSD Project.

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**Correspondence ID:32162**

The Bishop's Environmental Commission Episcopal Diocese of Louisiana

Rev. Joseph Clavijo

I am writing in support of the Draft Resolution Plan and Environmental Impact Statement: Mid-Barataria Sediment Diversion. This plan, in my opinion represents the best set of options that decision makers can consider when responding to coastal erosion now facing the potential for rapid, irreversible ecological change. How we chose to address the impacts of climate change is complicated to say the least, and there are impacts that we will not be able to foresee.

What I can do as a person of faith is to come along side and stand with the people who will be adversely effected by the diversion and to voice their needs forward. I ask that you listen carefully to those voices and to commit sufficient funding and resources necessary to sustain their lives and livelihood throughout the diversion process. Based on the science, I believe that those impacted in the short term, will end up benefitting in the long term and that we just have to make sure that we see those communities through. We have an important job to do in making sure that the dollars set aside to mitigate the negative impacts are spent in ways that benefit those most marginalized.

Respectfully submitted,

Rev. Joseph M Clavijo

Chair - The Bishop's Environmental Commission

The Episcopal Diocese of Louisiana

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**Concern ID: 61956**

**Commenters suggested [USACE and/or CPRA] carefully listen to those impacted by the diversion and have constructive dialogue between stakeholders and CPRA. They recommended to commit sufficient funding and resources necessary to those impacted to sustain their lives and livelihood throughout the diversion process.**

**Response ID: 15902**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. USACE and LA TIG each provided public outreach and comment opportunities throughout the development of the EIS and the LA TIG's Restoration Plan. Details on this outreach can be found in Chapter 7 Public Involvement in the Final EIS.

Since the release of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style

meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63930**

**Public comments asked to ensure mitigation dollars are set aside to help the most marginalized communities and provide an equitable allocation of resources.**

**Response ID: 16579**

CPRA's Draft Mitigation and Stewardship Plan included in the Draft EIS (Appendix R1) set forth numerous measures that CPRA could undertake to mitigate Project impacts. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The Final Mitigation and Stewardship Plan contains additional details on the various mitigation and stewardship measures specifically designed and targeted to assist low-income and minority individuals and communities including reserving a portion of some mitigation and stewardship programs for individuals from identified communities with environmental justice concerns that may be disproportionately impacted by the Project and engaging an outreach coordinator to assist community members with available programs and resources. A summary of the public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as

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special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:32172**

Steven Lawrence

First and foremost, I am against the Mid-Barataria Sediment Diversion Project.

The negative impacts of the diversion outweigh the benefits. Residents of Plaquemines Parish will suffer the greatest negative impacts and receive the least number of benefits.

One of my major concerns is the increase in tidal range of the affected areas, specifically Myrtle Grove Estates. This is a residential neighborhood which has municipal services, such as sewer, electric, garbage, etc... I often hear the CPRA refer to the homes as "CAMPS". I would like you to know the homes in Myrtle Grove Estates (Phase I and Phase II) are not camps. Quite a few homeowners live there on a permanent basis. The increased tidal range will be detrimental to street flooding, preventing emergency service response time such as Ambulance, Fire, Police, Entergy, etc... The CPRA has stated that they have money set aside for remediation; however, the CPRA has not provided specifics on what type of remediation will be provided. I feel the EIS should have provided specifics on what remediation would be provided, along with cost estimates and guarantees.

Secondly, the EIS compares different flow rates as alternatives. The only other option is do nothing at all. A true study would have other alternatives, such as sediment dredging, berms, rock jetties, regulated flow type sediment diversion, where the same flow is distributed to multiple locations rather than being centralized in one area.

Another point I would like to make is the lack of inclusion by the CPRA. The CPRA held meetings, reached out to local communities throughout the process; however, the CPRA ignored most, if not all, of the input they received from the communities, shrimpers, crabbers, oyster fisherman, etc... I do not feel the CPRA were acting in good faith, rather than checking off a box on a requirement it had to fulfill.

In closing I would like to say that I feel all Plaquemines Parish Residents feel we need coastal restoration; however, the MBSD is not the right answer at this time. Putting all the sediment diversion in this localized area does not mimic what the mighty Mississippi River built naturally over hundreds of years. In fact, when the river overflowed before the current levees were built, all the areas got overflow water and sediment and it did not decimate a specific are.

Respectfully Submitted,

Steve Lawrence

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was

conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be

provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61957**

**Commenters are concerned with the lack of inclusion by CPRA. The CPRA held meetings, reached out to local communities throughout the process; however, the CPRA ignored most, if not all, of the input they received from the communities, shrimpers, crabbers, oyster fisherman, and others.**

**Response ID: 15903**

Chapter 7 Public Involvement of the Final EIS includes a summary of meetings that CPRA held with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1, which has been revised since the release of the Draft EIS in response to public input, for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD**

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**Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of

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structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15

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CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62951**

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**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove

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Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department

of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:32203**

Wil Hildebrand

Please do not put in the mid barataria sediment diversion project. I have been fishing that area for 50 years. Although the fishing is not what it used to be 30 years ago, it is still a good place for recreational sportsman to enjoy what Louisiana has to offer in the bounty of the saltwater Marsh.

That will all be destroyed by this diversion project. So will the brown shrimping which I personally enjoy very much. Not to mention all of the bottlenose dolphins that will lose their habitat.

There is no guarantee that you will build an acre of land with this project. No one knows, this is and experiment at the cost of losing the vital natural resources we have in place now.

It would be much better money spent to dredge material from the Mississippi and create land immediately. You could also dredge material from the Gulf of Mexico and create barrier islands in that direction also. All of this will create land immediately not 20 or 30 years from now which will be too late anyway.

What you are proposing is like a drop in the bucket compared to what mother nature did over centuries. The only way you could ever restore and rebuild the marsh is to knock down all of the levees on the Mississippi and let it flow.

Thanks for your time

Wil Hildebrand

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need

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for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and

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animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also

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anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of

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Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:32207**

Bruce Baird

## Comments on the Mid Barataria Sediment Diversion EIS

I have studied freshwater diversions for most of my career, and while I believe that models can be useful tools, they are not as reliable as observations in the real world. Such observations reveal that the claimed projected benefits of the Diversion, based on model results, are unrealistic compared to real-world examples in Louisiana.

Even if such optimistic projections are realized, the total land area would steadily shrink from 389,000 acres to 69,100 acres over the project life of 50 years. Although this total is 10,400 acres more than with No Action (Table 4.2-4), it seems unlikely that such an increment would offer substantial protection from hurricanes. Even at the point of greatest projected benefit compared to No Action, the Diversion would result in only 17,300 acres more than No Action in 2050. This would be at a time when 43% of current wetland acreage had already disappeared with the Diversion in place. Although not as bad as the No Action scenario, it is clear that Louisiana will be much more vulnerable than it is now, even if the Diversion is built.

In addition, the area most likely to experience some increase in protection from hurricanes would be the area nearest to the projected land gain (see Figure 4.2-14). Yet this area would be subject to increased water levels from the Diversion, which could increase flooding risk in some circumstances (page 4-693). Impacts to fisheries in the project area are noted in the EIS as well. With regard to brown shrimp, the EIS states that the decrease in habitat suitability will be major, permanent, direct, and adverse. (page 4-378). Similarly, the EIS projects a permanent, direct, adverse, and major impact on oysters from operation of the proposed diversion. (page 4-410)

## Atchafalaya Bay

Given the fact that the Atchafalaya and Wax Lake Deltas in Atchafalaya Bay are the healthiest land-building areas in the state, I think it is fair to compare the observed land building to model projections for the Mid-Barataria Diversion.

The Atchafalaya River has been filling in the Bay since the 1950s. Its flow is kept at 30% of total latitude flow, with the other 70% going to the Mississippi, such that the Atchafalaya flow is equal to 43% of the Mississippi River flow. The proposed operation of the Mid-Barataria Diversion varies from 5.6 - 7.5% of the Mississippi flow only when the River is between 450,000 and 1,000,000 cfs, and is lower otherwise. The Diversion is expected to discharge more than 5,000 cfs for only 194 days per year (Table 4.1-1). Lets generously assume that the discharge averages 6% of River flow for discussions sake. Thus, the Diversion discharge will average about one seventh of the flow of the Atchafalaya River.

The EIS states that the Diversion will result in 17,300 acres more than No Action in 30 years, comparable to the amount of land built in Atchafalaya Bay since the 1950s (Pre-storm acreage was 17,500, Pers. Comm. Barras, 2009).

Several factors complicate the comparison: The Wax Lake Outlet, which receives approximately one third of the Atchafalayas flow and delivers it to the Wax Lake Delta, skims from the top of the water column, and the Atchafalaya Delta is compromised by the dredging of the ship channel. Also, some of the Atchafalaya River flow is lost to the marshes south of the Intracoastal. These factors would tend to reduce land building in the Bay.

Conversely, the Mississippi River is less sediment-rich than the Atchafalaya River (Blum and Roberts, 2009). In addition, Sea Level Rise is accelerating (Figure 4.1-3), and as a result future land building will be much slower than when the Deltas were forming. The Mid-Barataria Diversion maximum discharge of 75,000 cfs would be reached at 1,000,000 cfs, and would not increase with greater flows, when sediment loads are greater. These factors would tend to limit the rate of land creation/maintenance by the Diversion compared to the Deltas in Atchafalaya Bay.

In summary, the EIS states that the Mid-Barataria Diversion would create/maintain about the same amount of land as was built in Atchafalaya Bay with roughly one 7th the water flow, in about half the time, and with less sediment-rich water in an environment of accelerating SLR. Even considering the factors that limited land building in Atchafalaya Bay, the Diversion is unlikely to create/maintain land at roughly 14 times the rate observed in Atchafalaya Bay.

#### West Bay

The West Bay Sediment Diversion Project was constructed in 2003, originally designed to divert an average discharge of 20,000 cfs. By 2008, the flow had increased substantially, and in 2009-2011, measured flows were equal to 8.4-9.5 % of Mississippi River flows (Sharp, et al., 2013). Discharges into West Bay at moderate River flows of 551,000 cfs peaked in 2009 at about 42,000 cfs, and declined in the 2009-2014 period to about 24,700 cfs (Allison et al, 2017).

The operational plan as described in the EIS would result in a flow of about 34,000 cfs at the same moderate Mississippi River flow of 551,000 cfs, or about midway between the high and low West Bay discharges of 2009-2014.

A report produced by the State of Louisiana CPRA stated that while the West Bay project area gained a total of 557 acres from 2002-2014, much of that gain can be attributed to beneficially placed material. Approximately 665 acres of material had been placed within the land/water analysis boundary at the time of the 2014 survey, versus the 557 acres determined via land/water analysis (Plitch, 2017). This lack of land building by the diversion of river water into West Bay for 10 years took place even though Grand Pass is another important source of sediment to the bay (Kolker, 2012). Yet the Mid-Barataria EIS projects a land gain of 6,260 acres in the Barataria Basin relative to No Action in the first 10 years (Table 4.2-4), with rates of discharge comparable to the West Bay project.

I understand that the need to restore the Louisiana coast is urgent. I just think that the benefits of this project have been oversold. Statements like The Mid-Barataria Sediment Diversion will protect vulnerable communities from hurricanes and sea level rise, or ensure the long-term health of the ecosystem are often used by well-intentioned organizations to describe the project. In truth, even if the extremely optimistic models used for this EIS turn out to be accurate, after 30 years, 32% of the land in the Barataria Basin will have disappeared. 105,00 acres will be lost, 17,300 less than with No Action, in Barataria. An area equivalent to the deltas in Atchafalaya Bay would be created/maintained compared to No Action, a mere 5% of today's acreage. A look at an aerial photo of the Louisiana Coast shows how small those deltas are, revealing how little that acreage would do to protect vulnerable communities. And with this project in place, the Barataria Basin would continue to lose 78% of its land over the project life of 50 years (Tables 4.2-3 and 4.2-4). In addition, a

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project that would cause major, permanent, direct, and adverse impacts to brown shrimp and oysters would not ensure the long-term health of the ecosystem.

Bruce Baird

Marine Biologist

Allison, M.A., Yuill, B.T., Meselhe, E.A., Marsh, J.K., Kolker, A.S., Ameen, A.D. 2017. Observational and numerical particle tracking to examine sediment dynamics in a Mississippi River delta diversion. *Estuarine, Coastal and Shelf Science* 194 (2017) 97-108.

Blum, M.D., Roberts, H.H., 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea level rise. *Nature Geoscience* 2, 488-491.

Kolker, A.S., Miner, M.D., Weathers, H.D., 2012. Depositional dynamics in a river diversion receiving basin: the case of the West Bay Mississippi River diversion. *Estuar. Coast. Sci.* 106, 1-12.

Plitsch, E., 2017. 2016 Operations, Maintenance, and Monitoring Report for West Bay Sediment Diversion (MR-03), Coastal Protection and Restoration Authority of Louisiana, New Orleans, Louisiana.

Sharp, J., Little, C., Brown, G., Pratt, T., Heath, R., Hubbard, L., Pinkard, F., Martin, K., Clifton, N., Perky, D., and Ganesh, N. (2013). West Bay Sediment Diversion Effects, ERDC/CHL Technical Report 13-15, Vicksburg, Mississippi.  
[http://acwc.sdp.sirsi.net/client/en\\_US/search/asset/1032362](http://acwc.sdp.sirsi.net/client/en_US/search/asset/1032362)

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**Concern ID: 62221**

**The Project would not provide substantial protection from hurricanes or storm surge, nor would storm surge protection be provided in a timely manner. The area most likely to experience some increase in protection would be subject to increased water levels from diversion operations. The current diversion Project needs to be reengineered to create meaningful storm surge protection. The Project is a misuse of funds based on what the diversion would do versus what it purports to do, in part due to the Mississippi River not having enough sediment to build substantial land.**

**Response ID: 15756**

While the proposed Project would impact storm surge, the purpose and need of the Project is not storm surge protection. As described in the Draft EIS in Chapter 1, Section 1.4 Purpose and Need, the purpose of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill by reestablishing deltaic processes. However, as described in the Draft EIS in Chapter 4, Section 4.20.4 Public Health and Safety, the Project would have the ancillary benefit of storm damage risk reduction on communities north of the diversion due to the creation and maintenance of wetland habitat within the delta formation area; the increase in topography and land acreage would induce greater hydraulic friction and resistance, reducing the inland extent of storm surge and limiting wave heights in some communities north of the diversion, as compared to the No Action Alternative. The EIS acknowledges that storm surge and wave height reduction benefits for some communities north of the diversion would not be instantaneous, but that these benefits would increase over time as more land is created and maintained within the delta formation area. The EIS also acknowledges that some of the same communities that would experience

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storm surge reduction benefits, such as Lafitte, would experience an increase in non-storm inundation frequency due to increased water levels from diversion operations. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height.

The EIS recognizes the role of sediment load in land building. The river still carries a massive sediment load, but not as massive as it historically carried. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in Section 3.4.2.5 Sediment Transport. The Delft3D Basinwide Model used Mississippi River sediment loads when computing the sediment load that would be delivered to the Barataria Basin. This is described in detail in the EIS, Appendix E Delft3D Modeling, Section 5.2.2.

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

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**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D

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Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62665**

**Commenters suggested that the proposed Project would achieve some benefits relative to the No Action Alternative, but that even if the modeling is correct (which it probably is not), the projected benefits provided by the Project would be very small compared to amount of habitat that is expected to be lost in the Barataria Basin over 50 years. If the models used for the EIS turn out to be accurate, more than 43 percent of the land in the Barataria Basin will have disappeared even with the Project in 30 years. During that time, 105,000 acres of land will be lost, with the Project sustaining only 17,300 more acres than the No Action Alternative (5 percent of the basin's current land area). Because of this background of large land loss, the proposed Project could only be considered a stop-gap measure. Further, commenters cited sources indicating ongoing debate about the effectiveness of large-scale sediment diversions as a land-building strategy and recommended those uncertainties be addressed in the Draft EIS (Blaskey, 2020; Blum and Roberts, 2009; Chamberlain et al., 2018; DeLaune et al., 2013; Suir et al., 2014; Turner et al., 2019).**

**Blaskey, D. 2020. Modeling of distributary channels formed by a large sediment diversion in broken marshland. Dissertation, University of New Orleans, Louisiana. 112 pages.**

**Blum, M.D., and H.H. Roberts. 2009. Drowning of the Mississippi Delta due to insufficient sediment supply and global sea-level rise. Nature Geoscience Letters 2:488-491.**

**Chamberlain, E.L., T.E. Törnqvist, Z. Shen, B. Mauz, and J. Wallinga. 2018. Anatomy of Mississippi Delta growth and its implications for coastal restoration. Science Advances 4:eaar4740.**

**DeLaune, R.D., M. Kongchum, J.R. White, and A. Jugsujinda. 2013. Freshwater diversions as an ecosystem management tool for maintaining soil organic matter accretion in coastal marshes. Catena 107:139-144.**

**Suir, G.M., W.R. Jones, A.L. Garber, and J.A. Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. U.S. Army Corps**



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of Engineers Mississippi River Geomorphology & Potamology Program, Report No. 2. 37 pages.

Turner R.E., M. Layne, Y. Mo, and E.M. Swenson. 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. *Restoration Ecology* 27(6):1231-1240.

**Response ID: 16624**

The issues raised by the commenters were considered in the Draft EIS. For example, the proposed Project's long-term influence on land building and wetland creation has been modeled extensively through engineering and design and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS. With regard to modeling conducted to determine impacts of the proposed Project, the Delft3D Basinwide Model projections of Project impacts include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainty in model results is recognized in Table 4.2-4 found in Section 4.2.3.2.2.1 Geology, which indicates that land areas are considered accurate within +/- 200 acres and that the error in land gains is +/-300 acres.

As part of developing the EIS, the USACE, together with members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. The cited studies were reviewed and included in relevant analyses in the Draft EIS.

The LA TIG acknowledges the commenters' concerns. As described in the LA TIG's Draft Restoration Plan, the Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The LA TIG agrees that, with or without the Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts. All citations referenced by the commenters were included in the Final EIS and thus were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 63048**

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**Models are useful tools but are not as reliable as real-world observations. Given the fact that the Atchafalaya and Wax Lake Deltas in Atchafalaya Bay are the healthiest land-building areas in the state, I think it is fair to compare the observed land building to model projections for the Mid-Barataria Diversion. The Atchafalaya River has been filling in the bay since the 1950s. Its flow is kept at 30 percent of total latitude flow, with the other 70 percent going to the Mississippi, such that the Atchafalaya flow is equal to 43 percent of the Mississippi River flow. The proposed operation of the Mid-Barataria Diversion varies from 5.6 to 7.5 percent of the Mississippi flow only when the river is between 450,000 and 1,000,000 cfs, and is lower otherwise. The proposed Project is expected to discharge more than 5,000 cfs for only 194 days per year (Table 4.1-1). Let us generously assume that the discharge averages 6 percent of river flow for discussion's sake. Thus, the diversion discharge would average about 1/7 of the flow of the Atchafalaya River. The EIS states that the proposed Project would result in 17,300 acres more than the No Action Alternative in 30 years, comparable to the amount of land built in Atchafalaya Bay since the 1950s (Pre-storm acreage was 17,500 [Pers. Comm. Barras 2009]). Several factors complicate the comparison: the Wax Lake Outlet, which receives approximately 1/3 of the Atchafalaya River's flow and delivers it to the Wax Lake Delta, skims from the top of the water column, and the Atchafalaya Delta is compromised by the dredging of the ship channel. Also, some of the Atchafalaya River flow is lost to the marshes south of the Intracoastal. These factors would tend to reduce land building in the bay.**

**Conversely, the Mississippi River is less sediment-rich than the Atchafalaya River (Blum and Roberts 2009). In addition, sea-level rise is accelerating (Figure 4.1-3), and as a result, future land building would be much slower than when the deltas were forming. The Mid-Barataria Diversion maximum discharge of 75,000 cfs would be reached at 1,000,000 cfs, and would not increase with greater flows, when sediment loads are greater. These factors would tend to limit the rate of land creation/maintenance by the proposed Project compared to the deltas in Atchafalaya Bay. In summary, the EIS states that the Mid-Barataria Diversion would create/maintain about the same amount of land as was built in Atchafalaya Bay with roughly 1/7 the water flow, in about 1/2 the time, and with less sediment-rich water in an environment of accelerating sea-level rise. Even considering the factors that limited land building in Atchafalaya Bay, the proposed Project is unlikely to create/maintain land at roughly 14 times the rate observed in Atchafalaya Bay. [References provided]**

**Blum, M.D., Roberts, H.H., 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

**Response ID: 16054**

While commenters have described real-world examples that by comparison suggest the proposed Project would not produce the land gains projected by the model, observed examples from other basins are not necessarily more reliable than numerical models. Multiple lines of evidence were used in development of the EIS, including professional field experience in coastal Louisiana, reviews of available scientific literature and the results of the Delft3D Basinwide Model, which are based on the site-specific conditions and design parameters of the proposed Project. These approaches have respective strengths and weaknesses such that they can be used in a complementary fashion to develop more reliable

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results than any one method alone. That complementary use was employed in preparing the EIS. The literature cited by the commenters has been reviewed (specifically, Blum and Roberts 2009) and that reference was considered in development of the EIS. The Delft3D Basinwide Modeling accounts for Mississippi River sediment supply as described in Appendix E Delft3D Modeling of the EIS, Sections 5.2.2 and 8.

Further, the Delft3D Basinwide Model incorporates inundation depths in the critical vegetation parameters to simulate vegetation losses and gains as a result of the diversion, as well as other sources of inundation (such as subsidence and sea-level rise). A summary of select natural and man-made diversions in southeastern Louisiana, including those in Atchafalaya Bay, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes the cited reference, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

The likelihood of success of the proposed Project and information from other freshwater diversions was considered in the LA TIG's Draft Restoration Plan; therefore, no related edits have been made to the Final Restoration Plan. Chapter 3, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the LA TIG's Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer models used to analyze Project benefits fully consider the geomorphological features of the Lower Mississippi River, including data and knowledge gained from the referenced project.

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**Concern ID: 63049**

**Models are useful tools but are not as reliable as real-world observations. The West Bay Sediment Diversion project was constructed in 2003, originally designed to divert an average discharge of 20,000 cfs. By 2008, the flow had increased substantially, and in 2009 to 2011, measured flows were equal to 8.4 to 9.5 percent of Mississippi River flows (Sharp et al. 2013). Discharges into West Bay at moderate river flows of 551,000 cfs peaked in 2009 at about 42,000 cfs, and declined in the 2009 to 2014 period to about 24,700 cfs (Allison et al. 2017). The operational plan for the proposed Project, as described in the EIS, would result in a flow of about 34,000 cfs at the same moderate Mississippi River flow of 551,000 cfs, or about midway between the high and low West Bay discharges of 2009 to 2014. A report produced by the State of Louisiana CPRA stated that while the West Bay project area gained a total of 557 acres from 2002 to 2014, much of that gain can be attributed to beneficially placed material.**

**Approximately 665 acres of material had been placed within the land/water analysis boundary at the time of the 2014 survey, versus the 557 acres determined via land/water analysis (Plitsch 2017). This lack of land building by the diversion of river water into West Bay for 10 years took place even though Grand Pass is another important source of sediment to the bay (Kolker 2012). Yet the Mid-Barataria EIS projects a land gain of 6,260 acres in the Barataria Basin relative to the No Action Alternative in the first 10 years (Table 4.2-4), with rates of discharge comparable to the West Bay project. [References provided]**

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Allison, M.A., Yuill, B.T., Meselhe, E.A., Marsh, J.K., Kolker, A.S., Ameen, A.D. 2017. Observational and numerical particle tracking to examine sediment dynamics in a Mississippi River delta diversion. *Estuarine, Coastal and Shelf Science* 194 (2017) 97-108.

Kolker, A.S., Miner, M.D., Weathers, H.D., 2012. Depositional dynamics in a river diversion receiving basin: the case of the West Bay Mississippi River Diversion. *Estuar. Coast. Sci.* 106, 1-12.

Plitsch, E., 2017. 2016 Operations, Maintenance, and Monitoring Report for West Bay Sediment Diversion (MR-03), Coastal Protection and Restoration Authority of Louisiana, New Orleans, Louisiana.

Sharp, J., Little, C., Brown, G., Pratt, T., Heath, R., Hubbard, L., Pinkard, F., Martin, K., Clifton, N., Perky, D., and Ganesh, N. (2013). West Bay Sediment Diversion Effects, ERDC/CHL Technical Report 13-15, Vicksburg, Mississippi.  
[http://acwc.sdp.sirsi.net/client/en\\_US/search/asset/1032362](http://acwc.sdp.sirsi.net/client/en_US/search/asset/1032362)

**Response ID: 16055**

USACE notes that commenters have described real-world examples that by comparison suggest the proposed Project would not produce the land gains predicted by the model. USACE disagrees with the assertion that examples from other basins are more reliable than numerical models. Multiple lines of evidence were used in development of the EIS, including professional field experience in coastal Louisiana, reviews of available scientific literature and the results of the Delft3D Basinwide Model. However, the model is based on the site-specific conditions and design parameters of the proposed Project. These approaches have strengths and weaknesses such they can be used in a complementary fashion to develop more reliable results than any one method alone. That complementary use was employed in preparing the EIS. The USACE and the LA TIG have reviewed the literature cited by the commenters, including Allison et al. 2017, Kolker et al. 2012, Plitsch 2017, and Sharp et al. 2013 and those references have been added as applicable. A summary of select natural and man-made diversions in southeastern Louisiana, including the West Bay Sediment Diversion, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes the cited references, is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation." (Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005>).

The likelihood of success of the proposed Project and information from other freshwater diversions was considered in the LA TIG's Draft Restoration Plan. More specifically, Chapter 3, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the LA TIG's Restoration Plan address the likelihood of success of the

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proposed Project and other action alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer models used to analyze Project benefits fully consider the current geomorphological features of the Lower Mississippi River, including data and knowledge gained from the referenced project.

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**Correspondence ID:32221**

Form Letter 20

The project would kill the livelihoods of the residents that work in the fishing industry. The waters from the Mississippi River doesn't mix with the species that lives in the salt water. Plaquemines Parish residents always seems to be having the short end of the stick, BP Oil Spill greatly affected the parish and got little to help from the State or BP. I don't even think the people of Plaquemines Parish are being heard by the state and CPRA.

They did smaller size test like opening the Bonne Carre Spillway for over 100 days and some of the people on boats found over 30 dolphins dead because of the fresh river water.

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**Concern ID: 61957**

**Commenters are concerned with the lack of inclusion by CPRA. The CPRA held meetings, reached out to local communities throughout the process; however, the CPRA ignored most, if not all, of the input they received from the communities, shrimpers, crabbers, oyster fisherman, and others.**

**Response ID: 15903**

Chapter 7 Public Involvement of the Final EIS includes a summary of meetings that CPRA held with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1, which has been revised since the release of the Draft EIS in response to public input, for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRa has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRa has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62683**

**Commenters from Plaquemines Parish noted that they feel shortchanged; while the impacts of the oil spill are in their parish, they have not had the help from the State or BP.**

**Response ID: 16501**

An overview of the impacts of the oil spill on Plaquemines Parish can be found in Section 2.1 (Parish and Community Descriptions) of the Socioeconomics Technical Report (Appendix H1 to the EIS). Effects were most evident in ethnically diverse (for example, Black, Native American, Asian, and Cajun and Creole) south Plaquemines Parish, where the economy relies mainly on the oil industry and fisheries. The EIS evaluates the anticipated impacts of the proposed MBSD Project on the human environment (including ecological, economic, cultural, and social resource effects); that analysis includes looking at the existing conditions of various natural and socioeconomic resources that were affected by the DWH oil spill (see

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EIS Chapter 3 Affected Environment and Appendix H1 Socioeconomics Technical Report). The EIS projects that the diversion would have both adverse and beneficial impacts on Plaquemines Parish resources affected by the oil spill (see EIS Chapter 4 Environmental Consequences and Appendix H1 Socioeconomics Technical Report). The state's or BP's post-spill assistance to the residents of Plaquemines Parish is beyond the scope of the EIS. The LA TIG acknowledges the commenters' concern that Plaquemines Parish has not received help after the impacts of the DWH oil spill. As described in the LA TIG's Restoration Plan, the LA TIG selected the location of the Project in the Mid-Barataria Basin in Plaquemines Parish because this location is close to oiled shorelines but farther away from additional erosive forces found in the Lower Barataria Basin.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

**Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on "Effects of Low Salinity Exposure on Bottlenose Dolphins," 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>**

**Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.**

**McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.**

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented,

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impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would

be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:32233**

Roseanne Guerra

I support the Mid-Barataria Sediment Diversion. I am a native Louisianan, daughter of a big-oil geologist, and a professional naturalist. I feel preserving the LA coast is worth any cost.

Thank you,

Roseanne Guerra

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:33834**

Diane Kastel

Dear U.S. Army Corps of Engineers, New Orleans District,

Our family is in support of the "Mid-Barataria Sediment Diversion", the single-largest, ecosystem restoration project in the history of the U.S. Our family is telling the "U.S. Army Corps of Engineers" that we strongly support restoration of Louisiana's Barataria Basin.

Eleven years ago, the "Deepwater Horizon" exploded, killing 11 people, and, eventually, spilling millions of gallons of oil into the Gulf of Mexico. It became the largest environmental disaster in U.S. history that resulted in the deaths of as many as one million birds!

The oil spill exacerbated a dire, land-loss crisis. Since the 1930's, the Barataria Basin, an estuary in southeastern Louisiana, near New Orleans, has lost, nearly, 295,000 acres of land, displacing communities, threatening, critical, infrastructure and jobs, and, devastating habitat for birds, and, other wildlife. Forty percent of North America's migratory bird species depend on this, disappearing, habitat.

Barataria Basin was, also, ground zero for the oil spill, causing wetlands to disappear three times faster than the rest of the state. You, now, have an opportunity to restore some of the damaged habitat.

Wildlife, fisheries, and beautiful natural places are at risk of complete collapse without large-scale natural infrastructure restoration projects like the "Mid-Barataria Sediment Diversion". Natural infrastructure is engineering with nature-restoring, and, mimicking, natural, landscapes, like wetlands, to provide bird habitat, buffer coastal communities against flooding, and, absorb carbon pollution-a win-win-win for birds and people.

This project will build more wetlands than any other, individual, restoration project in the world. By reconnecting the Mississippi River with its marshes, the sediment, diversion will mimic the natural, spring floods that, once, replenished the marshes, benefiting birds, wildlife, and, fisheries.

This innovative project is a crucial first step in turning the tide on the state's land loss crisis and protecting vulnerable communities from hurricanes and sea-level rise, while also ensuring the long-term health of the ecosystem in the face of a changing climate and coast.

Our family is telling the "U.S. Army Corps of Engineers" that we strongly support restoration of Louisiana's Barataria Basin.

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The "Mid-Barataria Sediment Diversion" is essential to rebuild vital habitats on which these birds depend.

We support the preferred alternative as outlined in the draft "Environmental Impact Statement" for the "Mid-Barataria Sediment Diversion". We, also, support the proposal in the draft "Restoration Plan" to use funds from the "Deepwater Horizon Oil Spill" settlement to implement this project, which will help to restore the, overall, health of the ecosystem that was injured as a result of the oil spill.

With that in mind, we ask the following of the "U.S. Army Corps of Engineers" and the "Louisiana Trustee Implementation Group":

\*Select the preferred alternative in the "Draft Environmental Impact Statement" for the "Mid-Barataria Sediment Diversion".

\*Fund the project using "Deepwater Horizon" settlement dollars as outlined in the draft "Restoration Plan".

As the project advances, we urge federal and state decision-makers to consider the following:

\*Commit to developing a, robust, adaptive management program that incorporates knowledge gained from monitoring the project over time, and, also, considers input from key stakeholders.

\*Work, proactively, and, collaboratively, with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed, and, transparent, as possible, throughout the mitigation planning process.

Thank you for considering our import comments.

Sincerely,

DIANE KASTEL

Wheaton, IL 60189

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer

to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin**

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**where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

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Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:34386**

Stan Barnes

Dear U.S. Army Corps of Engineers, New Orleans District,

I live in Washington State and recently stayed a week at Malheur Wildlife refuge in Central Oregon. we identified 39 bird species and photographed 20. While we were happy to see that many birds, their numbers were fewer than in recent years.

Bird populations have declined significantly, as many as 3 BILLION lost. They are the literal canaries in our less-coal but still threatened lives.

Please assist the local effort to re-wild the Blitzen and other rivers in and near Malheur.

There is yet more to do:

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Stan Barnes

Mercer Island, WA 98040

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**Concern ID: 61741**

**Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40 percent of all migratory birds in North America spend a part of their life in coastal Louisiana.**

**Response ID: 16162**

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The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment. The use of Louisiana's coastal habitats by a large diversity of birds is discussed in Chapter 3, Section 3.9.3 in Terrestrial Wildlife of the EIS. The benefits that the Project would provide to birds are discussed in Chapter 4, Sections 4.9 Terrestrial Wildlife and Habitat and 4.12 Threatened and Endangered Species of the EIS.

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive

management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter,

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including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project

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alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62359**

**Commenter requests assistance with the local effort to re-wild the Blitzen and other rivers in and near Malheur to protect birds.**

**Response ID: 15849**

Comment noted. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta in Louisiana.

**Correspondence ID:34979**

Mary Hogan

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

I am a Catholic Christian who takes the protection of life very seriously. This includes our environment, the home where people live. Birds and other wildlife are an indicator of the health of the environment. They are also a joy to behold, for conservatives and liberals alike. Many conservative-membership hunting and fishing groups support environmental protection for birds and fish and other animals. Protection for wildlife protects the environment, which makes our food supply and farmers livelihoods more secure. As it stands, our food supply is starting to be threatened by loss of pollinators and the dwindling diversity of species caused by lack of care for our environment. The environment is not a partisan issue on the level of individuals, and therefore it should not be a partisan issue in congress. Also, there are many jobs to be had in clean energy and green waste solutions. We support both people and jobs by supporting the environment, and that includes protection of endangered species and migratory birds.

Thank you for considering my comments.

Sincerely,

Mary Hogan

Easton, PA 18040

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**Concern ID: 61756**

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**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

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The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62346**

**Restoring and protecting these wetlands into the future would provide significant positive impacts for birds (in terms of nesting and feeding sites), and humans (in terms of tourism dollars and mental well-being). Projects like these are critical for wildlife and serve as a means to bring people together.**

**Response ID: 15791**

The Draft EIS acknowledged the benefits of the proposed Project to wetlands and birds. See EIS Chapter 4, Section 4.6 Wetlands and Waters of the U.S. and 4.9 Terrestrial Wildlife and Habitat for a description of those benefits. The proposed Project's anticipated effects on communities are discussed in EIS Chapter 4, Section 4.13 Socioeconomics and 4.16, Recreation and Tourism.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its

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potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:35243**

Marjie Estivill

Dear U.S. Army Corps of Engineers, New Orleans District,

Dear Army Corps of Engineers et alia with reference The Mid-Barataria Sediment Diversion: Here is one more bird-lover weighing in on how you folks use the Deep Horizon Oil Spill settlement funds!

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I also ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group to consider this point as a priority for administering these habitat rebuilding projects:

Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Watching the Gulf coast ecosystems collapse from development and the oil spill makes me 'go easy into the night,' but my kids are furious that their generation will have to watch the collapse of ecosystems that will bring chaos to natural systems that sustain us.

Sincerely,

Marjorie Estivill

Davenport, Iowa

Sincerely,

Marjie Estivill

Davenport, IA 52803

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**Concern ID: 62008**

**The commenter expressed concern that the DWH oil spill and development are causing the Gulf Coast ecosystem that sustains us to collapse.**

**Response ID: 16165**

The concerns raised by the commenter were considered in the Draft EIS. Chapter 3, Section 3.1.4 Overview and History of the Project area provides an overview of the adverse impacts that the DWH oil spill and development have had on wetland habitat in the Project area.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision**

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**making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

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The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:35927**

Amy Elliott

Dear U.S. Army Corps of Engineers, New Orleans District,

I am writing today on behalf of the more than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in our precious and beloved coastal Louisiana.

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend. LETS GET THIS HABIT RESTORED!

I support the PREFERRED ALTERNATIVE as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

I also support the proposal in the draft Restoration Plan to USE FUNDS FROM THE DEEPWATER HORIZON OIL SPILL settlement to implement this project! These funds should be used to heal and restore the injury caused by the as oil spill.

U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments. Much love and hope for our children and grandchildren to enjoy the natural wonders of our beautiful United States including the gulf! WE CAN DO THIS! FOR THE BIRDS! FOR CHILDREN! FOR THE USA!

Sincerely, Amy Elliott, [REDACTED]

Sincerely,

Amy Elliott

Durham, NC 27705

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment

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Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

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**Concern ID: 63337**

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**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:36080**

Douglas Meloche

Dear U.S. Army Corps of Engineers, New Orleans District,

Our environmental ancestors need real action. Let us not stand idly by as our planetary diversity is in decline. Protect Life for Allus

Sincerely,

Douglas Meloche

Saint Louis, MO 63116

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**Concern ID: 62333**

**Please support the restoration of vital wildlife habitat along the Gulf Coast.**

**Response ID: 15842**

The commenter's desire for habitat restoration is acknowledged.

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**Correspondence ID:36606**

Arlene Steinberg

Dear U.S. Army Corps of Engineers, New Orleans District,

Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I STRONGLY support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also STRONGLY support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Wildlife, fisheries, and beautiful natural places are at risk of complete collapse without large-scale natural infrastructure restoration projects like the Mid-Barataria Sediment Diversion. Natural infrastructure is engineering with nature-restoring and mimicking natural landscapes like wetlands to provide bird habitat, buffer coastal communities against flooding, and absorb carbon pollution-a win-win-win for birds and people.

This project will build more wetlands than any other individual restoration project in the world. WHAT A GROUNDBREAKING, ADVANCED IDEA! By reconnecting the Mississippi River with its marshes, the sediment diversion will mimic the natural spring floods that once replenished the marshes, benefiting birds, wildlife, and fisheries.

Since the 1930s, the Barataria Basin in southeastern Louisiana in New Orleans has lost nearly 295,000 acres of land, displacing communities, threatening critical infrastructure and jobs, and decimating habitat for birds and other wildlife. This innovative project is a crucial first step in turning the tide on the states land loss crisis and protecting vulnerable communities from hurricanes and sea-level rise, while also ensuring the long-term health of the ecosystem in the face of a changing climate and coast.

Thank you for considering my comments.

Sincerely,

Arlene Steinberg  
Philadelphia, PA 19115

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

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websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public

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through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:36918**

Gael Bissell

Dear U.S. Army Corps of Engineers, New Orleans District,

As a retired wildlife biologist who did countless environmental impact reports on scores of projects, I strongly believe in value of public comment. This is an incredible project in an area of great restoration need. Perhaps it will lead to many other future wetland restoration projects in the Mississippi and other major rivers where sediment has been cut off from deltas and shorelines.

I strongly support the Mid-Barataria Sediment Diversion as we need this source of sediment to rebuild wetlands that have been lost to erosion, channelization, development, and rising sea levels. These wetlands are desperately needed to restore habitats for birds plain and simple. Birds are our "canaries in the coal mine" and when their numbers decline, it is clear we are next.

I support the preferred alternative as outlined in the draft Environmental Impact Statement. I also support the proposal to use funds from the Deepwater Horizon Oil Spill settlement to restore wetlands in this impacted ecosystem.

I encourage the Corps and other agencies to consider the following:

1. Developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.
- 2 Working proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

Gael Bissell

Kalispell, MT 59901

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public



through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:37638**

James Field

Dear U.S. Army Corps of Engineers, New Orleans District,

Eleven years ago, the Deepwater Horizon exploded, killing 11 people and eventually spilling millions of gallons of oil into the Gulf of Mexico. It became the largest environmental disaster in U.S. history that resulted in the deaths of as many as one million birds.

The oil spill exacerbated a dire land-loss crisis. Since the 1930s, the Barataria Basin, an estuary in southeastern Louisiana near New Orleans, has lost nearly 295,000 acres of land, displacing communities, threatening critical infrastructure and jobs, and devastating habitat for birds and other wildlife. Forty percent of North America's migratory bird species depend on this disappearing habitat.

Barataria Basin was also ground zero for the oil spill, causing wetlands to disappear three times faster than the rest of the state. We now have an opportunity to restore some of the damaged habitat.

I strongly support of the Mid-Barataria Sediment Diversion, the single-largest ecosystem restoration project in the history of the U.S.

Wildlife, fisheries, and beautiful natural places are at risk of complete collapse without large-scale natural infrastructure restoration projects like the Mid-Barataria Sediment Diversion. Natural infrastructure is engineering with nature-restoring and mimicking natural landscapes like wetlands to provide bird habitat, buffer coastal communities against flooding, and absorb carbon pollution—a win-win-win for birds and people.

This project will build more wetlands than any other individual restoration project in the world. By reconnecting the Mississippi River with its marshes, the sediment diversion will mimic the natural spring floods that once replenished the marshes, benefiting birds, wildlife, and fisheries.

This innovative project is a crucial first step in turning the tide on the state's land loss crisis and protecting vulnerable communities from hurricanes and sea-level rise, while also ensuring the long-term health of the ecosystem in the face of a changing climate and coast.

U.S. Army Corps of Engineers, I believe that there is overwhelming public support for restoration of Louisiana's Barataria Basin because Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I completely support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

james field

El Paso, TX 79912

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin**

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**where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:38075**

Joseph Delatte

Dear U.S. Army Corps of Engineers, New Orleans District,

Please help to save our livelihood, our recreation areas, and, most of all, our heritage- - for our children and grandchildren.

Thank you for considering my comments.

Sincerely,

joseph delatte

Baton Rouge, LA 70808

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**Concern ID: 62348**

**Commenters note that humans should be good stewards of our environment as it supports life on earth, and note some of the benefits of ecosystem restoration.**

**Response ID: 15792**

Comment noted. The Draft EIS considered the various effects of the Project on the natural and human environment.

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**Correspondence ID:38913**

Carine Newberry

Dear U.S. Army Corps of Engineers, New Orleans District,

Please take advantage of this amazing opportunity to restore this amazing habitat!!

Thank you !

Carine Newberry

Sincerely,

Carine Newberry

Oakton, VA 22124

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**Concern ID: 63338**

**The proposed Project would bring back vital habitat along the Gulf Coast, including wetlands that would support a huge variety of birds and other wildlife.**

**Response ID: 16295**

The commenter's support for the proposed Project is noted. Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS explained the beneficial (and adverse) impacts of the proposed Project on various avian and terrestrial species. As also explained in the LA TIG's Restoration Plan in Section 3.2.1.6, the proposed Project is intended to improve habitat for birds and other coastal and living marine resources.

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**Correspondence ID:39045**

Stephanie Enclade

I oppose the Mid-Barataria Sediment Diversion. Just last week our roads were flooded due to strong south winds for days. This project will flood us even more, by the time the roads are raised to accommodate the level of water we will see it will be too late. The houses that are not raised will be flooded by this man made diversion in addition to the flooding caused by mother nature. It will also affect my family directly as my husband is a commercial fisherman with a smaller vessel. He will no longer be able to work in areas close to our house because of this diversion. It is being called a sediment diversion but based on the executive summary it is not a sediment diversion. I am still perplexed that NOAA would allow a diversion such as this that will kill dolphins. Past projects have proven to fail and has created many dead zones. You can't change to name of a diversion to try to "sell" it to property owners and business that will be affected. Please reconsider.

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**Concern ID: 61863****Based on the Executive Summary, the proposed MBSD Project is not a sediment diversion.****Response ID: 15933**

Section ES.3 of the Executive Summary describes the proposed Project: "The proposed Project evaluated in this EIS is a controlled sediment and freshwater intake diversion structure in Plaquemines Parish on the right descending bank of the Mississippi River at river mile (RM) 60.7, with a conveyance system that would discharge sediment, fresh water, and nutrients from the Mississippi River into an outfall area within the mid-Barataria Basin in Plaquemines and Jefferson Parishes." The MBSD Project is fully described and discussed in the body of the EIS, particularly Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis where the Project components are described in detail.

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**Concern ID: 62085****Concerns were raised that the proposed MBSD Project would affect fishermen with smaller vessels. Fishermen would have to travel farther towards the Gulf in their boats to catch some species such as speckled trout, and brown and white shrimp. Most inshore fishing vessels are not large enough or equipped to go any further outside the basin.****Response ID: 16249**

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts on brown shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential adaptive responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, as well as increasing the length of fishing trips. CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS

(Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

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potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

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**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the

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Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63628**

**A commenter expressed confusion as to why NOAA would allow a diversion that would kill dolphins.**

**Response ID: 16602**

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver.

The concerns raised by the commenters regarding the impacts to dolphins were considered in the LA TIG's Draft Restoration Plan. The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland

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loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (see Section 2.0 [Restoration Planning Process] of the Restoration Plan). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin. Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats (see Section 1.1 [Background and Summary of the Settlement] in the Restoration Plan).

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

With regard to the Marine Mammal Protection Act (MMPA), the Bipartisan Budget Act of 2018, Public Law 115-123 included a requirement that the Secretary of Commerce, as delegated to the Assistant Administrator of the NMFS, issue a waiver of the MMPA moratorium and prohibition for three projects, including the proposed MBSD Project. Accordingly, NMFS issued the waiver on March 15, 2018.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is

possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39095**

Christopher Leopold

I own 2 properties in Happy Jack, Louisiana: [REDACTED]

Port Sulphur, La. 70083

The projected increase in the average water level/tide can best be mitigated by raising the road

which give us access to my property, Martin Lane. Additionally, raising the homes to the recently

accepted flood elevations would be in lines since I don't think the additional water level projections

were included in the recently accepted flood maps. Docks etc. as well.

Respectfully submitted,

Chris Leopold

Property owner in affected area

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a

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combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39183**

Joanna Cappiello-Leopold

I humbly ask to reject permitting for the mid-Barataria Diversion plan. It is imperative that a supplemental EIS due to the lack of specificity concerning this proposal to the residence, parish and fishing communities be submitted. There may have been 265 meetings held however; those meetings were conducted with. No question/answer sessions and the residents specifically have just been notified of the impact and possible mitigation. These meetings were held with NO notifications of the possibility of "drowning" our property. If there is no supplemental EIS introduced we personally will lose thousands of dollars as our property will lose its value before we can get it appraised or put on the market. The amount of money that the CPRA has will not be able to compensate proper mitigation for the communities effected.

This is not including the fisheries that will suffer nor the economic impact it will be to Plaquemines Parish as a whole.

Sincerely

Joanna Cappiello-Leopold

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**Concern ID: 61955**

**Commenters are concerned that all those that are impacted may not be aware of the proposed Project, its impacts, or potential mitigation. There are many people that may not have the knowledge, time, or resources to be deeply involved in these issues, but who also have a stake in what is happening. Consider the needs of these people in making a decision about moving this proposed Project forward. If this proposed MBSD Project and similar projects move forward consider opportunities to better engage people across Louisiana's coast in the value of projects like these and why they are crucial to the future of our region.**

**Response ID: 15900**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and the LA TIG conducted public outreach and provided public comment opportunities throughout the development of the Draft EIS and the LA TIG Draft Restoration Plan. Details on USACE's and the LA TIG's outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and provision of

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hard copies of the Executive Summary and other materials to local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. Throughout the public comment period and concurrent with the preparation of the Final EIS and LA TIG's Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups.

This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented.

Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA

had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net

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benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits

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prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near

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the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or

will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62017**

**Commenter requests a supplemental EIS due to the lack of specificity concerning this proposal to the residence, parish, and fishing communities.**

**Response ID: 16220**

The issues raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS and a supplemental EIS is not warranted. The EIS includes analysis of socioeconomic impacts, including increased flooding impacts, on affected

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communities. Sections 4.13 Socioeconomics, 4.14 Commercial Fisheries, 4.15 Environmental Justice, and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction provide detailed analyses of impacts from the proposed MBSD Project. Projected increased flooding in the communities surrounding the diversion is discussed in Section 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction. The Socioeconomics section evaluates impacts on economy, employment and business activity, population, housing, taxes, public services, community cohesion and protection of children in light of the best data available to USACE and the LA TIG to evaluate the impacts over the 50-year analysis period. The EIS also contains separate analysis of impacts on commercial fisheries and on minority and low-income populations, including a table (Table 4.15-1) that summarizes individual communities and the potential impacts. In addition, the Socioeconomics Technical Report in Appendix H provides additional details. Appendix P: Flood and Storm Hazards Evaluation provides additional details on the flood modeling and impacts.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

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Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final

EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39233**

Judith Stone

Dear U.S. Army Corps of Engineers, New Orleans District,

The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which birds depend.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Thank you for considering my comments.

Sincerely,

Judith Stone

Sebastopol, CA 95472

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**Concern ID: 62892**

**The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.**

**Response ID: 16191**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed



Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39343**

Plaquemines Parish Government

Mark Cognevich

My name is Mark Cognevich. I am the councilman from district 9 in Plaquemines Parish. I am also the President of the Plaquemines Parish Historical Association. I am 100% against this project. Diversion do not work. I can prove through history that diversion do not work. I have maps from the 1700 and can show you that they do not work. Yes the river did build all of the land we have here now but this is not the same river today. I am willing to sit down and explain what I know through history. You can email me anytime for a meeting. I passed a resolution and was passed unanimously bye the council against the diversion.

Thank you

Mark Cognevich

District 9 Councilman

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**Concern ID: 62433****Commenter noted that a resolution was passed unanimously by the Plaquemines Parish District 9 Council against the diversion.****Response ID: 15946**

The commenter's input is acknowledged. The resolution is included in the Project record.

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**Concern ID: 62659****The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.****Response ID: 16632**

The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62660**

**Commenters stated that the proposed Project will not provide the benefits described in the Draft Restoration Plan and EIS. The proposed Project will not stop the problems of sea-level rise and marsh erosion.**

**Response ID: 16633**

How sea-level rise and marsh erosion would affect the proposed diversion's land-building capability has been considered in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils. In addition, sea-level rise and subsidence are explicitly accounted for in the Delft3D Basinwide Model projection of Project impacts, as described in Sections 3.2.4 and 3.2.3, respectively, of EIS Appendix E (Delft3D Modeling).

The potential benefits of the Project and how those benefits relate to sea-level rise and marsh erosion have also been considered in the LA TIG's Draft Restoration Plan. The LA TIG agrees that the Project would not stop sea-level rise, subsidence or other erosive forces that result in marsh erosion. However, the Project is designed to counteract these forces by transporting sediment from the Mississippi River to create thousands of acres of marsh that would be sustained over decades, even in the face of erosion and rising sea levels (see Section 3.2.1.6 [Benefits Multiple Resources] in the Restoration Plan).

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**Concern ID: 62659**

**The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.**

**Response ID: 16632**

The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:39401**

Cacey Wilken

Dear U.S. Army Corps of Engineers, New Orleans District,

This is a critical project that will help so many communities and wildlife. We all need natural spaces to be restored.

Sincerely,

Cacey Wilken

Lincoln, NE 68508

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39405**

Jim Tripp

The MBSD as a vital component of any effective Delta restoration program. We strongly support the Mid-Barataria Basin Sediment Diversion (MBSD) as the most important Delta restoration project currently under consideration, designed, as Denise Reed, PhD geomorphologist, so aptly says, to replicate natural processes. The initial draft of Here Today and Gone Tomorrow, released in March 1987 by a diverse group of citizens that became the Coalition to Restore Coastal Louisiana, emphasized the critical importance of this project, at the time referred to as the Myrtle Grove sediment diversion project. It has been a key restoration project in the first three State Coastal Master Plans and virtually every state of Louisiana and Army Corps of Engineers report dealing with Delta restoration over at least the past three decades. For a long time, there has been scientific consensus that sediment diversions such as the MBSD are necessary components of any effective Delta restoration plan.

The Corps, as the federal agency responsible for issuing Clean Water Act Section 404 and 1899 Rivers and Harbors Act Section 408 permits, has prepared a draft Environmental Impact Statement (EIS) in cooperation with NOAA and the TIG agencies that oversee distribution of Deepwater Horizon natural resource damage penalties that have been allocated to Louisiana and Delta restoration. The draft EIS is overall well-written, comprehensive and well-organized, with many tables chock full of data and analyses that are very useful in terms of grasping the range of benefits and impacts of the proposed MBSD.

The Mississippi River (MSR) Delta, the seventh largest in the world, was built up by sediments distributed by several alignments (draft EIS 3.10 at 3-97) over a period of 7,000 years. With the completion of the Lower MSR flood control and navigation levees following the historic flood of 1927, the integrity of the Delta was sacrificed to a state and national flood control and navigation program that has benefited huge numbers of citizens, businesses, municipalities and states in the MSR watershed. However, starved of inputs of sediments of all sizes - sands, silts and clays - - the Delta has been subsiding and eroding. While sediment starvation is not the only cause of deltaic deterioration, with wetlands being converted to open water, it has accentuated the land loss impacts of other causes, including the construction of oil and gas pipeline and equipment canals and development encroachments, in that it has led to widespread structural weakening and thinning of wetlands. The applicable medical term to describe this condition is Delta osteoporosis.

The MBSDs Delta overlapping restoration, levee protection, flood control and navigation benefits. This vast wetland loss has not only significant adverse consequences for Delta ecology and its remarkable fish and wildlife resources, but also for the physical integrity of this flood control and navigation system. As Steve Stockton commented in the last decade when he was serving as the highest civilian employee of the Corps of Engineers: Either we will control the River, or the River will control us.

Sediment diversions as part of a comprehensive restoration program are prerequisites to controlling the Lower Mississippi River. A sediment diversion such as the MBSD contributes to and furthers the three major purposes of Delta restoration and the maintenance of the flood control and navigation functions of the Lower Mississippi River (MSR).

USGS studies have documented the capacity of wetlands relative to open water in the coast to depress storm surge and wave height and energy and thus to buffer levees such as those along the Lower MSR. The continuing loss of Delta wetlands in the Barataria Basin will increase the vulnerability of these Lower MSR levees to storm impacts. The draft EIS mentions a reduction in storm surge of 0.5 to one foot north of the MBSD but could say more about the consequence and benefits of that decrease.

In addition, operation of the MBSD conveying up to 75,000 cfs from the Lower MSR into the Basin during flood stages has the capacity to reduce flood stages and the tendency of the Lower MSR to re-meander through bank caving with attendant benefits for the structural integrity of the levee system both downstream and upstream, including the levees of the greater New Orleans area. These impacts of a properly operated MBSD will thus contribute to the stability of the current alignment of the navigation channel below New Orleans to the mouth. The EIS could be improved by providing quantitative estimates of these stage reductions and attendant benefits in terms of preventing damage to the navigation and flood control levees. The MBSD is also well sited at River Mile 60.7 at a point bar at the inside bend that should result in a beneficial ratio of sediment to water diverted of 1.12 compared to that ratio in the MSR at that location of 1.

The capacity of diversions to restore, strengthen and prevent erosion and collapse of wetlands is evident from the experience in the state of existing diversions, including freshwater diversions such as Davis Pond and Caernarvon, uncontrolled sediment diversions such as Mardi Gras Pass, Fort St. Philip and West Bay, and the Bonnet Carre Spillway as a controlled diversion with a healthy wetland ecosystem in its spillway, sadly coupled with the deplorable waste of huge amounts of sediment that get dumped in Lake Pontchartrain. A physical inspection of the receiving areas for these diversions shows retention of existing and newly created wetlands, sediment deposits and vibrant ecosystems.

With respect to the Davis Pond and Caernarvon diversions that overwhelmingly convey finer-grained silts and clays, the critical importance of those sized sediments is graphically apparent. Since those classes of sediments make up at least two-thirds of the sediments that the MBSD is expected to transport into the Basin (draft EIS Table 2.4-2), these experiences serve as a telling example of what the MBSD will do in terms of strengthening and building up wetlands that can filter and capture the finer-grained sediments that it will convey. While the draft EIS presents data about the quantity of these finer-grained sediments, the discussion about the areal distribution and role of these sediments in terms of maintaining and strengthening wetlands that are deteriorating could be improved.

It may be the case that the projections in the draft EIS of 17,500 acres of new land cover by 2050 (Executive Summary - 7) include not only wetlands that will result from open water elevation buildup by sands but also those wetlands that would be expected to capture fine-grained materials and that would thus be maintained and saved from drowning, but that discussion lacks clarity. It is the total quantity of sediment that is conveyed and distributed that is the key factor. Building up elevation in open-water areas in proximity to the outfall structure with sand is important, but only a modest impact of the anticipated sediment transport. The large fraction of silts and clays that a sediment diversion will convey highlights a marked difference with marsh creation that entails largely the movement and placement of sand that can be readily dredged. That is why sediment diversions are so vital to restoration efforts where they are feasible. Further, since the MBSD will convey silts and clays with the

energy of the River water diverted, it will distribute those sediments and provide support for wetlands over a large area of the Central Barataria Basin, perhaps as distant as Bayou Lafourche.

The historic and future context for assessing the MBSD as a restoration project for purposes of NEPA, the CWA and the MMPA. The central purpose of the MBSD in light of its natural resource damage funding source is to offset damage caused to the Barataria Basin as a result of the Deepwater Horizon oil spill in 2010. However, the draft EIS also notes that an associated purpose is building and protecting wetlands with a view to restoration of parts of the Basin. What does it mean for the MBSD to be a Delta restoration project? A central goal of the federal Clean Water Act, the Section 404 regulations and NEPA is the restoration and maintenance of the chemical, physical and biological integrity of the nations waters, including the Barataria Basin. The Marine Mammal Protection Act recognizes as a key policy that the primary objective of the management of marine mammal species should be to maintain the health and stability of the marine ecosystem. 16 U.S.C.(6). The MBSD is designed to further these goals and objectives.

The draft EIS could highlight the significance of these restoration processes in terms of presenting information about what the Barataria Basin looked like 80 to 100 years ago as well as what it could look like in the future up to 2070. Draft EIS maps indicate that the Basin in the early 1900s had an extensive web of wetlands with only modest pockets of open water and that the Basin has lost 276,000 acres or almost 30% of its wetlands since the 1930s (draft EIS 3-241 and 4-218), but little information is presented about salinity levels and the distribution of a range of shellfish, marine and freshwater fish and other kinds of wildlife that will be impacted by the operation of the MBSD earlier in the 20th century. Without this broad temporal context, the restorative function of the MBSD may not be as clear as it should be. The fact is that, in broad brush, the physical, chemical and biological impacts of the MBSD will be restorative in the sense of making parts of the Basin more like what they were in past decades and retarding the rate of deterioration in terms of loss of wetlands and saltwater intrusion compared to no action.

One could surmise based on recent trends that the salinity levels in the Basin were significantly lower and that the distribution of eastern oysters or brown shrimp in the central Basin that do not respond well to freshwater was markedly different in past decades going back to the Flood Control Act of 1928 from what it is today. What was the distribution of bottlenose dolphins, eastern oysters and brown shrimp in the 1930s and in subsequent decades? The current distribution of these species that responds to todays salinity ranges is likely quite different from what it was earlier in the 20th century and reflects deteriorating wetland and water quality conditions characterized by wetland loss, steadily increasing amounts of open water and saltwater intrusion. Insofar as the MBSD will lower salinity levels and retard saltwater intrusion, it is performing its restorative function. This is not to downplay the socioeconomic consequences to those who depend on or have become accustomed to todays conditions, but it is to place those consequences in a proper historic context.

Thus, while the impacts of sediment and freshwater conveyed by the MBSD on water quality and various species of shell and finfish and dolphins are real, they are, in some cases where those impacts are strongest, returning the distribution of these species back to where they were at various points in the past. In other words, the directionality of impacts is restorative in



nature and in furtherance of the goals of the Clean Water Act, NEPA and the Marine Mammal Protection Act.

While the draft EIS quantifies the likely magnitude of acres of wetlands that will result from the operation of the MBSD, it is also clear that the amount of wetland loss in the 2020-70 period under the No Action alternative of 298,000 acres (draft EIS 4-219) as wetland acreage goes from 371,000 acres in 2020 to 72,800 acres in 2070 (draft EIS 4-220 and Table 4.6-2) is huge and that the MBSD will prevent only a very modest amount of that loss. Given those estimates, it would be useful to see what a more aggressive operational regime for the 75,000 cfs MBSD, such as opening it up to its full capacity at a MSR flow regime well below one million cfs could achieve, perhaps not immediately, but gradually after a few years of operation.

Design of an effective socioeconomic impact mitigation plan. It is our understanding that oil-spill natural resource damage funds may be used to implement a mitigation plan. If that is not the case, then other funds would have to be made available. The question is what socioeconomic impacts should be mitigated as a matter of basic fairness and environmental justice, and what institutional shape that mitigation program should take.

In that the MBSD is likely to change the distribution of certain species of fish, such as eastern oysters and brown shrimp, it is reasonable to anticipate that the impacts of the MBSD on commercial fishermen and shell fishermen and perhaps other identifiable groups will be real and changing over time. By way of example, some fishermen may adjust by focusing on different species with appropriate freshwater tolerances. Others may have to go further afield from their accustomed catch areas to maintain their harvests. Perhaps some may need larger and faster vessels with increased freezing storage capacity. A comprehensive mitigation plan would analyze in detail, based on various scenarios over time, what the costs of such adjustments would likely be. The plan could devise estimates of the cost of mitigating pertinent socioeconomic impacts over different periods of time. It should be recognized that maintaining a thriving commercial fishing operation in the Barataria Basin is culturally as well as economically desirable in terms of maintaining the soul of the Delta.

The question then becomes the institutional design of an effective and credible mitigation program that is intended to address such incremental costs to individual commercial fishermen and others who may experience significant dislocation costs. CPRA or some other state agency, some federal agency, a for-profit entity or one or more not-for-profit organizations could play central roles in designing and implementing such a mitigation plan, the centerpiece of which would be the provision of financial assistance to those who will be adversely affected by projected ecological and water quality/salinity changes over time. Since the ecological and water quality conditions are dynamic due to ongoing wetland loss and saltwater intrusion, together with the sediment and water impacts of the MBSD, the details of the mitigation plan in terms of a financial assistance program will have to be dynamic.

We doubt that for-profit entities could carry out this sensitive, community-level financial planning and assistance task cost effectively. While the state clearly has a key role to play in terms of provision of funds and overseeing the integrity of the program, it is likewise doubtful that the state, let alone a federal agency, would want to or would be effective at working with individual commercial fishermen, for example, who have legitimate financial assistance needs to allow for necessary and deserving adjustments as part of a fair mitigation process.

Looking to not-for-profit community-based organizations that are steeped in the workings and needs of communities of fishermen may be an effective strategy - effective in terms of facilitating the distribution of financial assistance where it is truly needed and legitimate in the least bureaucratic manner feasible. A good existing example of this kind of organization is the Coastal Communities Coalition. It has experience in working with and providing financial and other kinds of assistance to its constituencies. It appears to be lean, non-bureaucratic and knowledgeable. If some groups of commercial fishermen are not currently constituents of this coalition, then the Coastal Communities Coalition could expand its operations or, alternatively, one or more not-for-profit community-based organizations with a similar structure could be established. Any such organization must be trusted by and knowledgeable about the legitimate needs of deserving constituents.

If this kind of mitigation planning and implementation strategy were to be pursued, the question is how natural resource damage mitigation funds would be most effectively provided to any such not-for-profit organization with the CCC perhaps as a model. CPRA or any other state agency may not be ideally suited to play this role directly. Although government agencies do make grants directly to not-for-profits for specific purposes, typically the role of funding, evaluating and overseeing funded work of not-for-profit organizations falls to foundations. With the TIG natural resource damages as the source of funding, one could imagine various foundation scenarios to carry out this mitigation grant-making role, including a dedicated division of the National Fish and Wildlife Foundation, a special role for an existing foundation such as the Greater New Orleans Foundation or a whole new foundation dedicated to funding one or more not-for-profit community-based organizations that would design and implement mitigation plans. Any such foundation would have to have the capacity to evaluate the effectiveness and audit the programs of not-for-profit community organizations.

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**Concern ID: 62435**

**This comment has been replaced and superseded by correspondence 39875 at commenter's request.**

**Response ID: 15965**

Acknowledged.

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**Correspondence ID:39875**

Jim Tripp

These supersede previous comments I submitted, with important corrections and some supplementary material. Please allow them to replace the other file submitted.

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The MBSDs Delta overlapping restoration, levee protection, flood control and navigation benefits. This vast wetland loss has not only significant adverse consequences for Delta ecology and its remarkable fish and wildlife resources, but also for the physical integrity of this flood control and navigation system. As Steve Stockton commented in the last decade when he was serving as the highest civilian employee of the Corps of Engineers: Either we will control the River, or the River will control us.

A sediment diversion such as the MBSD contributes to and furthers the three major purposes of Delta restoration and the maintenance of the flood control and navigation functions of the Lower Mississippi River (MSR). USGS studies have documented the capacity of wetlands

relative to open water in the coast to depress storm surge and wave height and energy and thus to buffer levees such as those along the Lower MSR. The continuing loss of Delta wetlands in the Barataria Basin will increase the vulnerability of these Lower MSR levees to storm impacts. The draft EIS mentions a reduction in storm surge of 0.5 to one foot north of the MBSD but could say more about the consequence and benefits of that decrease.

In addition, operation of the MBSD conveying up to 75,000 cfs from the Lower MSR into the Basin during flood stages has the capacity to reduce MSR flood stages and the tendency of the Lower MSR to re-meander through bank caving with attendant benefits for the structural integrity of the levee system both downstream and upstream of the MBSD, including the levees of the greater New Orleans area. These impacts of a properly operated MBSD will thus contribute to the stability of the current alignment of the navigation channel below New Orleans to the mouth. The EIS could be improved by providing quantitative estimates of these stage reductions and attendant benefits in terms of preventing damage to the navigation and flood control levees. The MBSD is also well sited at River Mile 60.7 at a point bar at the inside bend that should result in a beneficial ratio of sediment to water diverted of 1.12 compared to that ratio in the MSR at that location of 1.

The capacity of diversions to restore, strengthen and prevent erosion and collapse of wetlands is evident from the experience in the state of existing diversions, including freshwater diversions such as Davis Pond and Caernarvon, uncontrolled sediment diversions such as Mardi Gras Pass, Fort St. Philip and West Bay, and the Bonnet Carre Spillway as a controlled diversion with a healthy wetland ecosystem in its spillway, sadly coupled with the deplorable waste of huge amounts of sediment that get dumped in Lake Pontchartrain. A physical inspection of the receiving areas for these diversions shows retention of existing and newly created wetlands, sediment deposits and vibrant ecosystems.

With respect to the Davis Pond and Caernarvon diversions that overwhelmingly convey finer-grained silts and clays, the critical importance of those sized sediments is graphically apparent. Since those classes of sediments make up at least two-thirds of the sediments that the MBSD is expected to transport into the Basin (draft EIS Table 2.4-2), these experiences serve as a telling example of what the MBSD will do in terms of strengthening and building up wetlands that can filter and capture the finer-grained sediments that it will convey. While the draft EIS presents data about the quantity of these finer-grained sediments, the discussion about the areal distribution and role of these sediments in terms of maintaining and strengthening wetlands that are deteriorating could be improved.

It may be the case that the projections in the draft EIS of 17,500 acres of new land cover by 2050 (Executive Summary - 7) include not only wetlands that will result from open water elevation buildup by sands but also those wetlands that would be expected to capture fine-grained materials and that would thus be maintained and saved from drowning, but that discussion lacks clarity. It is the total quantity of sediment that is conveyed and distributed that is the key factor. Building up elevation in open-water areas in proximity to the outfall structure with sand is important, but only a modest impact of the anticipated sediment transport. The large fraction of silts and clays that a sediment diversion will convey highlights a marked difference with marsh creation that entails largely the movement and placement of sand that can be readily dredged. That is why sediment diversions are so vital to restoration efforts where they are feasible. Further, since the MBSD will convey silts and clays with the energy of the River water diverted, it will distribute those sediments and provide support for

wetlands over a large area of the Central Barataria Basin, perhaps as distant as Bayou Lafourche.

The historic and future context for assessing the MBSD as a restoration project for purposes of NEPA, the CWA and the MMPA. The central purpose of the MBSD based on its natural resource damage funding source is to offset damage caused to the Barataria Basin as a result of the Deepwater Horizon oil spill in 2010. However, the draft EIS also notes that an associated purpose is building and protecting wetlands with a view to restoration of parts of the Basin. What does it mean for the MBSD to be a Delta restoration project? A central goal of the Clean Water Act, the Section 404 regulations and NEPA is the restoration and maintenance of the chemical, physical and biological integrity of the nations waters, including the Barataria Basin. The Marine Mammal Protection Act states as a key policy that the primary objective of the management of marine mammal species should be to maintain the health and stability of the marine ecosystem. 16 USC(6). The MBSD is designed to further these goals.

The draft EIS could highlight the significance of these restoration processes in terms of presenting information about what the Barataria Basin looked like 80 to 100 years ago as well as what it could look like in the future up to 2070. Draft EIS maps indicate that the Basin in the early 1900s had an extensive web of wetlands with only modest pockets of open water and that the Basin has lost 276,000 acres or almost 30% of its wetlands since the 1930s (draft EIS 3-241 and 4-218), but little information is presented about salinity levels and the distribution of a range of shellfish, marine and freshwater fish and other kinds of wildlife that will be impacted by the operation of the MBSD earlier in the 20th century. Without this broad temporal context, the restorative function of the MBSD may not be as clear as it should be. The fact is that, in broad brush, the physical, chemical and biological impacts of the MBSD will be restorative in the sense of making parts of the Basin more like what they were in past decades and retarding the rate of deterioration in terms of loss of wetlands and saltwater intrusion compared to no action.

One could surmise based on recent trends that the salinity levels in the Basin were significantly lower and that the distribution of eastern oysters or brown shrimp in the central Basin that do not respond well to freshwater was markedly different in past decades going back to the Flood Control Act of 1928 from what it is today. What was the distribution of bottlenose dolphins, eastern oysters and brown shrimp in the 1930s and in subsequent decades? The current distribution of these species that responds to todays salinity ranges is likely quite different from what it was earlier in the 20th century and reflects deteriorating wetland and water quality conditions characterized by wetland loss, steadily increasing amounts of open water and saltwater intrusion. Insofar as the MBSD will lower salinity levels and retard saltwater intrusion, it is performing its restorative function. This is not to downplay the socioeconomic consequences to those who depend on or have become accustomed to todays conditions, but it is to place those consequences in a proper historic context. Thus, while the impacts of MBSD-conveyed sediment and freshwater on water quality and various species of shell and finfish and dolphins are real, they are returning the distribution of these species back to where they were at various points in the past. In other words, the directionality of impacts is restorative in nature and in furtherance of the goals of the Clean Water Act, NEPA and the Marine Mammal Protection Act.

While the draft EIS quantifies the likely magnitude of acres of wetlands that will result from the operation of the MBSD, it is also clear that the amount of wetland loss in the Basin in the 2020-70 period under the No Action alternative of 298,000 acres (draft EIS 4-219) as wetland acreage goes from 371,000 acres in 2020 to 72,800 acres in 2070 (draft EIS 4-220 and Table 4.6-2) is huge and that the MBSD will prevent only a very modest amount of that loss. Given those estimates, it would be useful to see what a more aggressive operational regime for the 75,000 cfs MBSD, such as opening it up to its full capacity at a MSR flow regime well below one million cfs, not immediately, but gradually after a few years of operation, could achieve.

Design of an effective socioeconomic impact mitigation plan. It is our understanding that oil-spill natural resource damage funds may be used to implement a mitigation plan. If that is not the case, then other funds would have to be made available. The question is what socioeconomic impacts should be mitigated as a matter of basic fairness and environmental justice, and what institutional shape that mitigation program should take.

In that the MBSD is likely to change the distribution of certain species of fish, such as eastern oysters and brown shrimp, it is reasonable to anticipate that the impacts of the MBSD on commercial fishermen and shell fishermen and perhaps other identifiable groups will be real and changing over time. By way of example, some fishermen may adjust by focusing on different species with appropriate freshwater tolerances. Others may have to go further afield from their accustomed catch areas to maintain their harvests. Perhaps some may need larger and faster vessels with increased freezing storage capacity. A comprehensive mitigation plan would analyze in detail, based on various scenarios over time and in collaboration with fishermen and fisheries-servicing organizations, what the costs of such adjustments would likely be. The plan could devise estimates of the cost of mitigating pertinent socioeconomic impacts over different periods of time. It should be recognized that maintaining a thriving commercial fishing operation in the Barataria Basin is culturally as well as economically desirable in terms of maintaining the soul of the Delta.

The question then becomes the institutional design of an effective and credible mitigation program that is intended to address such incremental costs to individual commercial fishermen and others who may experience significant dislocation costs. CPRA or some other state agency, a federal agency, a for-profit entity or one or more not-for-profit organizations could play central roles in designing and implementing such a mitigation plan, the centerpiece of which would be the provision of financial, technical or other material assistance to those who will be adversely affected by projected ecological and water quality/salinity changes over time. Additionally, local citizens organizations should be encouraged to offer new mitigation suggestions as the process unfolds. Since the ecological and water quality conditions due to wetland loss and saltwater intrusion, coupled with the sediment and water impacts of the MBSD, will be dynamic, the details of the plan in terms of financial assistance programs and other mitigation efforts will have to be dynamic.

We doubt that for-profit entities could carry out this sensitive, community-level financial planning and assistance task cost effectively. While the state has a key role to play in terms of providing funds and overseeing the programs integrity, it is likewise doubtful that the state or a federal agency would want to or would be effective at working with individual commercial fishermen, for example, who have legitimate financial assistance needs to allow for necessary and deserving adjustments as part of a fair mitigation process grounded in environmental justice.

Looking to not-for-profit community-based organizations that are steeped in the workings and needs of communities of fishermen may be an effective strategy in terms of facilitating the distribution of financial and technical assistance where it is truly needed in the least bureaucratic manner feasible. A good existing example of this kind of organization is Coastal Communities Consulting, Inc (CCC). It has experience in providing disaster support, business adaptation and technical assistance, skills training and environmental education to its constituencies. It appears to be lean, non-bureaucratic and knowledgeable. If some groups of commercial fishermen do not currently work with CCC, then CCC could expand its operations or, alternatively, or one or more not-for-profit community-based organizations with a similar structure could be established or may already exist. Any such organization must be trusted by and knowledgeable about the legitimate needs of deserving constituents.

If this kind of mitigation planning and implementation strategy were to be pursued, the question is how natural resource damage mitigation funds would be most effectively provided to any such not-for-profit organization. CPRA or any other state agency may not be ideally suited to play this role directly. Although government agencies do make grants directly to not-for-profits for specific purposes, typically the role of funding, evaluating and overseeing funded work of not-for-profit organizations falls to foundations. With the TIG natural resource damages as the source of funding, one could imagine various foundation scenarios to carry out this mitigation grant-making role, including a dedicated division of the National Fish and Wildlife Foundation, a special role for an existing foundation such as the Greater New Orleans Foundation or a whole new foundation dedicated to funding one or more not-for-profit community-based organizations that would design and implement mitigation plans. Any such foundation would have to have the capacity to evaluate the effectiveness and audit the programs of not-for-profit community organizations. This implementation structure would allow commercial fishing businesses to be adequately compensated while ensuring that community-based organizations are able to implement mitigation measures flexibly and effectively.

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**Concern ID: 64020**

**A comprehensive plan for operating the diversion is lacking. Diversion operations should not be based solely on when flows in the Mississippi River exceed 450,000 cfs or only operate at maximum capacity when Mississippi River flows reach 1,000,000 cfs, but instead should rely on multiple factors for determining when to operate the diversion. The comprehensive plan should also include some flexibility in operations including triggers for water releases and for closing the diversion. The design should be modified to allow continued use after significant sea-level rise.**

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**Response ID: 16012**

CPRA would operate the proposed MBSD Project in accordance with the Operations Plan which can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. Chapter 2, Section 2.4.2 in Step 2: Evaluation of Operational Alternatives – Location, Operational Trigger, Capacity, and Base Flow of the Draft EIS described the evaluation of various operational triggers during the alternatives analysis. It was determined that the 450,000 cfs operational trigger would best meet the purpose and need and would be the standard operations trigger (see Chapter 2, Section 2.4.2.1 Application of Additional Considerations to

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On/Off Trigger Scenarios). Additionally as stated in Chapter 2, Section 2.4.3.2 Application of Additional Considerations to Capacity Alternatives, flow in a sediment diversion is variable. When the diversion is operating, the flow rate through a diversion is controlled by the difference in water surface elevation between the Mississippi River and the Barataria Basin (the head differential). When the Mississippi River flow and stage are high, this high head differential would push a higher volume of water and sediment through the diversion into the Barataria Basin. When the Mississippi River flow and stage are low, there would be less energy to push water and sediment through the diversion. Thus, depending upon the flow rate in the Mississippi River and the head differential, flow in the diversion would be variable, up to a defined maximum capacity.

The diversion is designed for passive operation rather than active operation. Once opened, the head differential determines the flow rather than pumps or another active feature.

Full operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occurs in the river).

Triggers for closing the structure when river discharge is above 450,000 cfs include spills and other hazardous discharges, navigation impediments, climatic conditions such as tropical depressions or named storms, diversion structure damage or emergency, and public safety.

As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Section 4.4 in Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. The operation plan allows for diversion operations that capture the high sediment loads associated with rapidly rising river discharges and effectively addresses relative sea-level rise.

If the proposed Project is implemented and once operational, CPRA would consider potential ways to optimize diversion operations based on Project performance and success as part of the adaptive management and monitoring process. Refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

The Project MAM Plan in the Final EIS Appendix R2 provides examples of possible outfall management actions, such as spoil bank gapping or construction of water-directing features, that CPRA may consider in the future as potential adaptive management actions aimed at improving Project effectiveness and limiting ecological and/or human impacts when possible. This will be based on assessment of Project performance and monitoring data and recommendations of the CPRA's Project Adaptive Management Team to CPRA's Project Operations Management Team.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of



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publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62163**

**The commenter noted that in addition to Project impacts on wetland creation, the Project would also capture fine-grained sediments and that would maintain existing wetlands, but that discussion lacks clarity. The EIS should more clearly explain that the Project would distribute silts and clays that would provide support for wetlands perhaps as distant as Bayou Lafourche.**

**Response ID: 16167**

The impacts raised by the commenter were considered in the Draft EIS. As described in Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS, sand and coarser-grained sediments would be deposited in the outfall area within 0.5-mile of the diversion, while finer-grained sediment would be deposited farther gulfward in the basin. Land gains associated with the Project would primarily occur within 5.0 to 10.0 miles from the mouth of the diversion structure (see Chapter 4, Figures 4.2-2 through 4.2-4). To clarify, Chapter 4, Sections 4.2.3 Geology, Topography, and Geomorphology and 4.6.5.1 in Wetland Resources and Waters of the U.S. have been revised in the Final EIS to further address the importance of fine-grained sediments for marsh building and sustenance.

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**Concern ID: 62308**

**The Draft EIS mentions a reduction in storm surge of 0.5 to one foot north of the Project but could say more about the consequence and benefits of that decrease.**

**Response ID: 15803**

Additional information on the consequence and benefits of decreased storm surge north of the delta formation area was provided in Draft EIS Chapter 4, Section 4.13 Socioeconomics, 4.13.5 Operational Impacts. These benefits include reduced pressure of outmigration from

affected coastal communities and beneficial impacts on housing, property values, and property tax revenue.

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**Concern ID: 62309**

**Operation of the MBSD has the capacity to reduce MR flood stage, reduce the tendency of the Lower MR to re-meander through bank caving, with attendant benefits for the structural integrity of the levee system and the navigation channel. The EIS could be improved by providing quantitative estimates of these stage reductions and attendant benefits in terms of preventing damage to the navigation and flood control levees.**

**Response ID: 15816**

Section 4.4 Surface Water and Coastal Processes of the Final EIS has been updated to include additional information regarding the effects of the proposed Project on river stage. The average predicted water level drop at Belle Chasse, caused by operation of proposed Project, is approximately 0.7 foot, when the river was flowing at 1.00 million cfs.

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**Concern ID: 62331**

**The EIS is comprehensive and well-prepared, and used the best available information and data.**

**Response ID: 15782**

Acknowledged.

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**Concern ID: 62637**

**The proposed Project will benefit habitat, fish and wildlife, levee protection, flood control and navigation. These benefits will help protect coastal resources and communities in Louisiana.**

**Response ID: 16647**

The potential benefits of the Project were considered in the Draft EIS. As described in Chapter 4 (Environmental Consequences), the proposed Project would result in both beneficial and adverse effects on habitat, fish and wildlife, levee protection, flood control, and navigation, depending on the specific characteristics of the species or location involved (for example, a species' life history or salinity preferences, or a levee's height).

The potential benefits of the Project were also considered in the LA TIG's Draft Restoration Plan. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, the proposed Project is expected to benefit multiple resources in the Barataria Basin and the northern Gulf of Mexico, including nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, and terrestrial wildlife. The LA TIG also anticipates that the Project would provide public health and safety benefits to the populated areas north of the diversion through increased wetland acreage that would decrease storm surge and wave height.

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**Concern ID: 62669**

**While the proposed Project would harm the aquatic wildlife (for example, shellfish, finfish and dolphins) that currently reside in the Mid-Barataria Basin, that wildlife only resides in the area due to human interventions that cut the basin off from the Mississippi River. The EIS and Restoration Plan should place the impacts in historical context and thereby demonstrate that the Project is truly restorative because it is**

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**returning the basin to the conditions that were typical prior to the extensive flood control efforts of the 20th century.**

**Response ID: 16628**

The historic conditions of the Barataria Basin, and how this relates to potentially impacted resources, was considered in the Draft EIS. For example, Chapter 3 (Affected Environment) of the EIS describes existing conditions within the Project area and Section 3.1.4 (Overview and History of the Project Area) in the Introduction provides an overview and history of the Project area. See for example, Figure 3.2-1, Land Area Change in Project Area (1932 to 2016); Section 3.6.2 Wetland Loss; Section 3.6.2.2. Causes of Wetland Loss; Figure 3.6-2 Marsh Type Change in the Project Area, 1968 through 2013. These existing conditions were factored into the impact analysis in Chapter 4 (Environmental Consequences) of the EIS.

Shellfish and finfish historically resided in the Barataria Basin prior the 1930s. Due to land loss over the 20<sup>th</sup> century, as noted in Section 3.6.2 Wetland Loss of the EIS and Section 3.10.1 Historical Context of the Final EIS, Barataria Bay and surrounding waterbodies have expanded as marsh has given way to open water and more saline conditions have shifted slightly north, creating more suitable habitat for oysters and other species benefiting from brackish or saline waters, such as dolphins, in the mid to lower basin.

The proposed Project is not anticipated to restore the basin to its historic conditions. As noted in Section 3.4.1.2 (Barataria Basin), land loss in the Barataria Basin from 1932 to 2016 resulted in a net loss of 276,036 acres, accounting for 29.1 percent of the land area in the basin (Couvillion et al. 2017). The proposed Project is anticipated to create and/or maintain 12,700 acres of wetlands in the basin by the year 2070 when compared with the No Action Alternative.

The historical context of the Project has also been considered in the LA TIG's Draft Restoration Plan. More specifically, Section 3.2.1.5.3 (Resources with a High Level of Expected Collateral Injury from Alternative 1) of the Restoration Plan notes that the area that would be affected by the proposed Project has been severed from its historical hydrological connection to the Mississippi River, resulting in higher salinity in an area that historically experienced regular freshwater and sediment inputs. The intended restoration of this area would result in collateral injury to species that depend on the current higher-salinity conditions in the basin.

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**Concern ID: 62741**

**The EIS should present not only the anticipated future conditions of the Barataria Basin, but also the salinity levels and distribution of shellfish, finfish, and other wildlife that were present 80 to 100 years ago. This past description will highlight that the proposed Project would return parts of the basin to more historic conditions and retard the rate wetland loss and saltwater intrusion compared to the No Action Alternative.**

**Response ID: 16119**

Multiple sections within Chapter 3 Affected Environment of the Final EIS have been supplemented to further discuss the past conditions of the Barataria Basin, including Chapter 3, Sections 3.1.4.2 Barataria Basin, 3.2.1.1 in Geology and Soils, 3.9.1 in Terrestrial Wildlife and Habitat, and 3.10.1 in Aquatic Resources.

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**Concern ID: 63131**

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**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF

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2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63132**

**Organizations, such as GNO, Inc., Coastal Communities Consulting, and community-based organizations should serve as connectors between CPRA, other state and federal agencies, and fishers and the seafood industry to plan and implement mitigation, and to ensure mitigation reflects environmental, economic, and community needs and changes over time. Mitigation should include funding for community-based organizations to provide this support in developing and carrying out mitigation.**

**Response ID: 16516**

CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations including Coastal Communities Consulting to assist in engaging minority fishers in reviewing and commenting on the Draft EIS, and soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded. CPRA also plans to

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create outreach materials in easy to read and understand formats for distribution to the public. This would include translated materials for members of the community who do not speak or read English.

CPRA's Mitigation and Stewardship Plan does not currently provide for use of community-based organizations to distribute mitigation funds or to implement mitigation and stewardship measures. However, community-based organizations have been engaged to assist in providing information to community members regarding available programs, to assist in developing eligibility criteria, and to assist in completing any application processes. CPRA will continue to coordinate with community-based organizations in implementing the Final Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54

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and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63387**

**The central purpose of the proposed MBSD Project based on its Natural Resource Damage funding source is to offset damage caused to the Barataria Basin as a result of the DWH oil spill in 2010. However, the Draft EIS also noted that an associated purpose is building and protecting wetlands with a view to restoration of parts of the basin. A central goal of the CWA, the Section 404 regulations, and NEPA is the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters, including the Barataria Basin. The MMPA states as a key policy that the primary objective of the management of marine mammal species should be to maintain the health and stability of the marine ecosystem. The proposed MBSD Project is designed to further these goals.**

**Response ID: 16349**

The commenter's support for the proposed Project is noted. The burden to comply with NEPA is on the federal decision-making agencies, not on the project itself. USACE will evaluate the proposed Project for its compliance with the CWA Section 404(b)(1) guidelines; that evaluation is underway and is not complete. The LA TIG also intends to rely on the Draft EIS to inform its decision under OPA and to fulfill the requirements of the federal Trustees under NEPA. A discussion of the MMPA can be found in Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS.

As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the proposed MBSD Project is to restore for injuries caused by the DWH oil spill and to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 63615**

**While marsh creation projects are powerful at building land in strategic locations, at the end of the day they fail to sustainably address one of the causes of land loss (lack of continued sediment input), and the scale is severely limited due to restricted amounts of suitable borrow material. In addition, the types of sediment that a sediment diversion will convey highlights a marked difference with marsh creation. Therefore, it is not the case that marsh creation projects provide the same benefits as diversions.**

**Response ID: 15840**

The commenters' support for the Project is acknowledged. Table 2.3-1 in EIS Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives describes whether various alternatives, including a large-scale sediment diversion into Barataria Basin and a large-scale marsh creation project, met the screening criteria for the proposed Project. Additional information related to the marsh creation alternative has been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

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**Concern ID: 64196**

**With respect to the Davis Pond and Caernarvon Diversions that overwhelmingly convey finer-grained silts and clays, the critical importance of those sized sediments is**

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**graphically apparent. Since those classes of sediments make up at least two-thirds of the sediments that the proposed MBSD Project is expected to transport into the basin (Draft EIS Chapter 2, Section 2.4 Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow, Table 2.4-2), these experiences serve as a telling example of what the proposed MBSD Project would do in terms of strengthening and building up wetlands that can filter and capture the finer-grained sediments that it would convey. While the Draft EIS presented data about the quantity of these finer-grained sediments, the discussion about the areal distribution and role of these sediments in terms of maintaining and strengthening wetlands that are deteriorating could be improved.**

**Response ID: 16072**

As described in Chapter 4, Section 4.2.3 in Geology and Soils of the EIS, sand and coarser-grained sediments would be deposited in the immediate outfall area while finer-grained sediment would be deposited farther gulfward in the basin. Land gains associated with the proposed Project would primarily be in the immediate outfall area (see Chapter 4, Figures 4.2-2 through 4.2-4 in Geology and Soils). Chapter 4, Sections 4.2.3.2.2.1 Geology and 4.6.5.1.2.4 Land Accretion have been revised in the Final EIS to further address the importance of fine-grained sediments for marsh building and sustenance.

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**Correspondence ID:39422**

John Gasquet

Mid-Barataria Diversion

Pro and Cons

Cons;

1. Only lower storm surge 6 to 12 in thirty years north of Diversion
2. Create only 17,300 acres of land at a cost of \$114,000 or more per acre while destroying the salt water marsh and decreasing Hurricane Protection
3. Kill more bottlenose dolphins and endanger sea turtles then the BP Oil spill did with BP monies
4. Destroy brown shrimp, oysters, crab, saltwater sports fishing industry
5. Create the largest (red tide) dead zone in the history of the Gulf of MEXICO with polluted waters and fertilizer run off from the Mississippi River
6. Destroy the communities, of Happy Jack, Grand Bayou, Lake Hermitage, Suzzie Bayou, Deer Range, Woodpark and Myrtle Grove.
7. Cemeteries of Deer Range and Lake Hermitage will be under water
8. No plan to compensate affected communities or raise affected communities to protect them from rising waters of 2 to 5 about normal tides
9. Zero Hurricane Protection
10. Reduce tax collects for the Plaquemines Parish, School Board, Sheriff Office and our Local Parish Government by reducing values of properties in affected areas
11. Change our culture for ever
12. No land gain in the first 20 years
13. Kill the two most productive estuaries in America that provide 25% of the entire countrys domestic seafood production and drive Louisianas seafood-based tourism/hospitality eco
14. Actually cause land loss further out from the structure and also destroy the brackish/saline marsh grasses which provide storm surge protection and replace them with less surge-resistant freshwater plants
15. Kill the immense dolphins (estimated will kill 600, BP Oil Spill killed 91) stock that lives in these estuaries and has already suffered immeasurably from effects of the BP oil spill (the projects have already had to obtain a sneaky Congressional waiver to environmental reviews that would prevent them from receiving a permit);
16. Cause immense toxic algal blooms and dead zones directly in the estuaries
17. Cause 100s of millions of dollars in economic loss annually to no less than 3 other Gulf Coast states (TX and its shrimping industry, MS and its tourism/fisheries, and AL and its seafood processing/distribution industry)
18. CPRA has no mitigation plan in place
19. Lower Plaquemines Parish could experience increased water levels, tidal flooding and greater exposure to hurricane impacts

Pros;

1. None
2. This is what CPRA has to offer
3. CPRA uses slick soundbites and marketing to push these projects forward to convince the Louisiana public and Legislature to allow them to dole out contracts for over \$2 billion in precious and limited coastal restoration dollars on these projects (100 million dollars already spend only paper to show for the funds no coast build).
4. Over recent decades, Louisiana has averaged losing a football field of land every 100 minutes. What has the CPRA to stop this?
5. Lakefront Airport was build by dredging in 1930
6. Diversion going to take 8 years to build and 20 years to build 17,400 acres of land. Meanwhile the state will have lost 147,168 football fields of coastline land waiting on this project. Roughly 195,000 acres Wow!!
7. CPRA Mr. Chip Kline job is to sell this project and hes a slick salesmen.
8. Mr. Kline bolsters his position with some made man diversion but, what have they done to lower hurricane storm surge? None
9. Life of project 50 years
10. A recent study from the University of St. Andrews in Scotland warned fresh water from the river would also make bottlenose dolphins functionally extinct in a large portion of the bay.

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**Concern ID: 61776**

**The commenter expressed concern that over recent decades, Louisiana has averaged losing a football field of land every 100 minutes. The proposed Project would take 8 years to construct and 20 years to build 17,400 acres of land. Meanwhile, the state would have lost 147,168 football fields (about 195,000 acres) of coastline waiting on this proposed Project.**

**Response ID: 16176**

The commenter's concerns regarding the pace of land loss occurring in the region and the acres projected to be created by the proposed Project over the 50-year analysis period were considered in the Draft EIS. To provide further insight into these tradeoffs, a discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS. Additionally, as stated in Chapter 2, Section 2.8.1.3 Project Construction Activities, the proposed Project is expected to require 5 years to construct.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic "dead zone" in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not**

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**adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River

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diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more**

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**resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern

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Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61908**

**Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana's attractiveness as a fishing area and place for swamp tours and authentic seafood.**

**Response ID: 16238**

EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on

coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits



prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62014**

**The proposed MBSD Project would reduce tax revenue for the parishes located in the impacted area and the funds to support vital services in these areas.**

**Response ID: 16211**

The EIS considers and describes impacts on tax revenue in Chapter 4, Section 4.13.4 and 4.13.5 in Socioeconomics. There is also a discussion of Public Services and Utilities in this chapter (Section 4.13 Socioeconomics). As described, the proposed Project construction would have minor to moderate short-term benefits on sales and use taxes in local jurisdictions and the state associated with construction spending. Negligible to minor permanent adverse impacts on tax revenues from sales and use taxes, including associated with impacts on commercial fishing activities, as well as property tax collections associated with reduced property values are anticipated in Plaquemines Parish due to operation of the proposed

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Project. Potential adverse effects on utilities associated with reduced property taxes are also anticipated during the operations phase of the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take

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advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the

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Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62084**

**Commenters believe that the proposed MBSD Project would cause economic loss annually to other Gulf Coast states. The Mississippi Gulf Coast seafood and fishing industry would be devastated.**

**Response ID: 16248**

Chapter 3, Section 3.1.1 Project Area of the Draft EIS identifies the analysis area for the EIS. This is the area in which the Project is anticipated to have discernable effects. For socioeconomic impacts, the EIS identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche and Jefferson Parishes, Louisiana. For Commercial Fisheries, the Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Final EIS has been revised to acknowledge this. Those commercial fishermen would be eligible to participate in the fishery mitigation programs discussed in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA

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permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

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**Concern ID: 62221**

**The Project would not provide substantial protection from hurricanes or storm surge, nor would storm surge protection be provided in a timely manner. The area most likely to experience some increase in protection would be subject to increased water levels from diversion operations. The current diversion Project needs to be reengineered to create meaningful storm surge protection. The Project is a misuse of funds based on what the diversion would do versus what it purports to do, in part due to the Mississippi River not having enough sediment to build substantial land.**

**Response ID: 15756**

While the proposed Project would impact storm surge, the purpose and need of the Project is not storm surge protection. As described in the Draft EIS in Chapter 1, Section 1.4 Purpose and Need, the purpose of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill by reestablishing deltaic processes. However, as described in the Draft EIS in Chapter 4, Section 4.20.4 Public Health and Safety, the Project would have the ancillary benefit of storm damage risk reduction on communities north of the diversion due to the creation and maintenance of wetland habitat within the delta formation area; the increase in topography and land acreage would induce greater hydraulic friction and resistance, reducing the inland extent of storm surge and limiting wave heights in some communities north of the diversion, as compared to the No Action Alternative. The EIS acknowledges that storm surge and wave height reduction benefits for some communities north of the diversion would not be instantaneous, but that these benefits would increase over time as more land is created and maintained within the delta formation area. The EIS also acknowledges that some of the same communities that would experience storm surge reduction benefits, such as Lafitte, would experience an increase in non-storm inundation frequency due to increased water levels from diversion operations. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height.

The EIS recognizes the role of sediment load in land building. The river still carries a massive sediment load, but not as massive as it historically carried. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400

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million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in Section 3.4.2.5 Sediment Transport. The Delft3D Basinwide Model used Mississippi River sediment loads when computing the sediment load that would be delivered to the Barataria Basin. This is described in detail in the EIS, Appendix E Delft3D Modeling, Section 5.2.2.

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**Concern ID: 62282**

**Diversion impacts, including land loss in the birdfoot delta, would make lower Plaquemines more vulnerable to storms.**

**Response ID: 15805**

Draft EIS Chapter 4, Section 4.6.5 in Wetlands and Waters of the U.S. described the projected acceleration of wetland loss in the birdfoot delta caused by the proposed Project and Section 4.20.4.2 in Public Health and Safety acknowledged lower Plaquemines' increased vulnerability to storm hazards that would result from operation of the proposed Project. While the Draft EIS acknowledged the role that land loss plays in increased storm hazards, it did not explicitly acknowledge the role this accelerated land loss in the birdfoot delta could play in increased storm hazards. Section 4.20.4.2.2.2 in Public Health and Safety has been edited in the Final EIS to include acknowledgement that this accelerated loss of wetlands in the birdfoot could increase storm hazard vulnerability depending on the storm path and intensity.

In the LA TIG's Draft Restoration Plan, the LA TIG recognized the potential collateral injuries associated with the Project, including potential land loss in the birdfoot delta. In selecting the Applicant's Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide what it believed to be the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the Final Restoration Plan for more information about the LA TIG's selection of the Applicant's Preferred Alternative.

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**Concern ID: 62493**

**The proposed Project operations will flood two cemeteries in the towns of Lake Hermitage and Deer Range, Louisiana.**

**Response ID: 16451**

The potential flooding impacts raised by the commenters were considered in the Draft EIS. According to the Louisiana State Historic Preservation Office (LA SHPO) database, the Lake Hermitage cemetery is identified as the Bieber Cemetery and the Deer Range Cemetery in Suzy Bayou is identified as the Deer Range Cemetery. As compared to the No Action Alternative, operation of the proposed Project would increase tidal flooding and storm surge in communities outside of federal levees within 20 miles of the outfall area, including the towns of Lake Hermitage and Suzie Bayou South (Deer Range) in which these cemeteries are located. Such events may result in sediment deposition (burial) and/or erosion of soils at

each of these cemeteries. Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes and Section 4.13.3.1 in Socioeconomics detail these impacts.

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**Concern ID: 62665**

**Commenters suggested that the proposed Project would achieve some benefits relative to the No Action Alternative, but that even if the modeling is correct (which it probably is not), the projected benefits provided by the Project would be very small compared to amount of habitat that is expected to be lost in the Barataria Basin over 50 years. If the models used for the EIS turn out to be accurate, more than 43 percent of the land in the Barataria Basin will have disappeared even with the Project in 30 years. During that time, 105,000 acres of land will be lost, with the Project sustaining only 17,300 more acres than the No Action Alternative (5 percent of the basin's current land area). Because of this background of large land loss, the proposed Project could only be considered a stop-gap measure. Further, commenters cited sources indicating ongoing debate about the effectiveness of large-scale sediment diversions as a land-building strategy and recommended those uncertainties be addressed in the Draft EIS (Blaskey, 2020; Blum and Roberts, 2009; Chamberlain et al., 2018; DeLaune et al., 2013; Suir et al., 2014; Turner et al., 2019).**

**Blaskey, D. 2020. Modeling of distributary channels formed by a large sediment diversion in broken marshland. Dissertation, University of New Orleans, Louisiana. 112 pages.**

**Blum, M.D., and H.H. Roberts. 2009. Drowning of the Mississippi Delta due to insufficient sediment supply and global sea-level rise. Nature Geoscience Letters 2:488-491.**

**Chamberlain, E.L., T.E. Törnqvist, Z. Shen, B. Mauz, and J. Wallinga. 2018. Anatomy of Mississippi Delta growth and its implications for coastal restoration. Science Advances 4:eaar4740.**

**DeLaune, R.D., M. Kongchum, J.R. White, and A. Jugsujinda. 2013. Freshwater diversions as an ecosystem management tool for maintaining soil organic matter accretion in coastal marshes. Catena 107:139-144.**

**Suir, G.M., W.R. Jones, A.L. Garber, and J.A. Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. U.S. Army Corps of Engineers Mississippi River Geomorphology & Potamology Program, Report No. 2. 37 pages.**

**Turner R.E., M. Layne, Y. Mo, and E.M. Swenson. 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. Restoration Ecology 27(6):1231-1240.**

**Response ID: 16624**

The issues raised by the commenters were considered in the Draft EIS. For example, the proposed Project's long-term influence on land building and wetland creation has been modeled extensively through engineering and design and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS. With regard to modeling conducted to determine impacts of the proposed Project, the Delft3D Basinwide

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Model projections of Project impacts include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainty in model results is recognized in Table 4.2-4 found in Section 4.2.3.2.2.1 Geology, which indicates that land areas are considered accurate within +/- 200 acres and that the error in land gains is +/-300 acres.

As part of developing the EIS, the USACE, together with members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. The cited studies were reviewed and included in relevant analyses in the Draft EIS.

The LA TIG acknowledges the commenters' concerns. As described in the LA TIG's Draft Restoration Plan, the Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The LA TIG agrees that, with or without the Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts. All citations referenced by the commenters were included in the Final EIS and thus were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62708**

**The release of polluted river water into the Barataria Basin would create harmful algal blooms and/or large areas of low dissolved oxygen that could negatively affect aquatic fauna including mortality of adults and juveniles that may not be able to escape impacted areas.**

**Response ID: 16086**

As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, the input of nutrients from the Mississippi River is generally anticipated to be beneficial to the food web, although there is an acknowledged potential for harmful algal blooms. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and well-mixed by wind and tidal action, such that it is not typically prone to stratification that promotes hypoxic (dissolved oxygen of less than 2 to 3 mg/L) conditions. Further, as discussed in Section 4.10.4.4 in Aquatic Resources, the Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation

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would result in oxygen concentrations below 5 mg/L on an average monthly basis; therefore, although sporadic and limited areas of low dissolved oxygen may occur, mainly in the summer months, no large or prolonged periods/layers of low dissolved oxygen are projected by the Delft3D Basinwide Model, nor anticipated based on the Barataria Basin's identification as a largely well-mixed estuary. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to Project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2), which has been updated for the Final EIS in response to public comments, includes CPRA's plan to implement a monitoring program for phytoplankton species composition, including harmful cyanobacterial/algal bloom species (and associated toxins) (see Sections 3.7.3.10 and 3.7.3.11 of Appendix R2 of the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result

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in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62791**

**Thus far, CPRA has not done anything to lower storm surge or slow the rate of wetland loss.**

**Response ID: 16372**

CPRA was formed in 2005 to address Louisiana's coastal crisis by implementing projects for a sustainable coast and reducing hurricane surge risks for its residents. Since 2007, CPRA

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has partnered on the implementation of hundreds of miles of levees to protect residents, visitors, and property; created tens of thousands of acres of marshes; and rebuilt Louisiana's barrier island system. Louisiana's Coastal Master Plan for a Sustainable Coast provides the roadmap for coastal restoration and every year the public can review the CPRA Annual Plan to understand the progress. Several of these past and current projects were considered as part of the cumulative impact analysis in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS. CPRA's actions to address storm surge and wetland loss outside of the proposed Project area (defined in Chapter 3 Affected Environment to include the Barataria Basin and the Mississippi River birdfoot delta), are outside the scope of this EIS.

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**Concern ID: 62792**

**CPRA is using soundbites and marketing to convince the Louisiana public and legislature to allow them to dole out contracts for over \$2 billion in limited coastal restoration dollars on these projects. In reality, Barataria Bay is already connected to the river with existing diversions at Davis Pond, West Pointe á la Hache, and Naomi.**

**Response ID: 16373**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, the Draft EIS assesses the environmental and socioeconomic impacts of the proposed Project. To the extent construction spending would serve as an economic driver, those anticipated impacts are discussed in Chapter 4, Section 4.13.4.2 Economy, Employment, Business, and Industrial Activity. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Delft3D Basinwide Model, which was used in developing the proposed MBSD Project EIS, accounts for the existing diversions at Davis Pond, West Pointe a la Hache, and Naomi (see Appendix E [Delft3D Modeling], Section 5.1.1 of the EIS).

The USACE is neither a proponent nor an opponent of the proposed Project. It will make its decisions regarding the proposed Project based on the evaluations in the EIS and considering public comments and its determinations with respect to the public interest review, compliance with the CWA Section 404(b)(1) guidelines, compliance with other laws and Executive Orders, whether the Project would affect the ability of Corps projects to meet their authorized purposes and whether the project is injurious to the public interest. USACE's decisions will not be based in any respect on CPRA's public communications regarding the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates,**

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**and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the

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landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63018**

**The proposed Project would cause land loss further out from the diversion structure and also destroy the brackish/saline marsh grasses, which provide storm surge protection, and replace them with less surge-resistant freshwater plants.**

**Response ID: 16030**

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the Draft EIS acknowledged that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations. Further, the Delft3D Basinwide Model projects inundation depths in the critical vegetation parameters to simulate vegetation losses and gains as a result of the diversion, as well as other sources of inundation (such as subsidence and sea-level rise).

However, salt- and brackish marsh vegetation would not be subjected to direct mortality due to the lower salinity of transported water. While saline and brackish species are associated with salinity ranges of greater than 18 ppt and between 18 and 5 ppt, respectively (see Chapter 3, Section 3.6.1.2 in Estuarine Wetlands of the Draft EIS), brackish marsh can fluctuate from fresh to saline conditions depending on tidal movement, and species such as *Spartina alterniflora* are common in both salt and brackish marsh (Conner and Day 1987). Salt is a stressor affecting osmosis and cell structure. Plants occurring in saline and brackish marshes have developed adaptations to either exclude uptake or excrete salt; however even salt marsh species grow better at lower salinities (Mitsch and Gosselink 2000; Teal et al. 2012). However, as described in Chapter 4, Section 4.6.5.1.2.1 Salinity of the Final EIS, in some areas of the Barataria Basin, the seasonal change in salinity due to operation of the diversion above base flow (primarily during spring and early summer) and lower-flow conditions during fall and winter months would be large enough to temporarily change the wetland hydrology from a brackish to fresh or from a saline to brackish system. In the southern basin, where salt marsh predominates, peak salinities would be within the range for salt marsh vegetation under the No Action and Applicant's Preferred Alternatives. Additional analysis regarding the potential impact of hurricanes and saltwater inundation on the extent of wetlands in the Project area during operations has been added to Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

The MAM Plan includes monitoring for inundation related effects on marsh vegetation in the Project area. The MAM Plan provided in the Draft EIS Appendix R was submitted by CPRA and represents a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the

measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria**



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**Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.****Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 63080**

**The Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems by obtaining a Congressionally-mandated MMPA waiver for the proposed Project. The waiver does not establish a quota for how many dolphins can be taken by the proposed Project, and it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, provided Congressional permission to break**

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**the law. It is critical for the protection of marine mammals that such a legislative waiver be a one-off occurrence.**

**Response ID: 16599**

The U.S. Army Corps had no role in seeking a Marine Mammal Protection Act waiver for this Project from Congress, nor did any federal agencies on the LA TIG. CPRA sought the waiver. Title II, section 20201 of the Bipartisan Budget Act of 2018 provides: “(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S. C. 1361 et seq., as amended) regarding maintaining the health and stability of the marine ecosystem, within 120 days of the enactment of this section, the Secretary of Commerce shall issue a waiver pursuant to section 101(a)(3)(A) and this section to Section 101(a) and Section 102( a) of the Act, for such projects that will remain in effect for the duration of the construction, operations and maintenance of the projects. No rulemaking, permit, determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.”

The National Marine Fisheries Service issued the waiver in March 2018. Since that waiver in 2018, CPRA has not requested any additional waivers for coastal restoration projects. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Concern ID: 63106**

**The proposed Project would kill more sea turtles than did the DWH oil spill with BP monies.**

**Response ID: 16204**

Chapter 4, Section 4.12.2.2 Sea Turtles of the EIS, determined that the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp’s ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts.

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS’ Biological Opinion on the proposed Project (included in the Final EIS as Appendix O4) concludes the proposed Project is not likely to jeopardize the continued existence of sea turtles and authorizes “take” for the Project, which is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. In its Biological Opinion, the NMFS authorizes the incidental take of 783 sea turtles per year, including 370 Kemp’s ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities). This can be compared to the lower-end

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estimate of 4,900 large juvenile/adult, 56,000 juvenile, and 35,000 hatchling sea turtles killed by the DWH oil spill (NMFS 2020).

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**Concern ID: 63129**

**The proposed Project would have no land gain in the first 20 years.**

**Response ID: 16277**

Land gains and losses are discussed in Chapter 4, Section 4.2.3 in Geology and Soils of the EIS. As reported in this section, the proposed Project would introduce significant volumes of sediment into the Barataria Basin, most of which is expected to be retained. Further, as discussed, the Delft3D Basinwide Model suggests that an expected net addition of 53 mcy of sediment would be retained in the proposed Project area (Barataria Basin and birdfoot delta) by 2030 and 310 mcy by 2070, which would result in the net creation of 4,980 acres (7.8 square miles) of land by 2030, and 17,300 acres (27.0 square miles) by 2050. The Executive Summary and Section 4.2.3.2.2.1 Geology of the Final EIS have been revised to clarify ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed Project operations.

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**Concern ID: 63181**

**CPRA has no real mitigation plan.**

**Response ID: 16558**

The Draft EIS contained CPRA's Mitigation and Stewardship Plan in Appendix R1.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64057**

**The socioeconomic impacts would affect southeast Louisiana and the area impacted by the proposed MBSD Project for generations and ensure the end to the traditions and culture of south Louisiana and its families.**

**Response ID: 16230**

The EIS discusses impacts on the local communities and various quantitative and qualitative impacts from the proposed Project in Chapter 4, Section 4.13 Socioeconomics, including Community Cohesion (Section 4.13.5.6). Consistent with the concern of the commenter, the EIS does find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative.

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**Correspondence ID:39429**

Alliance for Affordable Energy

Logan Burke

Hello, I'd like to offer my support for the preferred alternative in the Draft Environmental Impact Statement for the Mid- Barataria Sediment Diversion. I encourage the use of Deepwater Horizon settlement dollars to fund this project, as is outlined in the Restoration Plan. Please also consider community needs in all mitigation and stewardship efforts, as it is community that makes Louisiana what it is. Finally, as climate change continues, sea levels rise, and man-made structures continue to limit the natural development of vital wetlands and coastal rebuilding along the majority of Louisiana's sole, please commit to developing a real adaptive management plan to prepare for the future. We simply must not fail to act to protect Louisiana's land, wetlands, and waterways.

Thank you,

Logan Burke, Alliance for Affordable Energy

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the

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Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from

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the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39463**

Teryn Romaine

Dear U.S. Army Corps of Engineers, New Orleans District,

I presume you have read the comments and support evidence for the Mid-Barataria Sediment Diversion. I just want to add that for too long we have turned a blind eye to the damage we are bringing to the natural world around us. There is no going back to the world that existed before the human population and the technologies started expanding uncontrollably, but here is an opportunity to recover from one very big catastrophe, and this may be an example for the future, ensuring that there will be a world to pass along to future generations.

Thank you for considering my comments.

Sincerely,

Teryn Romaine

Blairsville, GA 30512

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39490**

Belinda Gaile

I own a house in Myrtle Grove Marina Estates. I'm very concerned about the flooding that will occur in my subdivision when the diversion is running. Will the residents be notified prior to the diversion being turned on to allow us to make plans to leave so we're not trapped in the subdivision or not able to get back in. I'm also concerned about what damage my house will sustain from the regular flooding as well as to what will happen to my property value. I've attended a couple of meetings concerning this diversion and haven't heard any definite plans about mitigation measures. This is very worrisome. I'm at a point in my life where I cannot continue to clean and repair flood damage to my property. I don't want the stress of never knowing when the diversion will be turned on. My husband and I built our home in 2004. It was supposed to be a weekend getaway with friends and families. The diversion will pretty much put an end to those plans.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix

R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures

contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to

purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for**

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**lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties

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and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63094**

**There should be a website that shows if the diversion is running and at what capacity.**

**Response ID: 16646**

In response to public and agency comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

This dashboard has been added to the Monitoring and Adaptive Management (MAM) Plan included in the Final EIS (Appendix R2). The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63102**

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**Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.**

**Response ID: 16640**

The commenters' concern regarding the adequacy of the funding for mitigation measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts of the Project on surrounding communities outside levee protection, including potential mitigation measures to address increased water levels due to the Project. In response to comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however,

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final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63210**

**Concern was expressed about whether residents will be notified before the diversion is turned on.**

**Response ID: 16577**

The Draft EIS did not address whether or how residents would be notified regarding Project operations. In response to public comments, CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 in the Final EIS) states that it would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

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monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39543**

James Davis

I would suggest adding salt injection points directly downstream of the river sediment flow before it gets into the basin so that the volume of fresh water is reduced.

This may assist in less stress on salt reliant fish, shellfish and dolphins.

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**Concern ID: 61896**

**Add salt injection points directly downstream of the river sediment flow before it gets into the basin so that the volume of fresh water is reduced.**

**Response ID: 15990**

This outfall feature alternative was considered in the Draft EIS but was not fully evaluated because it does not meet purpose and need for the Project because it does not restore the natural delatic process between the Mississippi River and Barataria Basin through the introduction of fresh water, sediment, and nutrients from the Mississippi River into the Basin. Refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS. Additionally, the basin will experience periodic introduction of more saline water naturally through tidal processes and storm events. Potential impacts associated with changes in salinity are addressed in Chapter 4, Section 4.5 Surface Water and Sediment Quality.

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**Correspondence ID:39638**

Myrtle Grove Homeowner Association

Randy Gegenheimer

Myrtle Grove Homeowners Association Comments on Draft Restoration Plan and Draft Environmental Impact Statement ("EIS")

CPRA recognizes the diversion will impact Myrtle Grove (and other communities)

- Draft Restoration Plan Page ES-2: "increases in intensity and duration of flooding impacts for next 50 years."

- Draft Restoration Plan Page 3-16: \$268,318,000 budgeted for land acquisition

- Draft Restoration Plan Page 3-48: "diversion would serve to accelerate tidal flooding impacts."

- EIS page 4-453: "minor to moderate, adverse impacts upon housing and property values" followed by "impacts to Myrtle Grove would be more substantial."

o Comment: How will the affected communities be compensated for the adverse impact of the diversion?

#### Water Levels

December 18, 2019: Diversion Presentation by Brad Barth and Brian Lezina. Brian presented a graph showing maximum increase of water up to 2 feet. He also said it is a significant increase and it is being study and will be addressed.

April 2020: In an article in the New Orleans Advocate. Brian Lezina stated the water level will increase 2.5 feet at the Wilkinson Canal and everything is on the table including elevation at the bulkheads and elevating roads if the diversion is built.

Early 2021: CPRA conducted meetings in Port Sulphur and had a continuous presentation showing the water levels will increase at Myrtle Grove .5 to 2 feet. CPRA stated they will assist property owners by:

- Elevating homes and structures on the property.
- Upgrade septic / sewer and other utilities.
- Elevating roadways and utilities; and
- Pay for losses in property value.

April 2021 CPRA conducted a meeting in Lake Hermitage and again a different water level for Myrtle Grove <1.0 - 1.3 feet

EIS Executive Summary Page ES-8: Operational impacts on water levels in the Barataria Basin from the project would be permanent, adverse, and range from major to minor, depending on the location in the Basin, with minimal increase of 1.1 feet in the immediate outfall area. Higher water levels would primarily occur when the diversion is flowing above base flow (greater than 25,000 cfs and up to 75,000 cfs).

EIS Executive Summary Page ES-14: The operation of the proposed project could lead to long term, minor to major, adverse impact on communities not protected by Federal Levees from acceleration of increase flooding and storm hazards.

EIS Table 4.20-2: Shows an increase of 119 days of more tidal flooding under Applicants Preferred Alternative in Myrtle Grove 2020-decade days with the project.

- Comment: 119 days is approximately one third of a calendar year. The result of the diversion will be that Myrtle Grove owners will only be able to enjoy the use of their property two-thirds of the year.

EIS page 4-694, Figure 4-20-3: Shows Myrtle Grove flooding twice as much in 2030 (inundated two-thirds of the year).

- Comments: These figures are inconsistent. What will be the actual impact upon Myrtle Grove?

#### Property Values

EIS Page 4-554: There are 532 residential properties in the affected communities that had an assessed value of \$5.9 Million and then said this is the property value for these properties.

Appendix H Table 2-6: Myrtle Grove has one marina, 76 homes and 231 undeveloped properties valued at \$52 million.

- Comments: Reconcile \$52 Million for Myrtle Grove and \$5.9 Million for Myrtle Grove and all the other affected communities

- Assessed value is not market value.

Appendix H Page 125: Impacts of the diversion:

- The operation of the project under Applicants Preferred Application is expected to have permanent, moderate, adverse impacts on land use and property values.

- Operation of the project is expected to increase the frequency and duration of tidal flooding in communities outside of the flood protection in and near the outfall.

- These temporary more frequent occurrence in flooding may lead to reduction in property values over time.

- As a result, operation of the project is expected to have permanent, minor, adverse impacts on the land uses and property values in the outfall area.

Chapter 4 4.13.3.3 Sedimentation: If additional dredging is not undertaken adverse impacts in addition property values for properties that rely on access to those channels could be adversely affected.

Loss of use of Wilkinson Canal (Appendix R page 19): If Wilkinson Canal impacted, CPRA MAY (emphasis added) take one or more actions such as adjust operations, conduct maintenance dredging, provide alternative boat access for Myrtle Grove. In EIS page 4-454, it states the loss of the Canal would result in "moderate, permanent adverse reduction in property values in Myrtle Grove."

- Comment: Why is this not a duty for CPRA in the event Wilkinson Canal is impacted rather than just something CPRA MAY do?

#### Mitigation

Appendix R Page 6.3.2 Property Impacts: CPRA is evaluating the area that could be exposed to project induction and researching regulatory and policy issues that pertain to powder lands and tidelands in the project area. A comprehensive inventory of the potentially affected

properties and land services planning is progressing under an assumption that CPRA would mitigate for inundation caused by the project to properties which could take the forms of:

- Monitoring and adaptive management of operations
- Assisting property owners to elevate homes and other structures on private property.
- Property right acquisition (e.g., Flowage Easement fee acquisition, or others) CPRA would prefer to acquire easement rather than acquiring full ownership of affected properties.
- Structural mitigation (e.g., elevation public roadways, utilities, water control structures or other structural measures to offset additional induction
- The draft EIS for the Upper Barataria Bay has a Real Estate Plan for the affected communities.

o Why is there not a Real Estate Plan for Myrtle Grove and the other affected communities?

- Sire selection mitigation could occur at the site of the impact, or other locations where structural measures would reduce inundation, or through property rights agreements.

o Comment: Every Flowage Easement found on the Corps of Engineers website contains an express prohibition against human habitation (homes) in the Flowage Easement. How can this be a preferred remedy since it would result in no one being able to live in Myrtle Grove and the other affected communities?

#### Land Building

Executive Summary Page ES-10: The project is expected to cause moderate, permanent, adverse impacts on the wetlands in the Birdfoot Delta where wetlands would be lost due to reduced sediment and freshwater inputs. By year 2070, wetlands in Birdfoot Delta reduced to 3,510 acres without the project Birdfoot Delta 2070 would be 6,410.

EIS Figure 4.2-6: This graph shows in 2030 Basin acres is 300,000 acres including < 10,000 acres created. In 2070, total acres in the Basin will be 60,000 acres with just a little more than 10,000 acres.

- Additional Comments: This information contradicts what was shown in the amount of land created by 2070 in the December 18, 2019 presentation.

- The EIS does not have a reduction in land building in the event of hurricanes which can have a significant impact on any build-up of land.

#### Diversion Operation

EIS Table 4.1-1: Shows the rivers in first decade of operation 158 days above 450,000 cfs and by 2070 224 days above 450,000 cfs.

EIS Page 4.13.3.3 Sedimentation: Operation of the Diversion would lead to an increase in sedimentation in channels and canals in outfall area that are important to both recreational boaters and commercial fishers.

EIS Appendix H 3.6.2 Construction Impacts: Construction of the project is expected to cause negligible impact on non-federal maintained canals.

EIS Appendix H 3.6.3 Operational Impacts: Because of uncertain ties associated with DELFT and GIS modeling results and the number of variables need to estimate cost of dredging a range of cost were estimated to dredge only the Wilkinson Canal.

## Dolphins

EIS Appendix N provides all the marine species affected by the diversion but does not cover dolphins. While it is recognized that a waiver was obtained for the dolphins, the dolphins should have been studied and the adverse effects published to allow an appeal of the waiver due to the harm to dolphins. We believe the knowledge regarding the number of dolphins to be killed because of the diversion will result in a public outcry.

## Additional Comments on the EIS

- Throughout the EIS, it states multiple times the project will cause permanent, minor to major adverse impacts to the land use and property values and commercial fisheries in the Barataria Basin.
- With Global Climate Change the EIS used river hydrology information from as early as 1964 and no later than 2011. Current information was not used. The EIS should contain a hydrology report and the report should be based upon recent data.
- From several resources (CPRA presentation, newspaper articles, EIS) increased water levels range from .5 to 2.5 feet. The information is not consistent on water levels.
- The only alternatives in the EIS are diversions at different flow rates. They have not listed other possible methods on building land in the Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion.
- The purpose of the diversion is to build land. However, the EIS Figure 4-2.6 is a graph showing the Barataria Basin has 300,000 acres with less than 10,000 acres created and 2070 with 60,000 acres with just over 10,000 acres created. This does not justify the cost of the diversion.

CONCLUSION: CPRA is condemning the property in Myrtle Grove and other communities outside the levee protection for the benefit of the State of Louisiana. While understandable from a State's perspective, the owners in Myrtle Grove and the other affected communities need to be fully compensated for the taking of their property (i.e., paid fair market value for their property and homes)

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### Concern ID: 61772

**The commenter pointed out that Figure 4.2-6 in Chapter 4, Section 4.2 Geology and Soils indicates that by 2070, total acres created by the Project in the basin would be about 10,000 acres. The commenter expressed concern that this contradicts the amount of land created by the Project as stated in the December 18, 2019 presentation by CPRA to the Myrtle Grove Homeowners Association.**

### Response ID: 16173

The total acres projected to be created by the proposed Project were considered in the Draft EIS. The EIS contains projections derived from the most recent modeling efforts available by the Water Institute of the Gulf, and these projections may differ from those of earlier modeling efforts. A detailed overview of the modeling conducted to project land creation and land-loss impacts of the proposed MBSD Project is provided in Appendix E Delft3D Modeling of the EIS. To help further address these concerns, a discussion to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost

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due to proposed diversion operations has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61787**

**The EIS used river hydrology information from as early as 1964 and no later than 2011. Current information was not used. The EIS should contain a hydrology report and the report should be based upon recent data.**

**Response ID: 16417**

The issue raised by the commenter was considered in the Draft EIS. The Mississippi River hydrologic boundary conditions used in the Delft3D Basinwide Model included continuous 50-year historical Tarbert Landing records from 1964 to 2013. For the Delft3D Basinwide Model hydrodynamic simulations, representative hydrographs were selected to represent each decade. The selection was the product of a statistical analysis performed by the Water Institute of the Gulf, as described in Draft EIS Appendix E Delft3D Modeling, Section 5.1.1. In addition, four additional Mississippi River annual hydrographs were selected to represent specific statistical characteristics including the 2011 hydrograph, as the commenter mentioned. It was selected because it represented a particular type of hydrograph - a high discharge, late spring flood. Later years, including those available when the modeling was performed, were considered but did not meet the selection criteria. No related edits have been made to the Final EIS.

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would



diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62010**

**Sediment transported by the diversion into the basin would cause the main waterways to have increased shoaling, become too shallow to pass through, and would require dredging in order to access personal properties. This plan should address the potential loss of access for homes, camps, and businesses due to the increased shoaling.**

**Response ID: 16208**

The impacts raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. The EIS describes impacts on marine transportation and maintenance dredging in Chapter 4, 4.21 Navigation. This section also describes potential impacts on access due to delays when dredging. In addition, refer to Section 4.13 Socioeconomics for a discussion of socioeconomic impacts due to potential sedimentation in Barataria Basin navigation channels and canals. The proposed Project would have moderate, intermittent but permanent, adverse impacts on marine traffic efficiency and safety for shallow-draft vessels. The proposed Project would also cause minor to moderate, permanent, adverse impacts in dredging requirements for portions of the Mississippi River Navigation Channel and the birdfoot delta due to Project-induced changes to typical shoaling patterns and locations. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the proposed Project area during Project operations. In acknowledgement of commenters' concerns regarding sediment and shoaling impacting navigation, the Mitigation and Stewardship Plan in Appendix R1 in the Final EIS

includes measures to mitigate impacts on navigation in the basin resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62018**

**Commenters noted inconsistencies in the property values presented in the EIS and Appendices. Specifically, comments highlighted a need to reconcile the property value of \$52 Million for Myrtle Grove in Appendix H compared to the value of \$5.9 Million for Myrtle Grove and all the other affected communities in Chapter 4, Section 4.13.5.3 in Socioeconomics of the main body of the EIS.**

**Response ID: 16214**

The commenter's concern with the consistency of property valuation in the EIS is acknowledged. The issues raised by the commenters were considered in the Draft EIS. Appendix H1 Socioeconomics Technical Report and Chapter 4, Section 4.13.5.3 Housing and Property Values in Socioeconomics present different statistics about housing values. Specifically, Table 2-6 in Appendix H1 Socioeconomics Technical Report presents total property values based on estimated online fair market estimates in Myrtle Grove. Section 4.13.5.3 Housing and Property Values in Socioeconomics presents the assessed value of properties as reported by the Plaquemines Parish Assessor. Per the Plaquemines Parish Assessor, the assessed value is calculated as 15 percent of the fair market value for all

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commercial improvements, and 10 percent of the fair market value for all residential improvements and all land. For clarity, edits have been made to Section 4.13.5.3 and Appendix H1 Socioeconomics Technical Report of the Final EIS.

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**Concern ID: 62150**

**The land-building results of the Project presented in Chapter 4, Section 4.2 Geology and Soils should include consideration of potential reductions in land building due to hurricanes, which can have a significant impact on any build-up of land.**

**Response ID: 16178**

The commenter's concerns related to the effects of hurricanes and tropical storms on projected future land loss were considered in the Draft EIS; therefore, no related updates have been made to the Final EIS. The EIS includes extensive ADCIRC/SWAN modeling of storm surge and wave height elevation simulations based on historical hurricanes and tropical storms over the Project area for the 50-year analysis period. The details of these modeling efforts and the assumptions involved are provided in Chapter 4, Section 4.20 Public Health and Safety, including Flood and Storm Hazard Risk Reduction and in Appendix P (Flood and Storm Hazards Evaluation). Additional analysis regarding the potential impact of hurricanes on the extent of wetlands in the proposed Project area during operations is included in Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS.

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**Concern ID: 62236**

**The commenter asserts that information provided in several sections of the Draft EIS and in presentations are inconsistent and would like to know what the actual impact to Myrtle Grove would be.**

**Response ID: 15822**

The USACE acknowledges the commenters' concerns regarding the consistency and accuracy of the reported projections. USACE is the lead agency for development of this EIS, which contains the results from the Delft3D Basinwide Model regarding the projected effects of the Project on water levels in Barataria Basin, including areas close to the diversion outfall (within a 20-mile radius). The estimated flooding impacts in Myrtle Grove are described in Chapter 4, Sections 4.20.4.2.1.2 and 4.20.4.2.2.2 in Public Health and Safety. USACE is not familiar with other numbers that may have been reported by CPRA. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future conditions. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties).

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for**

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**lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties

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and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63069**

**The Draft EIS did not include detailed information about the potential impacts of the proposed Project on bottlenose dolphins.**

**Response ID: 16592**

The Draft EIS included an analysis of the impacts to marine mammals, including bottlenose dolphins, in Chapter 4, Section 4.11 (Marine Mammals). The EIS quantifies the impact on dolphin survival rates (the percentage of existing dolphins that would survive from one year to the next year) for different populations of dolphins (Table 4.11-5) from the most pronounced stressor, salinity, but also includes a qualitative assessment on other impacts such as wetland shifts, prey species impacts, HABs, water temperature, and other impacts. The Final EIS includes the incorporation of additional population impact analysis that was completed by Thomas et al. (2021) after the Draft EIS was released for public comment.

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**Concern ID: 63092**

**Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, "real estate plan" for impacted communities was not available.**

**Response ID: 16511**

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA's initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners'

properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA's Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for**



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**acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or

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will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39651**

Tommy Moore

\*\*\* photo attached

Brad,

[REDACTED] Port Sulphur, LA 70083

Today there were news articles and stories on television about the high tide / wind event, where they showed lots of coastal properties' docks and roads underwater. Please note in the attached picture, that my dock and property is still dry. As we discussed, I trucked in many loads of dirt, and constructed my dock and bulkhead to be high enough to be dry during the majority of these events. As per our discussion, an additional foot and a half of water would put my dock and land under.

Thank you.

Tommy

Tommy Moore

Direct Mail Plus

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39677**

Ilsabe Urban

Dear U.S. Army Corps of Engineers, New Orleans District,

The Mid-Barataria Sediment Diversion is essential to rebuild vital bird habitats.

I support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement .

Thank you.

Sincerely,

Ilsabe Urban

Rockville, MD 20850

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**Concern ID: 62892**

**The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.**

**Response ID: 16191**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from

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the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39678**

Randy Gegenheimer

Diversion DEIS

I oppose the Barataria Diversion for various reason listed below

Theres no doubt we need to rebuild land in the Barataria Basin but not with a plan that has adverse impacts to the Basin. Reading the DEIS it states numerous times throughout the document the project will have adverse impacts and some will be permanent to the Barataria Basin

C Minor to major permanent impact to the fisheries

- Minor to major adverse impacts on the property values on the impacted communities
- Tidal water in affected areas will be permanent, adverse range from major to minor

The purpose of the diversion is to build land. Chapter 4 figure 4.2-6 is a graph

- 2030 Basin has 300,000 acres including <10,000 acres created
- 2070 Basin will be 60,000 acres with just a little more than 10,000 acres created

This graphs contradicts what stated about buldling land in the Executive Summary. The project will move the coast line from where it is to further inland. Need to rebuild the barrier island and protect all of Plaquemine Parish not just the northern end , Jefferson and New Orleans.

Executive Summary

Should the project be permitted the amount of sediment will be reduced in the Birdfoot Delta. By2070 the Birdfoot Delta will be reduced approximately 3,000 acres. The diversion is designed for storm protection in Upper Plaquemine and other parishes. Reducing the acreage in the Birdfoot Delta reduces storm protection in Lower Plaquemine.

No doubt we have climate change and sea level rise but some of the problems in Barataria Basin is the lost of Barries islands and subsidence,when the south winds blow we have increase in tides not sea level rise all the way to the north end of the Basin

DEIS have multiple alternatives and they are all diversions. They do not have alternate plan other than diversions in the DEIS. There are other methods that have been successful to rebuilding land other than the diversion.

Appendix O Biological Study did not studied all species impacted by the diversion. Just studied spices on the endangered, threaten, and proposed threaten. They failed to include oysters, shrimp, dolphins, speckled trout, etc

Appendix O Biological Study Table ES - 1

Green Sea Turtle - likely to adversely affect

Hawksbill Sea Turtle - may affect, not likely to adversely affect

Kemps Ridley Sea Turtle - likely to adversely affect

Leatherback Sea Turtle - may affect, not likely to adversely affect

Loggerhead Sea Turtle - likely to adversely affect

Appendix R Mitigation / Mammal

4.8 - congress passed the Bipartisan Budget Act of 2018, Public Law 115-123 (BBA-18). BBA -18 included a requirement that the Secretary of Commerce as delegate to the Assistant Administrator of the NMFS to issue a waiver of the MMPA Moratorium and Prohibition for the project.

CPRA was not granted a waiver on the mammals NMFS were required by law to issue a waiver. Need further study on the impact to the dolphins

#### Appendix R 6.3.6 Marine Mammal

C Immediate and permanent, major, adverse impact on survival

C Adverse affects on health and reproduction from multiple stressors

C Based on estimated decrease survival rate there may be a substantial reduction in population numbers

#### Mitigation Plan

-Enhance rapid response to live stranded dolphins

C Program to increase quality and quantity of data that can be collected from dead stranded dolphins by decreasing decomposing time on the beach

#### Appendix N Aquatic Resources

Report from Confluence Environmental Company reported on various species in the Barataria Basin but failed to report on the dolphins. This is probably the first time since the Marine Mammal Act that projects are put ahead studying the impact of the dolphins. We should not wait to see what the results will be five years from now. At this point it will be too late to address what the diversion has done to the Barataria Basin.

In the New Orleans Advocate dated May 19, 2021 an article was published on the affects on the dolphins in the Bartaria Basin. Should the diversion be approved the dolphins in the Basin will be functionally extinct in 50 years as per a new study by the University of St. Andrews in Scotland, SMRU Consulting and National Marine Mammal Foundation at the request of the federal Marine Mammal Commission. Without the diversion the study concludes that the dolphins will see a steady 3% increase a year.

In a 2018 Budget Bill H.R. 1892 in Washington D. C. a last minute item added to the bill requiring by law to give a waiver to the Mid- Barataria Basin Sediment Diversion project a waiver to the Marine Mammal Protection Act rather than study the affects to the dolphins as any other project would have to complete. This waiver was pushed knowingly they would not get a waiver if filed for through the Marine Mammal Protection Act.

Just concerned how much time and studies were completed on other fisheries in the Basin. With additional studies we may find the DEIS information is incorrect and ruin all the fisheries in the Basin including the endangered turtles

CPRA is not consistent when reporting the water levels at Myrtle Grove. My concern is that CPRA does not know what the water levels will be during operation of the diversion

C December 18, 2019 Diversion Presentation by Brad Barth and Brian Lezina presented a graph indicating the water level will increase by 2 feet

C April 2020 an article in the New Orleans Advocate Brian Lezina stated the water levels will increase by 2.5 feet

C Early 2021 CPRA conducted meetings at Port Sulphur showed a presentation showing the water level at Myrtle Grove would be .2 - 2 feet

C April 21, 2021 CPRA conducted a meeting at Lake Hermitage and showed a slide indicating the water level will increase <1.0 - 1.3 feet

C While reading through the DEIS they reported various increase water levels at Myrtle Grove.

C Have zero confidence with CPRA knowing what the water level will be. What will the increase water levels be at Myrtle Grove???

CPRA says the Diversion will replicate what the river did 100 years ago before the levee were built. Today's river does not carry the sediment it carried 100 years ago due to projects on the northern river and tributaries. Northern states built dams and soil conservation projects reduced the amount of sediment. Today's river also carries pollutants that were not there 100 years ago. Every year the Gulf of Mexico has a dead zone due to the water from the Mississippi River. Should the Diversion be permitted we will have dead zones in the Barataria Basin

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**Concern ID: 61782**

**Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.**

**Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to**

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**the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA’s Mississippi River/Gulf of Mexico Hypoxia Task Force “Hypoxia 101” webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the.condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model’s dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.2 Applicant’s Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if

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the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61862**

**The estimates of land gain in the Executive Summary do not match what is stated in Chapter 4, Environmental Consequences.**

**Response ID: 15935**

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The estimates of land gain were reviewed for discrepancies in both the Executive Summary and Chapter 4, Environmental Consequences of the Draft EIS and have been determined to be accurate in both instances. However, to help address these concerns, the EIS has been revised to add a discussion to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Geology and Soils section of the Executive Summary and to Chapter 4, Section 4.2.3.2.2.1 Geology, of the Final EIS.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

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Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62202**

**A contributing factor to rising water levels in the basin is the wind that blows from the south that increases tides all the way up to the northern end of the basin. The loss of the barrier islands and subsidence contribute to the south winds' increasing tides.**

**Response ID: 16419**

The commenter's concern about wind was considered in the Draft EIS. The USACE agrees that wind is an important factor in the estuary. The Delft3D Basinwide Model simulations conducted for the EIS included wind as described in EIS Appendix E Delft3D Modeling, Section 3.2.2. Likewise, subsidence was explicitly included in the model simulations as described in Appendix E Delft3D Modeling, Section 3.2.3.

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**Concern ID: 62236**

**The commenter asserts that information provided in several sections of the Draft EIS and in presentations are inconsistent and would like to know what the actual impact to Myrtle Grove would be.**

**Response ID: 15822**

The USACE acknowledges the commenters' concerns regarding the consistency and accuracy of the reported projections. USACE is the lead agency for development of this EIS, which contains the results from the Delft3D Basinwide Model regarding the projected effects of the Project on water levels in Barataria Basin, including areas close to the diversion outfall (within a 20-mile radius). The estimated flooding impacts in Myrtle Grove are described in Chapter 4, Sections 4.20.4.2.1.2 and 4.20.4.2.2.2 in Public Health and Safety. USACE is not familiar with other numbers that may have been reported by CPRA. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future conditions. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties).

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**Concern ID: 62282**

**Diversion impacts, including land loss in the birdfoot delta, would make lower Plaquemines more vulnerable to storms.**

**Response ID: 15805**

Draft EIS Chapter 4, Section 4.6.5 in Wetlands and Waters of the U.S. described the projected acceleration of wetland loss in the birdfoot delta caused by the proposed Project and Section 4.20.4.2 in Public Health and Safety acknowledged lower Plaquemines' increased vulnerability to storm hazards that would result from operation of the proposed Project. While the Draft EIS acknowledged the role that land loss plays in increased storm hazards, it did not explicitly acknowledge the role this accelerated land loss in the birdfoot delta could play in increased storm hazards. Section 4.20.4.2.2.2 in Public Health and Safety has been edited in the Final EIS to include acknowledgement that this accelerated loss of wetlands in the birdfoot could increase storm hazard vulnerability depending on the storm path and intensity.

In the LA TIG's Draft Restoration Plan, the LA TIG recognized the potential collateral injuries associated with the Project, including potential land loss in the birdfoot delta. In selecting the Applicant's Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives



under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide what it believed to be the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the Final Restoration Plan for more information about the LA TIG's selection of the Applicant's Preferred Alternative.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the “assessment of natural resource damages.” See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter “NRDA regulations” at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG's Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation

is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 62661**

**The Mississippi River is currently not capable of building land as it used to, in part because it does not carry as much sediment as it used to, and thus the proposed Project will fail. If it were capable of building land, there would be a large land mass at its current outlet.**

**Response ID: 16634**

The capability of the Mississippi River to support land building has been considered in the Draft EIS. For example, Chapter 3, Section 3.4.2.5 Sediment Transport discusses the available sediment in the Mississippi River, noting that studies had shown downward trends in sediment supply in the river through the 1990s, but that since then the volume of sediment (coarse and fine) in the water column has remained fairly constant. The river still carries a massive sediment load, but not as massive as before. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in the EIS in Chapter 3, Section 3.4.2.5 Sediment Transport. The EIS takes this diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin via the proposed diversion. This is described in detail in Section 5.2.2 (River Discharge and Sediment Rating Curve) of Appendix E (Delft3D Modeling) to the EIS.

The LA TIG acknowledges the comment and understands the commenters' concern, and this was considered in the LA TIG's Draft Restoration Plan. The Mississippi River does carry a large plume of sediment into the Gulf of Mexico each year. A large delta exists at the mouth of the river, often requiring dredging to maintain navigation. Crevasses have been used to supplement land building in the birdfoot delta, confirming the ability of the river to build and maintain land. The size of the delta is limited by a number of factors, including the depth of the water at the mouth of the Mississippi River and the constant erosive forces affecting the Gulf of Mexico. By comparison, the Project is proposed to be constructed at RM 60.7 of the Mississippi River because this location is capable of capturing and retaining the sediments transported into the Barataria Basin by the Project (see EIS Chapter 2, Section 2.4.1.3 Application of Additional considerations to Potential Alternative Locations in Upper, Middle, or Lower Barataria Basin). As noted above, these issues and analyses are included in the EIS, and are also considered by the LA TIG in its identification of its Preferred Alternative in the Restoration Plan.

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**Concern ID: 62727**

**Appendix O does not include impacts to the general biological communities of the basin.**

**Response ID: 16105**

Appendix O1 (Biological Assessment) of the EIS is the assessment of impacts to federally listed threatened and endangered species, prepared as part of the Endangered Species Act consultation between USACE and NMFS and USFWS. Impacts on the general biological communities in the Barataria Basin are discussed in Chapter 4, Sections 4.9 Terrestrial

Wildlife and Habitat, 4.10 Aquatic Resources, and 4.11 Marine Mammals of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62728**

**Additional studies may determine that the fisheries impacts identified in the Draft EIS are incorrect and that all the fisheries in the Barataria Basin would be ruined.**

**Response ID: 16106**

USACE and the LA TIG considered the best information and data available to them in drafting the EIS. No changes to the Final EIS have been made.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after

diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 63080**

**The Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems by obtaining a Congressionally-mandated MMPA waiver for the proposed Project. The waiver does not establish a quota for how many dolphins can be taken by the proposed Project, and it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, provided Congressional permission to break the law. It is critical for the protection of marine mammals that such a legislative waiver be a one-off occurrence.**

**Response ID: 16599**

The U.S. Army Corps had no role in seeking a Marine Mammal Protection Act waiver for this Project from Congress, nor did any federal agencies on the LA TIG. CPRA sought the waiver. Title II, section 20201 of the Bipartisan Budget Act of 2018 provides: "(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy

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declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S. C. 1361 et seq., as amended) regarding maintaining the health and stability of the marine ecosystem, within 120 days of the enactment of this section, the Secretary of Commerce shall issue a waiver pursuant to section 101(a)(3)(A) and this section to Section 101(a) and Section 102( a) of the Act, for such projects that will remain in effect for the duration of the construction, operations and maintenance of the projects. No rulemaking, permit, determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.”

The National Marine Fisheries Service issued the waiver in March 2018. Since that waiver in 2018, CPRA has not requested any additional waivers for coastal restoration projects. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Concern ID: 63109**

**Additional studies should be conducted to determine the impacts of the proposed Project on biota (including sea turtles).**

**Response ID: 16206**

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS prepared a Biological Opinion on the proposed Project (Appendix O4 of the Final EIS), which authorizes the incidental take of 783 sea turtles per year, including 370 Kemp’s ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities).

In addition, Section 8.3 of the NMFS’ Biological Opinion requires that the federal action agencies ensure that the Project proponent monitor brown shrimp fishing effort in the action area; fund, implement, and annually report on a salinity monitoring program in Barataria Bay; and funds and implements a monitoring plan targeting the distribution, health, and habitat use of sea turtles in the Barataria Basin.

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**Correspondence ID:39695**

Milton Danos

To Whom it May Concern,

I am 86 years old and have fished the Barataria area since I was 8 years old.

I have seen first-hand what the Corps of Engineers projects can do to our coast. The Mr. Go is one example of failure. Another is the cutting of a channel from Barataria to Grand Isle, destroying some beautiful high ridge land, which allows the high tide to come in and out of the Lafitte area much quicker. This has caused more soil erosion.

Please do not cause another fiasco with the Mid-Barataria Diversion. Dredging, rather than diversion, builds land.

Sincerely,

Milton Danos

by Marsha Danos, wife

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the

Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those

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goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Correspondence ID:39699**

Thomas Halko

I have read and reviewed your ambitious and extensively researched Project. I would like to state that I support the science and therefore the entirety of the project.

I am eight miles east of the proposed Project. I own 1.5 acres of mixed use residential and commercial buildings representing my home and business. It is also a historical and archaeological significant site at the confluence of Goose Bayou (Bayou des Oies) and Bayou Barataria.

It is difficult to turn around three centuries of political and industrial degradation of our environment coupled with the global rising seas. I am uncertain as to whether there are sufficient safeguards in place that respect the culture and history of the greater Lafitte-Barataria-Crown Point community. I trust that the body politic of the region will continue to mitigate the adverse effects of both the proposed Project as well as the Southwest Closure Protection Complex. The two projects represent the largest public works projects of their kind in the world, and both have me and my community in their cross hairs. I believe in some sacrifice for the good of the whole. I also believe in the continued sustainability of the communities negatively impacted.

With best regards, I am yours respectfully,

Tom Halko

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**Concern ID: 63183**

**Commenter supports the Project but believes that there needs to be protection for cultural resources in the area. Commenters noted specific sites such as those in Bayou des Oies and a need for safeguards that respect the culture and history of the Lafitte Barataria-Crown Point community in a way that promotes the continued sustainability of that community.**

**Response ID: 16560**

The commenter's support for the Project is acknowledged. The EIS discusses impacts to the local communities and various quantitative and qualitative impacts from the proposed Project in Chapter 4, Section 4.13 Socioeconomics, including Community Cohesion (Section 4.13.5.6). Consistent with the concern of the commenter, the EIS does find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative.

CPRA's Final Mitigation and Stewardship Plan includes various mitigation and stewardship measures to address projected adverse impacts of the proposed Project, including mitigation and stewardship measures for increased flooding in some communities and for adverse impacts to fisheries. For example, CPRA's Final Mitigation and Stewardship Plan includes measures intended to help preserve community cohesion in Grand Bayou and Ironton. For a complete listing of measures that would be taken, see the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS. If implemented, these measures could help to preserve affected communities and their histories/cultures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39700**

The Save Louisiana Coalition

Wendy Marullo

Re: Mid-Barataria Sediment Diversion Draft Environmental Impact Statement

To Whom It May Concern:

These comments are on behalf of the Save Louisiana Coalition, and the hundreds of members of the commercial and recreational fishing industries, as well as concerned coastal community residents we represent.

The Save Louisiana Coalition is in total opposition of this project, and the following comments are in direct response to the Draft Environmental Impact Statement.

The EIS states the project's purpose and need is to "restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. The proposed project is needed to restore habitat and ecosystem services injured in the northern Gulf of Mexico as a result of the DWH oil spill."

As noted in the EIS, this project will not restore damages caused by BP, but would actually cause further damage to wildlife habitat, dolphins, brown shrimp, and oysters. The legality of using fines meant mitigate damages to the environment and wildlife to further harm the same comes into question.

The discharge of water from the Mississippi River, which is classified as the second most polluted River in the U.S., during the 2019 Bonnet Carre Spillway opening, caused a declared fishery disaster in Louisiana of \$258 million. The Spillway was opened for a total of 123 days. It

also resulted in the deaths of over 300 dolphins, causing NOAA to declare an Unusual Mortality Event, (UME), citing fresh water lesions as the cause of the necropsy evaluated deaths of these animals.

According to the planned operational regime of the Mid-Barataria Diversion, had it been operating, according to this same river flow, it would have operated at maximum 75,000 cfs for 201 days. This would have resulted in as much river water as the spillway opening, causing just as many millions of dollars of adverse impacts.

The EIS describes the project's likelihood of "severe, permanent adverse impacts on the natural environment". and yet, the vague figure of \$300 million for mitigation to this damage is laughable. Brown Shrimp landings alone in Barataria Bay in 2018 totaled over \$11 million dollars. I would also like to point out that these are landings values, which are usually 1/4 of retail value.

The EIS also points out severe, permanent, adverse impacts to the socioeconomic well-being of affected coastal communities. These communities are dependent on harvesting and processing of the seafood resources that will be devastated by this project. This harvesting is directly linked to the favorable conditions of the estuary that will be forever changed by the introduction of polluted river water. This project will undoubtedly cause economic harm on businesses, families, and individuals.

The land building capabilities of this project are highly exaggerated, and the EIS supports previous findings that the project may actually accelerate land loss, increasing flood risks. The depletion of historic sediment loads of the Mississippi River is well documented. Given the projected 2000-3000-acre land loss in the Birdsfoot Delta cited in the EIS, the projected land building acres' exaggeration is obvious. The Corps own Engineer Research and Development Center, (ERDC), conclude that: "diversion-induced inundation results in a reduction in plant productivity, which induces acceleration of land loss".

The EIS also note that the project will raise water levels in Barataria Bay by as much as 1-2 feet, prolonging inundation, and causing flooding issues to the communities in proximity to this project, i.e., Lafitte, Happy Jack, Myrtle Grove, and putting further stress on these communities' levee systems.

CPRA has a history of mis-operation of existing diversions, as well as neglect in maintaining previous salinity control structures, i.e., the Naomi Siphon, Bayou Lamoque, and the Bohemia Control Structure, which is now known as Mardi Gras Pass.

The mitigation for damages to our estuary, water quality, brown shrimp, oysters, dolphins, coastal communities, as well as loss of jobs will run in the BILLIONS of dollars, not millions, and where is an actual figure stated in the EIS?

The Parish Councils of both St. Bernard and Plaquemines have passed formal resolutions against this project.

Given the specific references in the EIS to the major, adverse, permanent, negative impacts, the speculated, exaggerated long term benefits do not justify the permitting of this project.

Sincerely,

Wendy Marullo

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**Concern ID: 61917**

**Commenters expressed concerns over CPRA's potential for mishandling of the operation and long-term maintenance of the proposed MBSD Project, particularly pointing to CPRA's past inadequate operations and maintenance of other diversions.**

**Response ID: 16004**

CPRA would operate the proposed MBSD Project as detailed in the Operations Plan, which is found in Appendix F2 Preliminary Operations Plan in the Final EIS. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated proposed Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

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CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62159**

**The land-building capabilities of this Project are highly exaggerated, and the EIS supports previous findings that the Project may actually accelerate land loss, increasing flood risks. The depletion of historic sediment loads of the Mississippi River is well documented. Given the projected 2000 to 3000-acre land loss in the birdfoot delta cited in the EIS, the projected land-building capabilities of the proposed Project is obviously exaggerated.**

**Response ID: 16181**

The Draft EIS has considered the commenter's concerns regarding the rates of land loss and land projected to be built during diversion operations. To help address these concerns, a discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Although the Mississippi River is carrying much less sediment than it did in the past, it still carries a massive sediment load. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year.. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. The Draft EIS Appendix E Delft3D Modeling Section 5.2.2 took this diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and



adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats. The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in

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additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects

without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

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contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on "Effects of Low Salinity Exposure on Bottlenose Dolphins," 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>

Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. *Scientific Reports* 10:21979.

McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). *Journal of Zoological and Botanical Gardens* 1:61-75.

**Response ID: 16590**

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The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63182**

**Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.**

**Response ID: 16559**

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

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Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63726**

**Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.**

**Response ID: 16702**

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the



LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:39704**

Concerned Citizen

Please follow link and print for NOAA statement.

<https://www.documentcloud.org/documents/726710-national-marine-fisheries-service-comments-on.html>

Thanks,

Concerned Citizen

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F/SER4:RH/PW

JUN 26 2013

Ms. Elizabeth L. Davoli  
Coastal Protection and Restoration Authority  
Environmental Section  
[Redacted]  
Baton Rouge, Louisiana 70804-4027

Dear Ms. Davoli:

NOAA's National Marine Fisheries Service (NMFS) received the Solicitation of Views request transmitted by your letter dated May 22, 2013. The Coastal Protection and Restoration Authority (CPRA) of Louisiana proposes to undertake the design, construction, operation, and maintenance of the Mid-Barataria Sediment Diversion (MBSD) project included as a component in the 2012 Louisiana Master Plan. According to information transmitted with your letter, the MBSD would divert 50,000 to 75,000 cubic feet per second (cfs) of Mississippi River water into the mid-Barataria basin. It is anticipated the diversion would be operated when the Mississippi River discharge exceeds 600,000 cfs. CPRA requested NMFS provide views, comments, and concerns regarding implementation of this project. CPRA staff also indicated potential benefits and impacts from the diversion would be evaluated in a regulatory Environmental Impact Statement (EIS), pursuant to requirements of the National Environmental Policy Act.

NMFS supports efforts to ameliorate coastal wetland loss in Louisiana to maintain socio-economic, storm protection, and ecological services these habitats provide. Most coastal restoration efforts can benefit nursery and foraging functions supportive of a wide variety of economically important marine fishery species. However, the proposed diversion may have adverse impacts to economically important estuarine/marine fisheries and their habitats. NMFS is concerned the MBSD could (1) displace marine fishery species from currently productive habitats to less supportive habitats, (2) reduce marine fishery productivity, (3) convert essential fish habitat (EFH) to areas no longer supportive of some federally managed marine fishery species or their prey items, (4) render wetlands impacted by diversions more susceptible to erosion from storms, (5) degrade water quality, and (6) cause socio-economic hardship to those involved in the commercial and recreational fishing industries. To allow for informed decision-making, these issues should be thoroughly evaluated by methods acceptable to NMFS and the results incorporated into the planned EIS.

Areas within the influence of the proposed diversion are designated as EFH under provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; P.L. 104-297). Categories of EFH in the Barataria basin include emergent wetlands; mangrove



wetlands; submerged aquatic vegetation; mud, sand, and shell (e.g., oyster reefs) substrates; and estuarine water column. Impacts may extend to the nearshore Gulf of Mexico and marine categories of EFH potentially impacted include water column and non-vegetated bottom. Wetlands and water bottoms in the Barataria basin have been designated as EFH for a variety of life stages of white shrimp, brown shrimp, red drum, dog snapper, lane snapper, and gray snapper. Portions of Barataria Bay near the Gulf of Mexico also serve as EFH for various life stages of bonnethead shark, Atlantic sharpnose shark, and blacknose shark. In addition to being designated as EFH for a variety of federally managed species, water bodies and wetlands in the project area provide nursery and foraging habitats supportive of a variety of economically important marine fishery species, such as American oyster, Atlantic croaker, Gulf menhaden, spotted seatrout, sand seatrout, black drum, southern flounder, blue crab, and striped mullet. Some of these species serve as prey for other fish species managed under the Magnuson-Stevens Act (e.g., mackerels, snappers, and groupers) and highly migratory species managed by NMFS (e.g., billfishes and sharks).

According to your letter, the MBSD would be operated whenever river discharge at Belle Chasse exceeds 600,000 cfs. Based upon a review of river flow stages exceeding 600,000 cfs by month for the 1964 to 2012 time period, the MBSD would likely be open most years during February through June. Although hydrologic modeling results are unavailable at this time, NMFS believes the anticipated flow rates from the MBSD could result in the freshening of most of the Barataria basin. Freshening substantial portions of the basin and localized lowering of water temperature for five months of the year from the MBSD would affect a broad range of fishery species during a variety of life stages and their prey. As an example, these months overlap the migration of brown shrimp into and out of the estuary and the initiation of immigration of white shrimp into the Barataria basin estuary. Displacement of shrimp from nursery and refugia habitat to less supportive habitats could result in decreases in shrimp production in the Barataria basin potentially without offsetting increases elsewhere. Displacement and decreases in shrimp production should be expected to have impacts on other valuable species that prey upon shrimp, such as seatrout, red drum, and red snapper, as well as to have socio-economic repercussions on commercial fishing and related industries. The proposed operations also could have substantive impacts on American oyster populations and production, especially if both the spring and fall spat set are at risk by freshwater kills of pre-spawning adults or if there are deficiencies of shell substrate for spat set in suitable salinity regimes in the lower estuary. Some examples of other economically important marine fishery species which could be impacted by MBSD include Atlantic croaker, sand seatrout, spotted seatrout, and black drum. Consequently, NMFS believes robust analyses should be undertaken for inclusion in the EIS which evaluate (1) diversion related changes in isohalines and water temperature within the Barataria basin and nearshore Gulf of Mexico, (2) species-specific variations in marine fishery resources, and (3) socioeconomic impacts to fishery user groups. The means to assess impacts to fisheries should be coordinated with NMFS and should include species-specific projections of marine fishery production both with, and without, implementation of diversions included in the Louisiana Master Plan. It should be noted the Magnuson-Stevens Act requires mitigation to offset adverse impacts to EFH. The CPRA should also include in the EIS an evaluation of alternatives to mitigate impacts to EFH for any federally managed fishery species determined to be adversely impacted by the MBSD.

The EIS should include a discussion of adverse impacts to wetland health and productivity. A variety of research findings have suggested nutrient loads in Mississippi River waters, combined with low salinity levels, could reduce soil shear strength and make affected marsh habitats more susceptible to wind and hydrologic forces associated with the passage of storm fronts. Prolonged flooding of the soil surface associated with diversion operations also could reduce the health of plants in the marsh community. Finally, Mississippi River waters contain elevated levels of atrazine, a herbicide frequently utilized for agricultural purposes. CPRA should conduct and submit a thorough, scientifically-based evaluation of the likely impacts of nutrients, atrazine, and freshwater on marsh health and susceptibility to erosion.

There is a risk the potential for diversions to reduce wetland loss and rebuild coastal habitats may be overestimated given the constraints of present and projected sediment loads in the river, man's ability to engineer a structure to efficiently divert a significant portion of the river's sediment load to the appropriate places in the receiving basin, subsidence, and sea level rise. It has been documented the sediment load of the river is less than half of the historic levels, which initially created Louisiana's coastal wetlands. When sediment supply is taken into consideration in combination with on-going and projected accelerating future relative sea level rise, the 300 square mile estimate of net land change outlined in the Louisiana Master Plan associated with the use of multiple river diversions deserves further scrutiny. Failure of diversions to provide the projected level of benefits could result in undercompensated impacts to EFH. Therefore, NMFS believes it is important for an independent scientific body to evaluate models being used to determine the potential for wetland benefits likely to occur from the MBSD project, as well as the associated risks to EFH and living marine resources.

The U.S. Army Corps of Engineers' ongoing Mississippi River Hydrodynamic Study (MRHS) is evaluating a number of issues related to diversions and their siting on the river. Details provided by your letter suggest CPRA plans to pursue a proposed location and alignment for the MBSD without the benefit of using the results of MRHS to inform the selection of an efficient diversion location. There is the potential for multiple diversions from the Mississippi River to affect the performance of any one project. However, to date, no models have been completed to determine how the MBSD would perform in combination with other diversions proposed in the Louisiana Master Plan. NMFS believes all diversions proposed for implementation by CPRA should be modeled individually, and in combination, using up-to-date site specific information, to ensure they are located and sized to best fulfill the project purpose, and unintended consequences do not result from their operations. NMFS believes the MRHS would be the best option for evaluating MBSD siting alternatives and cumulative impacts of operating multiple diversions.

The impacts of diversions on water quality should also be evaluated. Past operations of the Bonnet Carre Spillway have resulted in algae blooms in Lake Pontchartrain. NMFS recommends CPRA evaluate the likely impacts of nutrients contained in diverted river water on algae blooms and resultant water quality. Other river water contaminants and the risk of bioaccumulation in the receiving basin should also be assessed and included in the EIS.

Considering the myriad potential impacts to marsh health, fishery resources, water quality, and fishery user groups, NMFS believes a monitoring and adaptive management plan (MAMP) should be developed for inclusion in the EIS, in consultation with scientists, natural resource

agencies, and the public. The MAMP should (1) clearly identify variables and issues to be monitored, (2) describe the monitoring plan, and (3) detail the responsible party for funding, implementing and overseeing monitoring. The MAMP should identify specific adaptive management options (e.g., including alternative flow amounts, or differing the frequency, timing and duration of structure openings) to be implemented if monitoring identifies diversion operations are not supplying the desired results, or are resulting in unexpected impacts to resources of concern. The MAMP should identify an interagency group which would be responsible for overseeing diversion operations.

The proposed diversion structures would also impact the Mississippi River and Tributaries Levee Project. Wetlands and waters in the Barataria basin, floodside of the New Orleans to Venice (NOV) and Plaquemines Non-Federal Levee (NFL) are tidally influenced, designated as EFH, and are supportive of estuarine-dependent fishery resources. Impacts to these tidal habitats from the diversion structure and enlargement of the levee to offset increased water stage from the diversion should be minimized to the extent practicable and mitigated. NMFS has no comments on the bridge, railroad, and levee impacts between the Mississippi River and the protected side of the NOV and NFL because NOAA trust resources would not be adversely affected.

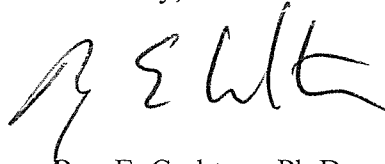
There may also be protected species concerns under the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) requiring further coordination. In particular, a small resident estuarine population of bottlenose dolphins in Barataria Bay (<http://www.nmfs.noaa.gov/pr/pdfs/sars/ao2012dobn-gmxb.pdf>) may be negatively impacted by freshwater influx to the bay. NOAA and partners have been investigating an ongoing marine mammal Unusual Mortality Event in the northern Gulf and evaluating the long-term impacts of the Deepwater Horizon oil spill on dolphins in the Gulf of Mexico. Studies show the resident dolphins in Barataria Bay are severely ill (<http://www.gulfspillrestoration.noaa.gov/2012/03/study-shows-some-gulf-dolphins-severely-ill/>). The freshwater influx to the bay from this project may further stress Barataria Bay dolphins from resulting prey changes, impacts to water quality, and potential algal blooms from nutrients in diverted water. Algal blooms are a known cause of Unusual Mortality Events in bottlenose dolphins in the southeast U.S. In addition, prolonged exposure to freshwater can be detrimental to dolphins, causing skin lesions, compromising their health, and ultimately resulting in death. Depending on the nature of construction activities associated with the project, short- or long-term impacts to dolphins may also occur and could require potential preventative mitigation measures to reduce these impacts. We recommend further coordination with NMFS Southeast Region Protected Resources Division on these potential impacts and ways to reduce them. An MMPA authorization may be needed if take of dolphins is possible during this project. More information can be found on our NMFS Headquarters' Marine Mammal Permits and Authorization web page: [http://www.nmfs.noaa.gov/pr/permits/mmpa\\_permits.htm](http://www.nmfs.noaa.gov/pr/permits/mmpa_permits.htm)

Early and frequent interagency coordination among CPRA, NMFS, and other federal and state resource agencies is requested for the impending planning and permit review process. Methods to assess environmental and socio-economic impacts to fisheries should be coordinated with, and deemed acceptable by, NMFS and other interested natural resource and regulatory agencies. All agencies should be provided the opportunity and time to review and comment on proposed

scopes of work for the environmental analyses and how these analyses will be incorporated into the EIS.

We appreciate your consideration of our comments. If you wish to discuss this project further or have questions concerning our recommendation, please contact Richard Hartman or Patrick Williams at ( [REDACTED] )

Sincerely,

A handwritten signature in black ink, appearing to read 'R E Crabtree', written in a cursive style.

Roy E. Crabtree, Ph.D.  
Regional Administrator

cc:

NOD, Farabee, MacInnes, Wingate, Constance, Kleiss, Owen  
FWS, Lafayette, Walther, Holland  
EPA, Dallas, Ettinger  
LA DWF, Balkum  
LA DNR, Morgan  
BOEM, Ashworth, Miner  
F/SER4, Dale, Rolfes  
F/SER3, Bernhart  
F/SER46, Swafford  
F/, Risenhoover  
Files

**Concern ID: 64825**

**One commenter provided a link to NMFS correspondence submitted in response to CPRA's 2013 Solicitation of Views request from the early stages of Project planning.**

**Response ID: 16488**

NMFS submitted a response to CPRA's Solicitation of Views in 2013.

NMFS has participated as a cooperating agency in the development of the EIS for the proposed Project, providing information and technical analysis throughout the EIS development. Impact analyses associated with NMFS' trust resources, which are living marine resources generally including certain marine mammals, sea turtles, marine fish and anadrmous fish, shellfish, critical habitat, EFH, and aquatic habitat, can be found in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Section 4.10 Aquatic Resources, Section 4.11 Marine Mammals, Section 4.12 Threatened and Endangered Species, and Section 4.14 Commercial Fisheries of the EIS.

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**Correspondence ID:39725**

Environmental Defense Fund

Rachel Rhode

Mr. Laborde and Mr. Landry:

I support the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion- -I write today to urge adoption of the Preferred Alternative in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

The Mississippi River has been altered and confined by levees for over 100 years leading to the extensive land loss crisis that has seen over 2,000 square miles already disappear into the Gulf of Mexico. But the "Muddy Mississippi" is also the very tool that can start to rebuild wetlands and habitat, provide a line of defense to storms and sea level rise, and provide sustainability for communities including our beloved bayou communities and New Orleans.

I also understand that changing the ecosystem to a more natural state will mean unfortunate impacts to some resources that have benefited from the artificially created estuary over the past decades, such as oysters, brown shrimp and dolphins. We appreciate your efforts to address those impacts with stewardship measures and funding and encourage you to continue to take a holistic approach to address citizen concerns. No matter where we are in the country, we can enjoy the bounty of Louisiana's seafood and who doesn't have an affinity for dolphins. But I also understand that by not reconnecting the Mississippi River, these precious resources may suffer even greater impacts in the future, along with the ecology, economy, communities and culture. Restoring a more natural state to the Louisiana delta will not be easy but is fundamentally essential if future generations want to enjoy the bounty and culture of the region.

We have no time to lose to reconnect the sediment, nutrients and freshwater of the Mississippi River to its wetlands and start to rebuild our coast. The future of New Orleans, the bayou communities, the fisheries and wildlife and Louisiana's amazing culture desperately depend on it.

Thank you for your tireless efforts for our generation and for the generations to come

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**Concern ID: 61870**

**If no action is taken, the resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture.**

**Response ID: 15941**

The concerns raised by the commenters were considered in the Draft EIS. The EIS evaluates anticipated conditions in the Barataria Basin if no action is taken. Within the EIS, the No Action Alternative enables a comparison of anticipated future conditions without the proposed Project to anticipated future conditions with the proposed Project and the alternatives. Refer to Chapter 4 Environmental Consequences of the EIS, for a description of anticipated conditions under the No Action Alternative for each of the resource areas evaluated. The Delft3D Basinwide Model was used to forecast conditions that would occur under the No Action Alternative which helped to inform the analysis in Chapter 4.

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**Concern ID: 63179**

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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39739**

Levees.org

Sandy Rosenthal

I've been deeply engaged coastal projects ever since the levee breach event in New Orleans during Hurricane Katrina. I am writing to show my organization's strong support for the preferred alternative of a 75,000 cfs sediment diversion to provide a sustainable solution to our on-going land loss crisis.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39747**

Michael Rotolo

My name is Michael Rotolo. We need to make a conveyor belt from the Mississippi River, 3 miles to South Port Sulfur, conveyor belt sand from the Mississippi settlement downriver. My boss off-loaded, below Port Sulphur here, which from the river to the marsh is not more than 2000 yards wide. We could off-load sand out here and start pushing it wherever we would like, no water involved, just sand on a conveyor belt. Then we can have a bulldozers pushing sand out further and further until we get enough sand that's steadily, constantly coming from barges from down river like Pass a Loutre, that's full of sand, all the sand you want. Please call me back [REDACTED]

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**Concern ID: 61897**

**Consider alternatives that transport more sediment and sand and less water, such as a conveyor belt or barge and utilizing a processing plant that removes the sediment from the Mississippi River to filter and neutralize the sediment before transport.**

**Response ID: 15991**

This suggested alternative would not meet the goals and objectives as stated in the purpose and need as described in Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. CPRA's intent is to reestablish sustainable deltaic processes between the Mississippi River and Barataria Basin through the introduction of fresh water, sediment, and nutrients from the Mississippi River into the Basin. Additionally, in light of the volume and nature of the material that would need to be transported, a conveyor belt is not feasible. In addition, as described in Chapter 2, Section 2.4 Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow the proposed Project is designed to maximize sediment bed load transport. Previous studies of the Mississippi River have documented the positive correlation between river discharge and sediment load, demonstrating that higher river discharge levels are generally correlated with higher sediment loads. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Correspondence ID:39755**

Mark Schatzel

I love the Louisiana coast. My family is from Houma and the coast is part of us. I see it in their eyes and smiles (even when I out fish them). Sadly when we go fishing with our young children, we see and discuss many examples of the land fading around out. Dead oak groves that were once beautiful, now dead from salt water as we boat by them with our fishing rods.

Unfortunately, my children will not have the same experience that you have had. Consider yourself fortunate, as this national blessing is slowly eroding away due to man made efforts. We can see examples all around us.

The land protects our family from the wrath of storms, it bonds us to one another through recreation and tradition, and provides great bounty to the community and economy. The land must be saved.

The money from the Deepwater Horizon settlement, must be used as outlined in the draft Restoration Plan. It is the right thing to do.

The river must be used to rebuild the wetlands, it is the smart and effective thing to do. It is the only option that makes sense. We need the benefits of the Mississippi to help rebuild.

I support the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

I support centering community needs in planned mitigation and stewardship efforts.

We should commit to developing a robust adaptive management program.

This is an incredibly important moment for the future of our children. Lets not lose this opportunity as Louisiana has already lost too much.

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**Concern ID: 61740**

**Over time, Louisiana's natural environment is continuing to be destroyed by humans.**

**Response ID: 16161**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment of the EIS. Past, present, ongoing, and reasonably foreseeable actions and trends in the Project area are discussed throughout Chapter 4, Section 4.25 Cumulative Impacts, including how those actions have and may continue to affect Louisiana's natural environment. The proposed Project is a restoration action intended to restore and sustain wetlands in the Barataria Basin and compensate for damages to natural resources that resulted from anthropogenic causes, for example, the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts

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a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63366**

**The commenter supports centering community needs in planned mitigation and stewardship efforts.**

**Response ID: 16328**

CPRA has conducted meetings in communities that would be affected by the proposed Project. CPRA's coordination with the affected communities and industries is described in Chapter 7 Public Involvement and Appendix R1 (Mitigation and Stewardship Plan) of the EIS, which have been revised in response to public comments in the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39762**

Logan Asevado

Hi, my name is Logan Asevado, I grew up in a family of commercial and recreational fisherman down in Hopedale Louisiana. I'm now working in the oil and gas industry, but still carry on my family's legacy of fishing and hunting the marshes off our coast. I'm hoping to reach out with my concerns of the Mid-Barataria sediment diversion. My concerns are that I do not believe the river carries as much sediment as it once has. Also, I believe introducing such polluted water to our estuary at such a volume will be detrimental to our coastline and marine life. I did believe a lot of money was spent on years of research on solving this problem, but frankly I think it was also a huge waste of funds.

I'll start by saying this, the root of the problem is the levees, the same levees that were built to protect our communities. I don't believe I should have to explain this to a group that pays engineers millions to figure these things out but I'd like to have my opinion heard. Before a time of levees the river flooded and when the water retreated back to the river it carried high amounts of sediment, the sediment flowed down river and created our unique delta. With levees there is not flooding of land, therefore the river does not carry the sediment that it once did. I don't mean to be stubborn, but you'll never convince me it does, because if it does they'd have mountains of land being built in the delta outside of Venice LA. Instead, the delta outside of Venice is flourishing with green vegetation, but it is slowly sinking.

Secondly, the pollution! The Mississippi River is the most polluted river in America. I'm not much of an environmentalist, I work in the oil and gas industry, but why would you introduce the most polluted river into such of an alive ecosystem that we have here. I'd like for my kids to be able to enjoy the fishery, water sports, and learn the lifestyle that I grew up on. Fish kills and algae blooms will be an annual occurrence once we start introducing this polluted water into our brackish estuary. It happens every time we open the Bonne Carrie Spillway, and every year off the coast of Venice, we are not immune to this problem, it will happen every year!

Sorry, but I feel like all the data that had been researched by your engineers who have no idea what our locals go through every year, should probably go back to the drawing board on this one. Dredging is a quick fix and with the use of rock and sand we can fix these problems nearly overnight compared to 50 years of polluted river water. As a local to Saint Bernard parish, and the affected waters, I hope my message is heard. And I don't speak for myself, I speak for many others just like me. We are uncertain of your ideas to "help" our problems. We see the bigger picture, and we see it everyday because we live in it, we make our income from it, and we use it recreationally with our families. We are out here seeing what works and what hurts, every single day, 24/7. I hope my message is read in full, and heard. Thank you for your time.

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**Concern ID: 61782**

**Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.**

**Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it

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did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has**

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**numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.****Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve

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and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62360**

**A lot of money was wasted on researching and solving this problem.**

**Response ID: 15850**

Comment noted.

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**Concern ID: 62362**

**The residents of the impacted communities see what helps and what hurts because they live it every day.**

**Response ID: 15882**

All public comments on the EIS will be considered by the USACE and by the LA TIG. All public comments on the Restoration Plan will be considered by the LA TIG. A summary of public engagement meetings and other outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS.

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**Concern ID: 62661**

**The Mississippi River is currently not capable of building land as it used to, in part because it does not carry as much sediment as it used to, and thus the proposed Project will fail. If it were capable of building land, there would be a large land mass at its current outlet.**

**Response ID: 16634**

The capability of the Mississippi River to support land building has been considered in the Draft EIS. For example, Chapter 3, Section 3.4.2.5 Sediment Transport discusses the available sediment in the Mississippi River, noting that studies had shown downward trends in sediment supply in the river through the 1990s, but that since then the volume of sediment (coarse and fine) in the water column has remained fairly constant. The river still carries a massive sediment load, but not as massive as before. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in the EIS in Chapter 3, Section 3.4.2.5 Sediment Transport. The EIS takes this diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin via the proposed diversion. This is described in detail in Section 5.2.2 (River Discharge and Sediment Rating Curve) of Appendix E (Delft3D Modeling) to the EIS.

The LA TIG acknowledges the comment and understands the commenters' concern, and this was considered in the LA TIG's Draft Restoration Plan. The Mississippi River does carry a large plume of sediment into the Gulf of Mexico each year. A large delta exists at the mouth of the river, often requiring dredging to maintain navigation. Crevasses have been used to supplement land building in the birdfoot delta, confirming the ability of the river to build and maintain land. The size of the delta is limited by a number of factors, including the depth of

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the water at the mouth of the Mississippi River and the constant erosive forces affecting the Gulf of Mexico. By comparison, the Project is proposed to be constructed at RM 60.7 of the Mississippi River because this location is capable of capturing and retaining the sediments transported into the Barataria Basin by the Project (see EIS Chapter 2, Section 2.4.1.3 Application of Additional considerations to Potential Alternative Locations in Upper, Middle, or Lower Barataria Basin). As noted above, these issues and analyses are included in the EIS, and are also considered by the LA TIG in its identification of its Preferred Alternative in the Restoration Plan.

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**Correspondence ID:39768**

Gary Guidry

As a native of Louisiana I spent many days on its bayous ,in its forests and on its beautiful wetlands. My family hunted and fished not only to enjoy the land and the camaraderie, but also to provide for the dinner table. As a young boy, there was nothing more exciting than going out to fish and hunt in Louisiana's wetlands. It was also a great pleasure and privilege to be able to share that experience with children and grandchildren. Over the past30 years I have seen dramatic changes in the wetlands. Shorelines no longer exist in some areas that were prime spots for redfish, drum, flounder and speckled trout fishing. Changes in this habitat have adversely affected birds and other wildlife. Coastal Louisiana preservation and restoration are essential in order to continue to provide habitat, protect communities, and provide a source of recreation not only for our State residents but also for many other visitors from around the World.

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**Concern ID: 63340a**

**Coastal preservation and restoration activities are essential in order to continue providing habitat for fish and wildlife, to protect communities, and to provide a source of recreation to residents and visitors.**

**Response ID: 16298a**

The commenter's support for coastal restoration is noted. As discussed in Chapter 1, Section 1.4 Purpose and Need, the purpose of the proposed Project is to implement a large-scale diversion that would provide and support the long-term viability of existing and planned coastal restoration efforts. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need. The impacts (both beneficial and adverse) of the proposed Project on the extent of wetlands (including as fish and wildlife habitat), protection from storm events, and the economy, depending on the wetland area, community, and industry are considered in the EIS; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.9 Terrestrial Wildlife and Habitat, 4.10 Aquatic Resources, 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39787**

Louisiana Shrimp Association

Acy Cooper Jr

WRITTEN COMMENTS REGARDING

CEMVN-ODR-E, MVN-2012-2806-EOO

May 26, 2021

U.S. Army Corps of Engineers, New Orleans District,

Attn: CEMVN-ODR-E, MVN-2012-2806-EOO

7400 Leake Avenue, New Orleans, LA 70118

The Louisiana Shrimp Association (LSA) is a nonprofit organization formed by commercial shrimpers throughout the State of Louisiana. Membership consists of commercial shrimp fisherman, wholesale and retail seafood dealers, statewide merchants, and individuals concerned about issues related to domestic seafood and shrimp production, as well as the preservation of the culture and heritage of the traditional Louisiana shrimper.

As President of Louisiana Shrimp Association (LSA) I am submitting comments on behalf of the members of Louisiana Shrimp Association.

LSAs members OPPOSE the Mid-Barataria Sediment Diversion (MBSD).

We do agree that it is a necessity to preserve our communities though coastal restoration but we do not believe the way to do this is with a large scale diversion such as the MBSD. The CPRA does not list dredging as an alternative method for this project as suggested by many concerned citizens throughout the state. The CPRA has totally ignored this suggestion because as they stated something similar to it just wont work. As fishermen of the Louisiana Coast we have witnessed what dredging and piping sediment can create along our coast in land building. We are highly in favor of dredging and building this project area with sediment. We are in favor of coastal restoration 100%. We are NOT in favor of the MBSD.

After viewing the Draft EIS, the CPRA has proved our argument.

The MBSD will infiltrate our estuaries with polluted freshwater /hypoxia, this same polluted water that has formed the hypoxic zone/dead zone in the Gulf of Mexico. This polluted river water continuously flowing into our estuaries will have a devastating effect to marine life throughout coastal Louisiana. The direct effect of hypoxia includes fish kills, which depletes valuable fisheries and disrupt ecosystems. This is a proven fact but despite it being proven, the CPRA and other agencies involved demand that this MBSD project will be created.

In the EIS Executive Summary 1.3 Proposed Project it states: The proposed Project consists of a controlled sediment and freshwater intake diversion structure in Plaquemines Parish on the right descending bank of the Mississippi River at RM 60.7, with a conveyance channel that would discharge sediment, fresh water, and nutrients from the Mississippi River into the mid-Barataria Basin in Plaquemines and Jefferson Parishes.

The truth is that the proposed project will consist of highly polluted hypoxic water that will continuously flow into our estuaries killing our marine life.

The state of Louisiana was declared a fishery disaster in 2019 of \$258 million due to the opening of the Bonnet Carre Spillway being opened for 123 days. This same water that the EIS states , when operational, could discharge up to 75,000 cfs of sediment, fresh water, and

nutrients into the mid-Barataria Basin during periods when Mississippi River flows are 450,000 cfs or greater at Belle Chasse, Plaquemines Parish, Louisiana. The structure is designed to discharge 75,000 cfs when the Mississippi River flow is at 1,000,000 cfs. When Mississippi River flows are below 450,000 cfs at Belle Chasse, the proposed MBSD Project would maintain a background (base) flow of up to 5,000 cfs to protect, sustain, and maintain newly vegetated or recently converted fresh, intermediate, and brackish marsh near the diversion outflow.

The truth is that we will have a constant flow at all times of polluted river water into our estuaries that will cause low or no oxygen: hypoxia, and kill our marine life.

The shrimp industry in Louisiana alone accounts for 15,000 jobs and an annual impact of \$1.3 billion. The MBSD EIS presents a summary of the average annual shrimp fishing activity in the Project area by area fished between 2014 and 2018. As shown, the total average activity for shrimp caught in the Project area was approximately 30.6million pounds, with a value of \$41.5 million. During 2014 to 2018, shrimp activity in the Project area accounted for 32 percent of total Louisiana shrimp landings by weight and 30 percent of total value from shrimp landings in Louisiana.

The Barataria Basin is not only vital for shrimp but it is also habitat for:

" Finfish-the top three saltwater finfish species (excluding menhaden) landed commercially in the Project area include black drum, red mullet and sheepshead: a value of \$1.8 million between 2014 and 2018 in the project area. There are many other species of finfish in this basin that depend greatly on these estuaries.

" Oysters -a value of \$32,680,076 between 2014 and 2018 in the project area

" Crabs -a value of \$12.1 million between 2014 and 2018 in the project area

" Dolphins- A Protected Species: A new National Marine Fisheries Service study indicates the low salinity levels caused by the proposed Mid-Barataria Sediment Diversion could result in a 34% loss of dolphins in Barataria bay. A waiver was requested for the Marine Mammal Protection Act: <https://www.mmc.gov/wp-content/uploads/18-03-12-Oliver-Gulf-Restoration-Waiver.pdf>

This Basin as it is today is vital for our economy, vital to our communities and vital to the fishermen that depend on it greatly to survive. The average age of a commercial fisherman today is 50 plus years old. As it stands today, the environment and climate dictates where we make our livings. When the river is high we have to travel to the east or to the west which is Barataria Basin and Breton Sound. Without these options, we will not be able to work. Most inshore fishing vessels are not large enough or equipped to go any further.

The Barataria Basin alone is one of the most productive estuaries in the world. This EIS describes the future affects due to the MBSD as severe, permanent adverse impacts on the natural environment.

This proposed man-made disaster; the Mid-Barataria Sediment Diversion is unacceptable. We strongly oppose any project that will disrupt our livelihood, our culture and our way of life.

Sincerely,

Acy J. Cooper Jr.

President

Louisiana Shrimp Association  
[REDACTED]

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA’s Mississippi River/Gulf of Mexico Hypoxia Task Force “Hypoxia 101” webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic

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conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain

adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)

- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62085**

**Concerns were raised that the proposed MBSD Project would affect fishermen with smaller vessels. Fishermen would have to travel farther towards the Gulf in their boats**

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**to catch some species such as speckled trout, and brown and white shrimp. Most inshore fishing vessels are not large enough or equipped to go any further outside the basin.**

**Response ID: 16249**

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts on brown shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential adaptive responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, as well as increasing the length of fishing trips. CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact

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determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62709**

**The 2019 opening of the Bonnet Carré Spillway caused significant impacts to aquatic fauna from the release of river water, and resulted in a declared fisheries disaster of at least \$58 million.**

**Response ID: 16087**

A summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment, including area fisheries. This summary is available in Appendix U of the Final EIS. However, it is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. The anticipated impacts of the proposed Project on aquatic fauna from the release of river water is discussed in detail in Chapter 4, Section 4.10 Aquatic Resources.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would

decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the**

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**West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al.

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2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 64171**

**Comments were received suggesting that the MBSD would have negative impacts on the fishing industry due to further accelerations in exits from the industry especially for older members of the workforce for whom job retraining may not be as easily undertaken and the fact that there are less young fisherman coming into the fishing industry to replace the aging fisherman. The invaluable traditional ecological knowledge that has been passed down from generations could be lost.**

**Response ID: 16267**

Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential behavioral responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, increasing the length of fishing trips, as well as exiting the industry.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:39790**

Sherald &amp; Jane Buras

We searched 3 years for a location to purchase or build a second home on the water to enjoy during our retirement years. Our primary goal was to fish and entertain family and friends. We looked at the Mississippi Gulf Coast and several locations in Louisiana. We also purchased a 22 boat 3 years ago that we store at the Myrtle Grove Marina to primarily fish in Barataria Bay. In March 2020, unaware of the Diversion, we purchased 2 lots in the Myrtle Grove Marina Phase I Subdivision because of the close proximity to our main home, the well-maintained subdivision, the newly renovated Marina, and the superb fishing in Barataria Bay. We worked with an architect during COVID and finalized our plans in July 2020 to build a 3-bedroom 3-bath home with a double boat lift. Then, we worked with a contractor on pricing. Construction prices were on the rise due to COVID so we proceeded cautiously due to the cost of construction being higher than comparable existing home values in Myrtle Grove. In December 2020, we received an insurance quote from an agent who we found out was a member of CPRA where he warned us of the Diversion. Needless to say, we stopped the project and waited for the issuance of the Draft EIS.

We were devastated to read in the Draft EIS

" that the Diversion would be 1.5 miles north of the Myrtle Grove Marina Subdivision

" that tidal flooding in Myrtle Grove would increase by at least 119 days per year putting silt and sludge on our property with no access by car to our Myrtle Grove home for one-third of the year or more

" that silt in the Wilkerson Canal would make it impossible to leave our Myrtle Grove home by boat to fish in Barataria Bay because there is no guarantee that CPRA will maintain the canals and the Marina would probably close

" that the flow of fresh water would totally change the fishing in Barataria Bay from salt water to fresh water as well as kill dolphins and no telling what else considering the content of the Mississippi River

" that the \$305 million mitigation plans are weak and basically gave us no confidence that the U.S. Corps nor CPRA addressed the nearby communities. Just for Myrtle Grove streets, some houses, and most boat docks would need to be raised; utilities would need to be reconstructed; lots would need to be filled and driveways would need to be replaced to meet the new height of the streets; and canals would need to be maintained by CPRA

How could a 1,000 page report be issued with no specific plans on how to protect a well-established, well maintained, unique Subdivision with a Marina located 1.5 miles from the Diversion with the average home price of \$500,000? There is no way that we will give permission to the U.S. Corp to intentionally flood our property. We purchased the lots well aware of natural flooding but not man-made intentional flooding.

With the issuance of the Draft EIS the property values in Myrtle Grove have dropped! The Diversion will have a permanent detrimental effect to Myrtle Grove Subdivision and Marina. Who would buy a lot or house in Myrtle Grove now?! Why should we build now?! Would you build?!

This is a \$2 billion project that proposes to create only 21 square miles of new land over 50 years and as a result destroy nearby economy, communities, and culture. South Louisiana

can not wait for 50 years and there is more than 21 square mile of coast that needs attention. The Mississippi River has been flowing south forever and there is no large land mass at the southern tip so theoretically it doesnt sound reasonable that this Diversion will create anything of substance in 50 years.

Our life is on hold due to this project along with incurring cost to maintain 2 lots that we may never be able to build on. The virtual meetings and community meetings were pretty much worthless. CPRA wanted us to tell them what to do. Really?! Your team is filled with engineers and you know what effect there will be. You need to propose to us what to do. Myrtle Grove Subdivision and Marina needs to be presented with a plan sooner than later.

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**Concern ID: 61865**

**Commenters asked why the location was chosen as the site for the proposed MBSD Project, since it so close to and impacts the Myrtle Grove Subdivision.**

**Response ID: 15936**

Chapter 2, Section 2.4.1 Evaluation of Location Alternatives under Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow in the Draft EIS, detailed the evaluation of alternatives based on geographic location and the reasoning for selecting the proposed location for the MBSD Project. Consideration for the location of the proposed MBSD Project took into account the proximity of the diversion intake to a point bar in the Mississippi River that could serve as a continuous, long-term sediment source for the diversion in combination with the outfall location and receiving basin being well suited to gain benefits from a sediment diversion, the potential for accretion of sediment in the Barataria Basin, and the creation, maintenance, and sustainability of existing and future wetlands and marshes. In addition, previous studies have considered several general locations for a sediment diversion from the Mississippi River into the Barataria Basin, including the upper, middle and lower parts of the basin and were used in the evaluation in the EIS. The impacts of the proposed MBSD Project and its alternatives, particularly on Myrtle Grove, can be found in Chapter 4 Environmental Consequences under each of the Project's resources.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie

Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62226**

**The diversion would destroy the property in which commenters have made substantial investment.**

**Response ID: 15750**

Draft EIS Chapter 4 Section 4.13.5.3 in Socioeconomics discussed impacts of the proposed Project on property values. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to

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mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitude. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits

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prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62661**

**The Mississippi River is currently not capable of building land as it used to, in part because it does not carry as much sediment as it used to, and thus the proposed**

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**Project will fail. If it were capable of building land, there would be a large land mass at its current outlet.**

**Response ID: 16634**

The capability of the Mississippi River to support land building has been considered in the Draft EIS. For example, Chapter 3, Section 3.4.2.5 Sediment Transport discusses the available sediment in the Mississippi River, noting that studies had shown downward trends in sediment supply in the river through the 1990s, but that since then the volume of sediment (coarse and fine) in the water column has remained fairly constant. The river still carries a massive sediment load, but not as massive as before. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in the EIS in Chapter 3, Section 3.4.2.5 Sediment Transport. The EIS takes this diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin via the proposed diversion. This is described in detail in Section 5.2.2 (River Discharge and Sediment Rating Curve) of Appendix E (Delft3D Modeling) to the EIS.

The LA TIG acknowledges the comment and understands the commenters' concern, and this was considered in the LA TIG's Draft Restoration Plan. The Mississippi River does carry a large plume of sediment into the Gulf of Mexico each year. A large delta exists at the mouth of the river, often requiring dredging to maintain navigation. Crevasses have been used to supplement land building in the birdfoot delta, confirming the ability of the river to build and maintain land. The size of the delta is limited by a number of factors, including the depth of the water at the mouth of the Mississippi River and the constant erosive forces affecting the Gulf of Mexico. By comparison, the Project is proposed to be constructed at RM 60.7 of the Mississippi River because this location is capable of capturing and retaining the sediments transported into the Barataria Basin by the Project (see EIS Chapter 2, Section 2.4.1.3 Application of Additional considerations to Potential Alternative Locations in Upper, Middle, or Lower Barataria Basin). As noted above, these issues and analyses are included in the EIS, and are also considered by the LA TIG in its identification of its Preferred Alternative in the Restoration Plan.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of

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the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62783**

**Commenters noted that the cost of designing and building the proposed MBSD Project is too high for the small amount of land anticipated to be built.**

**Response ID: 16365**

The commenter's opposition to the cost of the proposed Project is noted. Under NEPA, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that the permit applicant has conducted its own economic evaluation of a proposed project. Consequently, a cost-benefit analysis is not relevant to USACE's permitting decisions. As part of evaluating the proposed Project, the LA TIG considered the costs associated with developing, constructing, and managing the Applicant's Preferred Alternative consistent with the Restoration Plan alternatives evaluation criteria in 15 CFR §990.54. This discussion is in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

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**Concern ID: 62951**

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**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove

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Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department

of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

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Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39796**

Laura Ledet

I fully support the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

I support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

I support centering community needs in planned mitigation and stewardship efforts.

We should commit to developing a robust adaptive management program.

We cannot afford to lose any more of our unique and beautiful land. We have to protect our wetlands and our communities however we can.

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62801****State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.****Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of

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publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of

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wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39821**

Gary Rebstock

I am a life long resident of S. Lafourche Parish in S. Louisiana. At age 70, I've been traveling in the marshes, bayous, & along the Gulf coastline my entire adolescent & adult life & have seen the dramatic & heartbreaking loss of our wetlands & coastline.

Where there was once small (& usually manmade) canals within verdant marsh, there is now open water with very little marsh. Area highways (La 1 S. of Golden Meadow, LA comes to mind) that once only flooded during Storm surges, now are regularly threatened during strong S. winds & high tides.

The causes for this destruction & coastline decay are many & have been outlined by environmental scientists. There is no need for me to delineate these further. It's known science.

What is also known are the solutions & mitigations needed "To turn back the Tide" so to speak:

**APPROVE THE MID-BARATARIA SEDIMENT DIVERSION PROJECT!!!!**

I'm certainly not an authority on the details of this Project & I am aware of the criticism from areas which will be impacted, I do get the sense that the Project addresses these criticisms & has mechanisms to mitigate the impact to these communities & the people living there.

Here's what I do know: We are 40 years late in addressing Land Loss in S Louisiana & if we don't start doing something NOW there will be no Land to debate about & I-10 in Louisiana will become a scenic coastline drive & our beloved way of life will become a fanciful memory. So:

**PLEASE ACT NOW & APPROVE THE MID-BARATARIA SEDIMENT DIVERSION PROJECT!!!!**

Thank you & God Speed!

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**Concern ID: 61740****Over time, Louisiana's natural environment is continuing to be destroyed by humans.****Response ID: 16161**

The issues raised by the commenters were considered in the Draft EIS. Past and ongoing adverse human impacts on the Project-area ecosystem are discussed throughout Chapter 3 Affected Environment of the EIS. Past, present, ongoing, and reasonably foreseeable actions and trends in the Project area are discussed throughout Chapter 4, Section 4.25 Cumulative Impacts, including how those actions have and may continue to affect Louisiana's natural environment. The proposed Project is a restoration action intended to restore and sustain wetlands in the Barataria Basin and compensate for damages to natural resources that resulted from anthropogenic causes, for example, the DWH oil spill.

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

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The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63367**

**Commenters noted that there is criticism from impacted communities and industries; however, the proposed Project proponent addresses these criticisms and has mechanisms to mitigate the impacts.**

**Response ID: 16329**

CPRA's coordination with the affected communities and industries is described in Chapter 7 Public Involvement and Appendix R1 (Mitigation and Stewardship Plan) of the EIS, which have been revised in response to public comments in the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

Good afternoon,

*This email is to introduce you to an innovative solution to many water diversion issues...I would be happy to answer any questions or present a virtual Lunch and Learn to show the versatility of Muscle Wall!*

See how some of our current customers use Muscle Wall:

[Muscle Wall Versatility](#)



Muscle Wall is...a flood Barrier company that uses durable, hollow walls that can be quickly moved into place to protect homes, businesses, municipalities, and help construction companies deal with the devastating and costly impact of flooding.

[Case Studies-Engineering info](#) to learn more.



**Top 5 Attributes of Muscle Wall**

1. Height Range 2ft to 8ft per wall
2. 4ft Wall - 120lbs empty...1,600lbs filled with water

- 3. Replaces 1,000s of sandbags in a fraction of the time
- 4. No heavy equipment required - Reusable, Reliable, Rapidly deployed
- 5. Patented "L" shape design utilizes the weight of the water to help anchor the walls in place!



Recent Stream diversion in Colorado



Muscle Wall has been used by the Army Corp of Engineers, the NY Port Authority, the state of CA, and many more!

Let me know if you have questions...I'd look forward to discussing at your convenience,

Thank you,

*Ed*

Edward C. Patterson  
Mid-Atlantic Sales Rep.  
**Muscle Wall**  
Flood and Containment Solutions

[REDACTED]

[REDACTED]

[www.musclewall.com](http://www.musclewall.com)

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**Concern ID: 63291**

**The Project should consider the use of muscle walls to protect homes, businesses, municipalities from flooding.**

**Response ID: 16615**

The Draft EIS did not consider the use of muscle walls as a potential flooding mitigation measure. While CPRA has updated the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA has not made final decisions regarding the materials that would be used for the structural mitigation measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39832**

John Lea

See 5 points and suggested alternative solution below.

The MBSD project should be stopped, and the Louisiana Trustee Implementation Group (Trustees) and Coastal Protection and Restoration Authority (CPRA) be required to define a Restoration Plan that focuses on restoring for the injuries caused by DWH oil spill (DWH). The MBSD does not achieve its specific objective to restore for injuries to the oyster industry. Oyster production in the Barataria Basin will be severely reduced if not completely destroyed by the MBSD flood waters.

The Trustees have the authority to stop the current project. Wisely planned, the Trustees and the CPRA could combine storm protection with the expansion of the oyster industry.

Point One

The Trustees were overly ambitious in choosing the Comprehensive Integrated Ecosystem Restoration Alternative (Alternative A) as their response to the DWH. Alternative A seeks to restore for coastal land loss due to subsidence, saltwater intrusion, levees, canals, and the DWH. In the context of coastal land loss, the DWH seems to be a minor factor of coastal land loss. Proper use of the funds due to the DWH should be focused on restoring for injuries due to the DWH. The Trustees should have chosen an alternative that focuses on the impacts of the DWH.

Point Two

The Comprehensive Alternative does a poor job in addressing the five overarching goals the Trustees set for the restoration effort. Those goals are:

1. Goal: restore and conserve habitat. Restoration Types: wetlands, coastal, and nearshore habitats; habitat projects on federally managed lands.
2. Goal: restore water quality. Restoration Types: nutrient reduction; water quality.
3. Goal: replenish and protect living coastal and marine resources. Restoration Types: fish and water column invertebrates; sturgeon; submerged aquatic vegetation (SAV); oysters; sea turtles; marine mammals; birds; mesophotic and deep benthic communities.
4. Goal: provide and enhance recreational opportunities. Restoration Types: provide and enhance recreational opportunities.
5. Goal: provide for monitoring, adaptive management, and administrative oversight to support restoration implementation.

- By diverting Mississippi river water into the coastal zone, the chosen Alternative A damages water quality (salinity and chemical content) and destroys habitat essential to living coastal and marine resources.

- The adaptive management plan is not feasible. See Table 4.5-2 of the Trustees' Draft Phase II Restoration Plan #3. The Table shows that expected salinities would not support oyster culture in the Barataria Basin, except at Barataria Pass at Grand Isle. The proposed "adaptive management" would require actions to maintain the existing salinity pattern in the

project area, that is, undoing the impact of the freshwater diversion. This action is not contemplated by chosen Alternative A.

#### Point Three

The Trustees Strategic Restoration Plan and Environmental Assessment #3 stated that The Incident resulted in over 1,100 kilometers of wetland oiling Gulf-wide. Approximately 95% of this marsh oiling occurred in coastal Louisiana, with the heaviest oiling in the Barataria Basin. The heaviest oiling occurred in marshes dominated by *Spartina alterniflora*. The Restoration Plan pointed out the importance of the marsh edge and *Spartina* for the productivity of the region. Yet, the freshwater diversions in Alternative A will destroy *Spartina* marsh and build freshwater wetlands. The Trustees should define a Restoration Plan that focuses on building *Spartina* marsh to help restore for the injuries caused by the DWH.

#### Point Four

The current project design (Alternative A) is a misuse of the DWH funds. As mentioned above, the Trustees' Draft Phase II Restoration Plan #3 Table 4.5-2 shows how oyster culture will be incompatible with the expected salinity regime caused by the freshwater diversion. Since the project will harm oysters, brown shrimp, and bottle nose porpoises, it is inconsistent with the 2013 US Court decree which required the funds be used "for the purpose of creating, preserving, and restoring coastal habitat." It is also inconsistent with the plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds. This plea agreement states, in part: "to remedy harm to resources where there has been injury to, or destruction of, loss of, or loss of use of those resources resulting from the Macondo oil spill." Since Alternative A attempts a Comprehensive Integrated Ecosystem Restoration, it is using DWH funds for projects beyond the injuries "resulting from the Macondo oil spill." Since the project harms oysters, it cannot be said that it restores for injuries caused to the oyster industry by the DWH oil spill. The funds are being misused.

#### Point Five

Consider the inequality of allowing the River to destroy farms and businesses in southern Louisiana when that would certainly not be allowed in northern Louisiana or anywhere else upriver. The MBSD unjustly places the burden of poor coastal policy implementation on Louisiana's coastal fishers--who have planned their lives on the assumption the government levees would hold.

With our levees, we've cut the River off from thousands, perhaps, millions of acres of levee-protected flood plains upriver from NOLA. The Delta in northern Louisiana would receive annual deposits of sediment if it were not protected by the levee. Government would rush to rebuild levees and indemnify the people hurt by a breach of the levees anywhere along the existing levee, from Louisiana to "Minnesota." But here, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the freshwater from Mardi Gras Pass.

#### An Alternative Solution

The problems with the current diversion design are the freshwater flood and the dispersion of the sediment. The flood disrupts existing ecology and renewable resource industries, like the oyster industry. The dispersion of the sediment provides low-quality storm protection. A

diversion design which diverts river water and sediment into leveed reservoirs would resolve both problems.

When the River is in flood, sediment dredged from the River would be pumped into the reservoirs. The US Congress would pay for the dredging as part of its commitment to maintain navigation in the River. Sediment captured up-river would not have to be dredged from down-river locations, such as the navigation channels at the mouth of the River. After the River returns to normal levels, the water captured in the surge reservoirs would be released back into the River. The freshwater would not harm brackish water ecologies.

The leveed reservoirs receiving the freshwater and sediment would provide "immediate" dryland storm protection by their levees and additional long-term storm protection by the dryland being built within the leveed cells. This follows the example of the Dutch polders which created dryland for farms and towns by first building levees around portions of the sea and managing the development of dryland within the leveed cells. For another example, see *Turning Water Into Land. How New Orleans Created the Lakefront Neighborhoods, 1926-1934*, by Richard Campanella, *New Orleans Times-Picayune*, April 13, 2018.

If the parishes were given the \$1.4 billion dollars, they would probably build dryland storm protection. They would not likely use it to build wetland. The parishes may decide to build dryland to be used for economic development of agriculture, industry, or housing. This use of the funds could combine storm protection with the expansion of the oyster industry. This would "restore for injuries" caused by the DWH.

John Dale "Zach" Lea, Ph.D.

Agricultural Economist, Exclusive Shellevator Dealer for Louisiana  
Coastal Development Projects

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This email has been blind-copied to a large number of coastal stakeholders.

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**Concern ID: 61883**

**Define a Plan that focuses on building Spartina marsh to help restore for the injuries caused by the DWH oil spill.**

**Response ID: 15838**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH oil spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 Draft EIS Public Review: Public Meetings Summary and Responses to Public Comments, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

With respect to the Restoration Plan, the commenter is correct in noting the extensive injury to Spartina from the DWH oil spill and the importance of marsh edge and Spartina in wetland productivity. However, the overall injury in Louisiana and the Barataria Basin from the DWH

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oil spill impacted shorelines as well as many of the species of flora and fauna that rely on those shorelines. To address the scale of ecosystem-level injury and current state of ecosystem decline in the Barataria Basin, in its “Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana” (LA TIG 2018) the LA TIG selected for further development a large-scale sediment diversion to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin and contribute to the ecosystem-level restoration necessary in Barataria Basin, beyond restoring for only *Spartina* marsh. By implementing the proposed Project, the MBSD is expected to make ecosystem-level improvements, including benefits to *Spartina* marsh wetlands ecosystems broadly.

Louisiana Trustee Implementation Group (LA TIG). 2018. Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana. Available online at:

[http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018\\_03\\_LA\\_TIG\\_Final\\_SRP\\_EA\\_508-Compliant.pdf](http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_03_LA_TIG_Final_SRP_EA_508-Compliant.pdf). Accessed: March 15, 2018.

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**Concern ID: 61895**

**Commenters suggest using a sediment diversion to selectively build land by directing sediment to a contained area, such as a colmates system or large-scale marsh creation containment area. A controlled system of dredging to create dry land coupled with a system to contain sediment-infused river water in specific areas outside of the levee protection system would be most beneficial to create more land exactly where it's needed.**

**Response ID: 15988**

This method of sediment transport and/or sediment containment and land building would not meet the proposed Project's purpose and need of reconnecting and reestablishing sustainable deltaic process between the Mississippi River and the Barataria Basin. A colmate or other means of large-scale marsh creation using dewatered sediment would allow for sediment to be transported from the Mississippi River to the Barataria Basin and deposited into a location confined by containment berms, which would create an impoundment where the suspended sediment would settle out of the water column over time to create a marsh platform. Once the area dewatered and the platform stabilizes at an appropriate marsh elevation, the berms would be degraded or gapped to allow fish passage and hydrologic exchange. While this type of system would create marsh, it would not be a passive system and would require active management and maintenance, including potentially pumps to ensure sediment transport, mechanical gapping/degrading of the retention berms and periodic lifts to combat the effects of subsidence. It would not reestablish natural deltaic processes. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 61930**

**The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers.**

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**Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the “greater good”, particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans. Both the Draft EIS and the LA TIG’s Draft Restoration Plan would benefit from additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.**

**Response ID: 16281**

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG’s Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in

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the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the “assessment of natural resource damages.” See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter “NRDA regulations”

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at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG's Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance

the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016).

Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended

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restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62668**

**The Project fails to meet the five objectives that Trustees articulated in the PDARP/PEIS. By diverting Mississippi River water into the coastal zone, the proposed Project would damage water quality and destroy habitat essential to living coastal and marine resources.**

**Response ID: 16627**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH oil spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views. The ability of the Project to meet LA TIG objectives was considered in the LA TIG's Draft Restoration Plan. In preparing the LA TIG's Restoration Plan, the LA TIG developed the goals and objectives for the proposed Project through an iterative restoration planning process, beginning with the restoration goals in the Final PDARP/PEIS, then developing SRP/EA #3 for the restoration of habitat and services in the Barataria Basin, and ending with Project-specific goals. The LA TIG notes that while the commenter asserts that the proposed Project would fail to meet the goals of the PDARP/PEIS, the PDARP/PEIS in fact included a large-scale sediment diversion as a key restoration technique (see Section 5.5.2.2 [Strategy to Achieve Goals] of the PDARP/PEIS).

The proposed MBSD Project has been developed to address the specific goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type. More specifically, the proposed Project has been designed to (1) restore a variety of interspersed and ecologically connected coastal habitats, (2) restore for injuries to habitats in geographic areas where the injuries occurred, while considering approaches that provide resilience and sustainability, and (3) restore habitats and their ecological functions in appropriate combinations.

In developing restoration alternatives, the LA TIG evaluated the proposed Project according to the OPA evaluation criteria, including the extent to which alternatives would prevent future injury as a result of the oil spill and avoid collateral injury, which could include a threat of compromised water quality from the introduction of Mississippi River water into the receiving Barataria Basin (see Section 3.2 [OPA Evaluation of the Alternatives] in the Restoration Plan). That OPA evaluation, as well as related evaluation of impacts to surface water quality evaluated in the EIS, finds that species with a wide range of salinity tolerance (for example, flounder) are not likely to be affected by the water quality changes resulting from operations of the diversion, but could experience minor collateral injuries due to temporary shifts in prey composition and distribution or suboptimal salinity affecting early life stages (see Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan and Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS). Indirect impacts on bottlenose dolphins in the Barataria Basin could occur as water quality (for example, HABs, contaminants) habitat and food web dynamics shift over time. Overall, the operation of the diversion would be expected to have permanent minor to moderate changes in salinity, water temperatures, seasonal trends in total nitrogen and total phosphorus, dissolved oxygen trends, sulfate concentrations, and fecal coliform concentrations in the Barataria Basin (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan and Chapter 4, Section 4.5 Surface Water and Sediment Quality, Table 4.5-4 of the EIS).

Collateral injury and impacts to essential fish habitat are also included as part of the OPA and NEPA evaluation. The proposed Project would be expected to increase the overall coverage and biomass of SAV in the basin once salinity regimes stabilize and new freshwater or intermediate communities become established (see Section 3.2.1.6 [Benefits Multiple Resources – Alternative 1] of the Restoration Plan and Chapter 4, Section 4.10.4.1 in Aquatic Resources of the EIS). SAV is managed as essential fish habitat in the Barataria Basin, providing structured habitat that is of greater value for fish and crustaceans than unstructured habitats, such as soft bottoms (see Section 4.10.4.4 of the EIS). From the proposed Project, the Barataria Basin is projected to retain a diversity of marsh habitat types by 2050, with a projected acreage of approximately 207,000 acres of freshwater/intermediate marsh, 16,600 acres of brackish marsh, and 10,400 acres of saline marsh (see Section 3.2.1.6 [Benefits Multiple Resources] of the Restoration Plan and Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-3 in the EIS). These wetlands provide ecosystem services, including essential fish habitat for fish and crustaceans and other aquatic species as described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan.

By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem. The proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected

northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

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**Concern ID: 62798**

**A commenter questioned the scale of the goals and objectives of comprehensive integrated ecosystem restoration in response to the DWH oil spill, noting it is overly ambitious. They suggested that DWH restoration focus on the impacts from the oil spill and not on comprehensive ecosystem restoration.**

**Response ID: 16496**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes, or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views. With respect to the Restoration Plan, the Record of Decision for the Final PDARP/PEIS, published on March 29, 2016, documented the selection of Alternative A: Comprehensive Integrated Ecosystem Alternative as the preferred restoration alternative that would provide ecosystem-scale restoration to partially offset ecosystem-scale losses. Alternative A in the PDARP/PEIS was not selected for the principal purpose of addressing coastal land loss. Rather, as explained in detail in the PDARP/PEIS, Alternative A was selected because the Trustees determined that the best approach to addressing the ecosystem-wide injuries resulting from the spill was to take an ecosystem approach to restoration. One key reason for this was that it was not possible to evaluate with certainty injuries to all of the species that were injured by the spill or to ascertain with precision the extent of injury to each species. The restoration strategy in Alternative A addressed those uncertainties by emphasizing restoration of habitat types that are critical to the ecosystem that supports the species injured by the spill (including both known and unknown injuries), as well as restoring critical habitat such as coastal marsh that also was injured by the spill, particularly in Barataria Basin. In light of the basis for Alternative A in the PDARP/PEIS, the Project is a particularly appropriate means of implementing that preferred alternative because the restoration of deltaic processes builds marsh and sustains and enhances other existing marshlands, thus strengthening the key habitats that are the basis for the rich nearshore ecosystem that extends into the northern Gulf of Mexico.

Although the LA TIG recognizes the concern by the commenter that they would have preferred a different alternative for the Final PDARP/PEIS, the selection of Alternative A is not being reconsidered in the LA TIG's Restoration Plan. Given the previous selection of Alternative A in 2016, the LA TIG has the responsibility to identify restoration projects that would further the goals of comprehensive, integrated ecosystem restoration as described in the Final PDARP/PEIS. The LA TIG has done this through a series of plans, including the current plan being evaluated for a Mid-Barataria Sediment Diversion. The evaluation of the nexus between the Project and the injury that resulted from the DWH oil spill is presented in Section 2 of the Restoration Plan.

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**Concern ID: 63311**

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**No amount of adaptive management will ensure the continued support of oyster culture in the Barataria Basin.****Response ID: 16684**

The Draft EIS discussed anticipated impacts to oyster fisheries in Section 4.14.4.2 (Operational Impacts, Applicant's Preferred Alternative, Eastern Oyster Fishery) in Commercial Fisheries and found that the proposed Project would have major, permanent, adverse impacts on Eastern oyster fisheries in the Project area.

The concerns expressed by the commenter were considered by CPRA and the LA TIG in preparing the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). LA TIG acknowledges that operation of the Project would likely reduce oyster abundance in the Barataria Basin (see Section 4.14.4.2 [Commercial Fisheries - Operational Impacts] of the Final EIS). However, specific MAM and mitigation activities have been proposed to understand and mitigate impacts to oyster production. As described in the MAM Plan (Appendix R2 to the Final EIS), if the data collected through MAM activities suggests that sustaining oyster populations in the basin is no longer viable, the CPRA would implement some of the actions outlined in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), such as the relocation of seed grounds to more environmentally suitable areas or the establishment of broodstock reefs to address larval supply, in areas outside of Barataria Basin. The Mitigation and Stewardship Plan (Appendix R1 to the EIS) includes additional oyster mitigation measures totaling \$32 million. Table 4.27-2 in Section 4.27 (Mitigation Summary) shows which of these oyster mitigation measures are new and which are augmentation of existing or proposed programs.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39837**

U.S. Environmental Protection Agency, Region 6

Michael Jansky

\*\*\* pdf of letter attached for reference

Hello Brad:

In response to your request for comments on the subject EIS, I am forwarding to you the attached EPA Region 6 comment letter dated May 26, 2021. Please confirm receipt and let us know the Pdf copy is sufficient for the Corps of Engineers commenting needs. If you need an original version, please let me know.

Sincerely,

Michael Jansky

Environmental Engineer/NEPA Specialist

Mail Code: ORACN

USEPA - Region 6

[REDACTED]

Dallas, TX 75270

[REDACTED]

[REDACTED]

[REDACTED]

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

████████████████████  
████████████████████  
May 26, 2021

Brad LaBorde  
Regulatory Project Manager  
New Orleans District - CEMVN-ODR-E  
U.S. Army Corps of Engineers  
7400 Leake Ave  
New Orleans, Louisiana 70118

Dear Mr. LaBorde:

The U.S. Environmental Protection Agency (EPA) has reviewed the U.S. Army Corps of Engineers (USACE) Draft Environmental Impact Statement (EIS) for the Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana (CEQ Number 20210025). The Draft EIS was reviewed pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500 - 1508), and EPA's NEPA review authority under Section 309 of the Clean Air Act.

The Coastal Protection and Restoration Authority Board of Louisiana, through the Coastal Protection and Restoration Authority (CPRA), submitted a Joint Permit Application to the Department of the Army under the provisions of Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Appropriation Act of 1899 and a permission request under Section 408 of the Rivers and Harbors Act of 1899 to the USACE, New Orleans District, for CPRA's proposed Mid-Barataria Sediment Diversion (MBSD). The Proposed Action consists of the placement of a sediment diversion through a portion of the federal Mississippi River and Tributaries Project mainline levee on the right descending bank of the Mississippi River at approximately River Mile 60.7 and through the future New Orleans to Venice (NOV) Hurricane Protection Levee, extending into the Mid-Barataria Basin in Plaquemines Parish, Louisiana.

EPA served as a Cooperating Agency and reviewed and provided technical comments on the Draft EIS during its development. We appreciate participating on issues of importance to the Agency including climate change considerations and evaluation of the climate resiliency and adaptation aspects of the proposed project. In addition, EPA acknowledges the proactive approach taken to incorporate technical suggestions and factoring a changing climate into the overall modeling for the project regarding greenhouse gas emissions and climate change. We also acknowledge that this approach was out of recognition that this effort is different from other infrastructure projects in that the proposed action itself is an adaptation/resiliency feature.

In addition, we appreciate working with USACE, CPRA, and the other agencies on the key issues of environmental justice and impact mitigation throughout development of the Draft EIS. The Draft EIS acknowledges in Chapter 4 that the proposed project may have disproportionately high and adverse impacts on the project affected area for minority and low-income residents and users of the resources in the area. According to the models, this may include periodic flooding of some residences and businesses during the operation of the MBSD. It may also include storm hazards and changes in the composition of fishery species. EPA encourages and supports the ongoing efforts to effectively address the identified



environmental justice impacts in the development of the Draft Mitigation Plan provided in Appendix R. EPA strongly recommends that the Final Mitigation Plan include measures to specifically address disproportionately high and adverse impacts related to commercial shrimp and oyster fishing, tidal flooding, and storm hazards identified in the proposed project area. The mitigation measures should include elements designed to consider any unique vulnerabilities and help ensure an equitable distribution of benefits to minority and low-income populations that would be impacted by the proposed project. EPA commends CPRA for holding outreach meetings with minority and low income people in the area to discuss impacts of the proposed project and related mitigation measures.

Thank you for the opportunity to review this Draft EIS. EPA looks forward to the receipt and review of the Final EIS. If you have any questions, please contact Michael Jansky, the project review lead, at



Sincerely,

Jonna Polk  
Director  
Office of Communities, Tribes, and  
Environmental Assessment

cc: Louisiana Trustee Implementation Group Representatives

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**Concern ID: 62960**

The U.S. Environmental Protection Agency (USEPA) has reviewed the U.S. Army Corps of Engineers (USACE) Draft Environmental Impact Statement (EIS) for the Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana (CEQ Number 20210025). The Draft EIS was reviewed pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500 - 1508), and USEPA's NEPA review authority under Section 309 of the Clean Air Act.

USEPA served as a cooperating agency and reviewed and provided technical comments on the Draft EIS during its development. We appreciate participating on issues of importance to the agency including climate change considerations and evaluation of the climate resiliency and adaptation aspects of the proposed Project. In addition, USEPA acknowledges the proactive approach taken to incorporate technical suggestions and factoring a changing climate into the overall modeling for the proposed Project regarding greenhouse gas emissions and climate change. We also acknowledge that this approach was out of recognition that this effort is different from other infrastructure projects in that the proposed action itself is an adaptation/resiliency feature.

In addition, we appreciate working with USACE, CPRA, and the other agencies on the key issues of environmental justice and impact mitigation throughout development of the Draft EIS. The Draft EIS acknowledged in Chapter 4 that the proposed Project may have disproportionately high and adverse impacts on the Project affected area for minority and low-income residents and users of the resources in the area. According to the models, this may include periodic flooding of some residences and businesses during the operation of the proposed MBSD Project. It may also include storm hazards and changes in the composition of fishery species. USEPA encourages and supports the ongoing efforts to effectively address the identified environmental justice impacts in the development of the Draft Mitigation and Stewardship Plan provided in Appendix R1. USEPA strongly recommends that the Final Mitigation and Stewardship Plan include measures to specifically address disproportionately high and adverse impacts related to commercial shrimp and oyster fishing, tidal flooding, and storm hazards identified in the proposed Project area. The mitigation measures should include elements designed to consider any unique vulnerabilities and help ensure an equitable distribution of benefits to minority and low-income populations that would be impacted by the proposed Project. USEPA commends CPRA for holding outreach meetings with minority and low-income people in the area to discuss impacts of the proposed Project and related mitigation measures.

**Response ID: 15886**

Thank you for your comments. If a permit is issued, CPRA would be required to obtain all applicable federal, state, and local permits before starting construction of the proposed MBSD Project.

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**Concern ID: 63179**

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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:39838**

Fernell Cryar

The Mid-Barataria Sediment Diversion is necessary. We continue to lose land in coastal Louisiana and this will continue with more and more land loss if the diversion is not done. I know there will be consequences to those who live in the area. Therefore there should be mitigation and help for those affected. I do not live on the coast, but more and more land loss will affect where I live eventually. More land will mitigate storm impacts which does cause issues here. Please continue with the diversion.

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**Concern ID: 63185**

**Additional development of mitigation plans and accountability for mitigation commitments is needed.**

**Response ID: 16562**

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63365**

**The proposed Project is necessary to stop land loss and mitigate storm impacts; however, impacts on the local populations should be mitigated.**

**Response ID: 16327**

The commenter's support for the proposed Project is noted. CPRA expanded and refined its Mitigation and Stewardship Plan (Appendix R1) for the Final EIS in response to community and resource agency input. If the proposed Project is approved and funded, CPRA states that it would implement the mitigation and stewardship measures as set forth in Appendix R1. CPRA's coordination with the affected communities and industries is described in Chapter 7 Public Involvement and Appendix R1, both of which have been revised for the Final EIS, in response to public comments.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39840**

Save Louisiana Coalition

George Ricks

This is Captain George Ricks. I'm President of the Save Louisiana Coalition. Firstly, I'd like to say, the least environmentally damaging alternative to this project, pipeline sediment delivery, or dredging, was not used in this EIS.

Under Section EIS-2, proposed need of this project, the EIS states, "This proposed project is needed to help restore habitat and ecosystems services injured in the northern Gulf of Mexico as a result of the Deepwater Horizon oil spill." This project, given the permanent adverse impacts to fisheries, marine mammals and water quality, is in total contradiction of this purpose and need. Under mitigation, the total of \$305 million for mitigation to seafood industries and dolphins is ridiculously low. I would like to point out, the 120-day Spillway opening in 2019, which caused the declared fisheries disaster of \$58 million was a one-time event. This disaster was caused by the same river water that this project is designed to put into the estuary. Given the permanent adverse impacts and collateral injuries of this project, the few long-term benefits do not justify the costs of construction, nor the economic loss to the fisheries, low-income families, and flooding of coastal communities affected. The Save Louisiana Coalition recommends this permit application be rejected. Thank you.

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**Concern ID: 61873**

**The proposed Project's impacts are in contradiction with the Project's stated purpose and need to restore habitat and ecosystems damaged by the DWH oil spill given the permanent adverse impacts on fisheries, marine mammals, and water quality. The proposed Project is incompatible with both a healthy environment and healthy economy.**

**Response ID: 15829**

USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. If implemented, the proposed Project would deliver sediment, fresh water, and nutrients into the Barataria Basin. While there would be short- and long-term, adverse and beneficial impacts to physical, biological, and socioeconomic resources in the Project area due to the proposed Project, the sediment, fresh water, and nutrients are expected to restore habitat and ecosystems services injured in the northern Gulf of Mexico as a result of the DWH oil spill.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats. The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed



Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62709**

**The 2019 opening of the Bonnet Carré Spillway caused significant impacts to aquatic fauna from the release of river water, and resulted in a declared fisheries disaster of at least \$58 million.**

**Response ID: 16087**

A summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment, including area fisheries. This summary is available in Appendix U of the Final EIS. However, it is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. The anticipated impacts of the proposed Project on aquatic fauna from the release of river water is discussed in detail in Chapter 4, Section 4.10 Aquatic Resources.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

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Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63726**

**Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.**

**Response ID: 16702**

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive

management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39841**

Shannon Loup

Hi. I am on the Wilkinson Canal in Myrtle Grove, and I guess my concern is what's going to happen with the water in Myrtle Grove Estates when this or if this happens and what are the plans for that. I'm under the impression that they are talking about possibly raising bulkheads or buying out the people in the community and that actually frightens me. Am I going to get an answer?

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

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As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39844**

Dina Eppley

I am a homeowner in one of the communities that are going to be impacted by this, and I mostly had some questions, and hopefully this is an appropriate forum to ask the questions. I put a couple of them in the chat box. But the first one was I just wanted to understand what we meant by "Sustain 20 percent of the land." That's unclear to me. Does that mean we're going - - this diversion project is going to allow us to keep 20 percent of the land we have now? Are we adding 20 percent of the land? And if we're adding, what is that based on? Today's levels or future levels? What does that mean?

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**Concern ID: 62161**

**The commenter asked what is meant by “sustain 20 percent of the land” and further questioned whether this means the diversion would retain 20 percent of the land that exists now in 2021 or 20 percent of the projected future amount of land in the basin.**

**Response ID: 16182**

The commenter’s question regarding the meaning of the word “sustain” in describing the land building projected to take place during operation of the diversion has been considered. To help clarify, a discussion has been added to further explain currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

In the LA TIG’s Restoration Plan in Section 3.2.1.1 OPA Evaluation of the Alternatives - Alternative 1 Description, the LA TIG highlights that by 2070 (the end of the analysis period), the Project is projected to be responsible for creating or maintaining approximately 20 percent of the land that remains in the Barataria Basin at that time. To be clear, this represents the amount of land that would be created or maintained by the Project in 2070 divided by the total amount of land that would remain in the Barataria Basin without the Project in 2070.

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**Correspondence ID:39846**

NWF and Restore the MS River Delta Campaign

Amanda Moore

My name is Amanda Moore. I'm with the National Wildlife Federation and also with Restore the Mississippi River Delta Campaign. We appreciate all of the work that has gone into this draft EIS and restoration plan, and we want to acknowledge that the Barataria Basin is losing land at one of the most rapid rates in the world, and was also Ground Zero for the BP oil spill. So losing this marsh means that we're losing fish and wildlife that depend on that habitat, and in addition, we'll be losing the storm surge protection that the marsh provides. The power of the river allows us to harness more land-building potential than we could get with dredge at a fraction of the cost, and the benefits are long-lasting, even in the face of sea level rise and hurricanes. This project is innovative and widely studied, and this project concept is our best shot at a vibrant and resilient future for fish, wildlife and communities in the Mississippi River delta. The Mid-Barataria Sediment Diversion is going to have major beneficial impacts. The land building that the project will provide compared to a future without action, and we also want to acknowledge that the sediment introduced by the diversion will not only build wetlands, but it will also increase the elevation across a hundred square miles in the Barataria Basin, and this will create more complex habitat that's favored by some fish and wildlife, and it will also help reduce the storm surge threats to nearby communities. We feel that's a really important benefit of the project.

In short, we feel the project is essential to a sustainable and more resilient future in the delta, and we want to thank you, again, and we're going to be submitting more detailed comments before the comment period closes.

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**Concern ID: 61977**

**While other restoration project types, such as marsh creation, have been suggested in lieu of large-scale diversions, these project types would fail to build and sustain significant amounts of land in the Barataria Basin over the 50-year Project lifespan due to subsidence, sea-level rise, and erosion. Dredging alone cannot save the wetlands, the processes that originally built them must be reestablished. The power of the river allows more land-building potential to be harnessed than could be had with dredges at a fraction of the cost, and the benefits are long-lasting, even in the face of sea-level rise and hurricanes.**

**Response ID: 15977**

The commenter's support of the proposed Project is acknowledged. The EIS concludes that a large-scale sediment diversion meets the purpose and need of the proposed Project while large-scale marsh creation does not meet the purpose and need. Details on marsh creation alternatives including sustainability and the reasons for elimination from further detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. Additional information related to the marsh creation alternative have been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

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**Concern ID: 62210**

**An important benefit of the Project is that it would introduce sediment that would not only build wetlands but also increase elevations across a hundred square miles in the**



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**basin, which would benefit some fish and wildlife. This would also reduce storm surge threats to nearby communities.**

**Response ID: 16422**

The beneficial impacts of sediment deposited below the Barataria Basin water surface were considered and incorporated in the Draft EIS in Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology; Section 4.4.4 Hydrology and Hydrodynamics; and in Section 4.6 Wetland Resources and Waters of the U.S. These processes are part of the model computations described in Appendix E Delft3D Modeling and are fully incorporated in the results and conclusions of the Draft EIS. Deposition of sediment by the proposed Project below the water surface would be beneficial to wetlands, fish, and wildlife by being resuspended and transported elsewhere for deposition, as the commenter suggests, and by forming a base layer upon which future pulses of sediment can form marsh or land.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39848**

Mary Tucker

My name is Mary Tucker and I am a resident in Myrtle Grove. I am not representing the subdivision or the board. I am simply representing myself and my family. And while I appreciate the comments from the previous lady, with the Wildlife and Fisheries, I respectfully disagree. It's a great idea to build the marsh until it's not, and yes, there are some benefits for some. However, to the people of Myrtle Grove, we have identified and I think everybody knows there is a problem that, more days than not, we will probably have water on the road. In some of the previous meetings I've been at, it was state that, you know, it should not be that detrimental because these houses are raised and most of them are camps. However, these really aren't camps. These are people's homes. Most of them are half-a-million-dollar homes that people have invested their life savings and work into. We bought in this community because we were - - I wanted my kids to be able to ride their bikes on the streets, to play kickball in the lots. We wanted to fish off of our docks, and if the water continuously comes up when the diversion is operating, it's going to ruin the streets. Yes, if you raise infrastructure, i.e., the streets, I can access my property. However, my house was totally built to code; when I would get out of my car, I'd probably have water around my ankles. I do know that there is money to mitigate certain subdivisions. We still want clarity on how much money is available. I think the last meeting I listened to, it said 300 million. That's not just for Myrtle Grove. That's Myrtle Grove, that's Suzie Bayou, Happy Jack, Woodpark, and I think a few others. They talked about buy-outs, which would not be my first choice. A question is, how do they determine fair market value? So there are a lot of unknowns, and I guess I could say I'm against the diversion, and I would like some answers, please.

Thanks for letting me ask another question. I have read over, of course, not all 6,000 documents, and it might not be 6,000 pages, but I have looked in the sections that were just referenced, I think, by Mr. Brad, but I could not find - - and maybe these are one-off questions - - specific answers. They were broad strokes, and maybe we're not to that point yet, but how things are determined, fair market value, how that is determined, house raising. Who determines how high they would raise, you know, structures if they choose to go that route? And I'm not trying to belabor the issue.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood

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protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or

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will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

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Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39849**

Steve Pollock

So my name is Dr. Steve Pollock of Triple N Oysters. I've been in the oyster industry in the state of Louisiana for six years now. I'm originally from Montreal, Canada, so I'm a bit of an oddball down here. But in looking over the EIS, I'm extremely worried about the short and long-term consequences of the planned Mid-Barataria Diversion. On the one hand, the EIS seems to support the idea that environmental damage will be immediate, long-lasting and severe for the state of Louisiana.

Yet, turns the other side of the card over and says that it looks like it's probably going to be beneficial in the next 50 years.

The EIS does not clearly show that the benefits will outweigh the costs of going through with this project, and in my opinion, other alternatives should be seriously considered to minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems by opening up the diversion in the Mid-Barataria region. That's my comment.

Thank you, sir.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to

define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62635**

**The proposed Project would cause harm to some species and fisheries, and would increase flooding in some communities, and the EIS does not show that the proposed Project's benefits outweigh these harms. Other less harmful alternatives to the proposed Project should be considered to minimize impacts.**

**Response ID: 16651**

The range of alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. USACE generally focused on the Applicant's purpose and need and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project purpose and need.

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were

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considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. Based on a review of the various alternatives against these criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such a cost-benefit analysis is relevant to the agency's permit decision. USACE generally assumes that a permit applicant has made its own economic evaluation regarding the costs of a proposed project and therefore a cost-benefit analysis is not relevant to its decision. However, as part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG is the group responsible for restoring natural resources and services within Louisiana that were injured by the DWH oil spill. In the LA TIG's Restoration Plan, the LA TIG also evaluates a range of alternatives and identifies its Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs) as providing the right balance in terms of likely benefits the Project would achieve and risks related to collateral injury for its NRDA decision. Title 15 CFR §990.54 of the NRDA regulations outlines the criteria that are used to evaluate a reasonable range of alternatives and select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluates a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Avoids Collateral Injury – Alternative 1), and 3.2.2.5 (Avoids Collateral Injury – Alternatives 2-6) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems, and necessarily entails reverting the current

ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as its Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

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**Correspondence ID:39851**

John Tesvich

This is John Tesvich, and I'm on the Louisiana Oyster Task Force, and I'd just like to just add a couple of things to the conversation, listening to the presentation. One thing is on alternatives that were considered. I was disappointed that some real alternatives weren't part of that instead of just looking at no action and various levels of flow. There are things that have been suggested across many public hearings. One is colmates. It's colmata. It's actually levying the outflow of the diversion to take a part of Barataria Bay at a time and rebuild that part without affecting the larger area of the basin, instead of allowing the water just to go throughout the basin, depending on the wind and currents. Colmates will take one section and will build one section at a time. That is an alternative that would severely reduce the flooding, the indirect impacts to the seafood industry, so, you know, it has not been given, I feel, a serious consideration. The other thing is that the mitigations, the numbers that I saw you put up there about the oysters and shrimp, brown shrimp and dolphin, they are way, way off. You're off by an order of magnitude. 30 million and \$50 million, those are what's going to be the annual losses, and plus. So, you know, by downplaying the impacts, the negative impacts, you're justifying the diversion. When you take it from a level 10 times higher than that, then you'll see alternatives, and that's where colmates - - are you all familiar with colmates? Colmates are levying the size and providing a channel straight to the Gulf. So that is something I'd like to see a little more work and research into. It's an ancient form that was used in Egypt, it was used in Italy, and it can work here to make this actually a lot better project, because otherwise, this is going to be problematic. You know, the seafood industry, they've been talking about this, you know, from the beginning of this discussion, 10, 15 years ago, and I just think, you know, it's time that we sit down and get more serious about these negative impacts. Thank you for the opportunity to comment.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency

with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61895**

**Commenters suggest using a sediment diversion to selectively build land by directing sediment to a contained area, such as a colmates system or large-scale marsh creation containment area. A controlled system of dredging to create dry land coupled with a system to contain sediment-infused river water in specific areas outside of the levee protection system would be most beneficial to create more land exactly where it's needed.**

**Response ID: 15988**

This method of sediment transport and/or sediment containment and land building would not meet the proposed Project's purpose and need of reconnecting and reestablishing sustainable deltaic process between the Mississippi River and the Barataria Basin. A colmate or other means of large-scale marsh creation using dewatered sediment would allow for sediment to be transported from the Mississippi River to the Barataria Basin and deposited into a location confined by containment berms, which would create an impoundment where the suspended sediment would settle out of the water column over time to create a marsh platform. Once the area dewateres and the platform stabilizes at an appropriate marsh elevation, the berms would be degraded or gapped to allow fish passage and hydrologic exchange. While this type of system would create marsh, it would not be a passive system and would require active management and maintenance, including potentially pumps to ensure sediment transport, mechanical gapping/degrading of the retention berms and periodic lifts to combat the effects of subsidence. It would not reestablish natural deltaic processes. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)

- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63726**

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**Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.**

**Response ID: 16702**

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated

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Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39852**

Marine Mammal Commission

Victoria Cornish

Hello, this is Victoria Cornish, representing the Marine Mammal Commission. We plan to submit written comments so have no comments at this time. However, given the length of the DEIS and the complexity of models presented, is it possible to request an extension of the comment period for at least an additional 30 days?

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**Concern ID: 62487**

**Several commenters requested additional time to submit comments on the LA TIG's Draft Restoration Plan and Draft EIS.**

**Response ID: 15768**

The public comment period for the LA TIG's Draft Restoration Plan and Draft EIS was originally 60 days (March 5, 2021 through May 4, 2021). On April 23, 2021, USACE and the LA TIG issued a special public notice, announcing a 30-day extension of the public comment periods. With this addition, the public comment period for both documents was 90 days (March 5, 2021 through June 3, 2021).

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**Correspondence ID:39855**

Doug Daigle

In reviewing the Draft EIS, I have seen sections on nitrogen and phosphorus under Water Quality, including mentions of Gulf of Mexico hypoxia. I have not so far seen a mention of the Gulf Hypoxia Action Plan, which the State of Louisiana as well as most of the federal TIG agencies are signatories to, and which calls for a 20% reduction in nitrogen and phosphorus loading to the Gulf by 2025, with subsequent reductions to the year 2035. An inclusion of this Plan and the reductions in Mississippi-Atchafalaya River nutrient loads would seem pertinent to the EIS.

I neglected to include my contact information in my earlier comment in the Chat on Gulf Hypoxia, and specifically the apparent lack of reference in the EIS to the Gulf Hypoxia Action Plan. Louisiana Hypoxia Working Group.

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**Concern ID: 61817**

**Commenters stated that information about the Gulf Hypoxia Action Plan (Louisiana Hypoxia Working Group), which calls for a 20 percent reduction in nitrogen and phosphorus loading to the Gulf by 2025, is pertinent to the Draft EIS but is not mentioned. Commenters requested that the plan should be included in the Final EIS.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2008. Gulf Hypoxia Action Plan 2008 for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2013. Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2016. December 2016 Update, Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Response ID: 16428**

The USACE and the LA TIG agree that the Gulf Hypoxia Action Plan is relevant to the proposed Project area. Therefore, in response to these comments, a discussion about the Gulf Hypoxia Action Plan has been added to Section 4.25.5.4.4 Nitrogen and 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS. The Hypoxia Action Plan has highlighted the important role that river diversions could play in reducing nutrient loads. In addition, substantial nutrient load reduction could be achieved through the measures being implemented by the other states and entities involved with the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These combined efforts could lessen the potential impacts of excess nutrient loads to Barataria Basin and the northern Gulf of Mexico.

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**Correspondence ID:39856**

Dina Eppley

What does sustain 20% of the marsh mean? Does that mean this will keep 20% of the land we have today? Does it mean we'll add 20% to the land - is that based on the land we have today or the land we would've had in 2050?

Will the diversion flow constantly or only be opened at certain times?

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations "trigger to open the diversion for flow (above the base flow)". Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated

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Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63054**

**Clarify whether “sustaining 20 percent of the marsh” means that the proposed Project would sustain 20 percent of the land that is present today or that the proposed Project would add 20 percent to the land’s total. Further clarify if those numbers are based on the land that is present today or what would be present in 2050.**

**Response ID: 16060**

The wetland acreages presented in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-3 of the EIS represent the total acreage projected to be present in the Barataria Basin under each action alternative assessed. The percentage of wetland gains and losses presented in Section 4.6, Table 4.6-4 therefore represents the total change in wetland area (including newly created wetlands as well as wetlands that would be lost to subsidence and sea-level rise but for the proposed Project). No edits to the Final EIS are warranted. The comparisons use projected wetland area by decade for all alternatives

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assessed (that is, the numbers are based on the projected future conditions, and not current wetland area).

The LA TIG's Restoration Plan highlights that, by the end of the analysis period, the proposed Project is projected to be responsible for creating or maintaining approximately 20 percent of the land that would remain in Barataria Basin at that time (that is, 2070). Specifically, this represents the amount of created or maintained land that remains in 2070 divided by the total amount of land that remains in the Barataria Basin in 2070. See the EIS for more information about projected Project-driven changes in land area over time (Chapter 4, Section 4.2.3.2 Geology and Soils and Section 4.6.5.1 in Wetland Resources and Waters of the U.S.).

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**Correspondence ID:39857**

John Gasquet

Will CPRA offer buy outs to homes that will no long be accessible after the diversion is completed?

Or raise our access road and boats docks and under our homes?

Why in other areas of our coast they are dumping sand and build land now and not waiting 30 years to build a small amount land at such a great coast?

Will Lake Hermitage road be raised?

How many bottlenose dolphins and sea turtles will be killed by this project?

Also how many acres of land could be build with \$2 billion dollars?

How much will this project increase the dead zone in the Gulf?

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**Concern ID: 61816**

**Commenters expressed concern that the proposed Project operations would increase the hypoxic “dead” zone in the Gulf.**

**Response ID: 16427**

The Gulf of Mexico hypoxic zone was discussed in the Draft EIS in Chapter 3, Section 3.5.2.6 in Surface Water and Sediment Quality. The proposed Project would not have more than negligible impacts on the Gulf of Mexico hypoxic zone because it is located outside of the Project’s area of potential impacts (defined in Chapter 3, Section 3.1.1 [Project Area] of the Draft EIS). Vegetative growth expected to occur in the Barataria Basin due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Basin than would reach the Gulf through the Mississippi River. Although the Gulf hypoxic zone is not expected to be impacted by proposed diversion operations, because it is near the proposed Project area, the USACE did include a description and map of the Gulf hypoxic zone in Section 3.5.2.6 in Surface Water and Sediment Quality (see Figure 3.5-6). In response to public comments, the USACE has revised the title of Section 3.5.2.6 (Dissolved Oxygen) to 3.5.2.6 (Dissolved Oxygen and Hypoxia) in the Final EIS so that information about hypoxia in and near the proposed Project area can be more readily found by EIS readers. As explained in the EIS, Chapter 4, Section 4.25.5.2 in Cumulative Impacts, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh



Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

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The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the

LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude

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would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63108**

**Commenters questioned how many sea turtles would be killed by the proposed Project.**

**Response ID: 16409**

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS' Biological Opinion on the proposed Project (included in the Final EIS as Appendix O4) concludes the proposed Project is not likely to jeopardize the continued existence of sea turtles and authorizes a "take" for the Project, which is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. In its Biological Opinion, the NMFS authorizes the incidental take of 783 sea turtles per year, including 370 Kemp's ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities).

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**Correspondence ID:39859**

Melinda Guccione

As a resident of Myrtle Grove, I have serious concerns regarding the future of our neighborhood. We chose to live "on" the water not "in" the water. We have invested substantially in our way of life and don't want to see it ruined. Referencing some sections in the documents is not going to give us a realistic and comprehensive answer to our financial losses if it comes to that.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39860**

Alexandra Jiles

Can someone from the USACE, CPRA or the other organizations here please reiterate why alternatives that do not involve the diversion are not being considered? Is the reason cost alone? Is dredging not determined to be effective?

Where did the total of 33mil for stewardship to fisheries come from?

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

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Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 63141**

**Commenter requests additional information on the \$33 million for the stewardship to fisheries.**

**Response ID: 16524**

The Draft Mitigation and Stewardship Plan published with the Draft EIS (Appendix R1) contained mitigation and stewardship measures proposed by CPRA. In response to comments and resource agency input, CPRA has expanded and refined these measures, including allocating \$54 million for fisheries mitigation measures. Details regarding these measures are set forth in the Final Mitigation and Stewardship Plan published in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA)

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Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39861**

Cynthia Kuehne

I am also a resident in Myrtle Grove. I have worked my entire life and finally decided it was time to build my retirement home down here on the water. When I built down here I accepted the fact that we were outside of the levee system and would be affected by "Natural Disasters". I cannot accept the fact that my investment and way of life will be totally altered for a "Man-made Project". Not sure what the answer is at this time to remedy the problem but the data in the DEIS is very vague about this issue. We need answers.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

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**Correspondence ID:39862**

Shannon Loup

I am concerned as to what will happen to Myrtle Grove Estates.

I would like to say officially that I am against the diversion especially until it is more clear how it will impact residence in the affected communities.

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**Concern ID: 63096**

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**Correspondence ID:39863**

Theodore Mackenroth

Are you planning to narrow the bay long pass and 4 bayou pass during this project? Also are there restrictions on receiving monies to raise our homes? Like homestead exemption most of us have 2 homes and can only claim one exemption.

Are you planning to build islands in Barataria bay to slow tidal water down?

If this diversion does build land and closes off our main bayous, will you come in and dredge our bayous open?

People on Martin Lane (Happy Jack) have the same concerns as Myrtle Grove!!!! On Happy Jack we were flooded 51 times in 2018, 77 times in 2019, and 70 times in 2020. We need our road and homes raised because of the amount of rise in water.

If you know tidal water erodes, then narrowing 4 bayou should be a high priority. This should be added to this project.

Happy Jack - Our road is too low, they just raise our flood elevation, sewer lines are too low they get flooded enough that they shut them off, and we are going to need help if this goes through. Worried about what rules or restriction they will have on who get help.

The MRGO was a shipping channel but it was also a diversion. How much land did it build? If it did build land why would you close it?

Wouldn't it be better to dredge land and fill in before you put the diversion in. Would this not help to slow water down for the sediment to work and stop tidal surge?

Mentioned earlier about relocating brown shrimp, how would you do that and what happen to the smaller shrimper that can not travel as far to catch them?

What are the chances of stopping this project?

If you used the money from the diversion, how much more land could you build by dredging as compared to the land that the diversion will build?

How much will it cost to operate this diversion every year?

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**Concern ID: 61857**

**Commenter asked what the chances of stopping this proposed Project are.**

**Response ID: 15883**

As stated in Chapter 1 Introduction and Purpose and Need of the EIS, CPRA submitted a Joint Permit Application on June 23, 2016 (revised March 16, 2018) and a Section 408 Permission Request Letter on January 13, 2017 to the USACE, New Orleans District (CEMVN) for a Section 10/404 permit and Section 408 permission for the proposed MBSD Project. The joint permit application and permission request can be found in Appendix A Permit Application (Section 10/404) and Permissions Request (Section 408) of the EIS. Approval of a Section 10/404 permit and a Section 408 permission to construct, operate, and maintain the proposed MBSD Project would be a major federal action and consequently, USACE has prepared this EIS to understand the potential impacts, both beneficial and adverse, associated with the proposed Project and reasonable alternatives to it. The information in the EIS will help USACE to make an informed decision on the Section 10/404

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permit and Section 408 permission request. In addition, USACE will take all public comments under consideration in its decision making.

By regulation, the USACE is neither for nor against the proposed Project. USACE has not made any decision regarding the proposed Project and will not make a decision until it issues a Record of Decision after publication and public review of the Final EIS.

In its Strategic Restoration Plan #3 and Environmental Assessment, the LA TIG selected for further evaluation a large-scale sediment diversion to address ecosystem injuries in the Barataria Basin as a result of the DWH oil spill. Following NRDA regulations for restoration planning under OPA (15 CFR, Part 990.30), the LA TIG prepared the Draft Restoration Plan (LA TIG RP 3.2) for the proposed MBSD Project. Based on that LA TIG RP 3.2 and informed by the MBSD EIS (to which the federal agencies of the LA TIG are cooperating agencies) and the public comments received on both documents, the LA TIG will make a decision regarding the implementation of the proposed Project. Following publication of the LA TIG's Final Restoration Plan and the MBSD EIS, conclusion of the NEPA 30-day wait period, and issuance of the LA TIG's NEPA Record of Decision, the LA TIG would finalize its decision (15 CFR § 990.23(c)(2)(ii)(G)) and document such by LA TIG Resolution. Until that time, the LA TIG would not have made a final decision on the proposed Project.

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**Concern ID: 61885**

**Consider the alternative of reducing the size of Bay Long Pass and 4 Bayou Pass to slow the tide water and save land instead of implementing the proposed MBSD Project.**

**Response ID: 15981**

This alternative as presented, specifically reducing or narrowing the passes, would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 61918**

**Prior to and during the implementation of the proposed MBSD Project, consider ways to slow down the flow of the water in the basin for the sediment to work and to stop tidal surge, including dredging and filling, building islands, and planting vegetation to prevent erosion.**

**Response ID: 16005**

CPRA considered ways to slow down the flow in the basin during design and alternatives development of the proposed MBSD Project. Chapter 2 Alternatives of the EIS describes the various alternatives that were considered including several diversion outfall features (see Section 2.5, Step 3: Evaluation of Sediment Diversion Outfall Features). Marsh terracing is an outfall feature that was included in the reasonable range of alternatives evaluated in the EIS because these features are often used to reduce wave energy, protect eroding or recently restored shorelines, or to promote sediment deposition. However, results of the impact

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analysis showed mainly negligible to minor differences in impacts when terrace alternatives were compared to alternatives without terraces. If the proposed Project is implemented, CPRA would consider potential ways to optimize diversion operations including outfall management based on Project performance and success as part of the adaptive management and monitoring process.

Refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

In addition, other restoration strategies in coastal Louisiana similar to what is being proposed are being currently implemented or considered by CPRA in their Coastal Master Plan and the LA TIG through separate NRDA restoration planning.

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**Concern ID: 61919**

**Commenter requested information on the proposed annual operation and maintenance budgets for the proposed MBSD Project and how would they be funded.**

**Response ID: 16006**

If the proposed Project is permitted and funded, CPRA states that information on the proposed annual operation and maintenance budgets for MBSD Project will be provided to the public through CPRA's Annual Plan. Details on the state funding cycle, CPRA's request for operations funding, and inclusion in CPRA's Annual Plan can be found in the CPRA's Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information

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related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 61978**

**Commenter inquired how much more land could be built by dredging as compared to the land that the diversion would build.**

**Response ID: 15978**

Details on marsh creation alternatives including sustainability and the reasons for elimination from further detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. Additional information related to the marsh creation alternative has been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS. Because the marsh creation alternative was screened out, the EIS does not contain such a comparison.

Further, the LA TIG does not believe that comparing a sediment diversion to marsh creation projects using dredged material captures the benefits of the proposed Project. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the proposed Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis, and therefore would not nourish existing and created wetlands on an ongoing basis. Furthermore, assuming an initial dredge placement event with no further maintenance, the benefits of marsh created with dredged material would diminish relatively quickly compared to marsh created by the proposed Project due to subsidence, erosion, and sea-level rise; thus, the temporal nature of proposed Project benefits would also be markedly different. For these reasons, the LA TIG believes that simply comparing land-building capabilities of dredging and against a sediment diversion does not capture the full picture of the diversion's ecological benefits. The costs and benefits of the proposed Project were already considered and discussed in the LA TIG's Draft Restoration Plan.

Finally, while the proposed Project involves implementing a large-scale sediment diversion in the Barataria Basin, the Applicant also proposes to place suitable dredged and excavated material in three beneficial use areas, resulting in localized elevation increases that are expected to result in the establishment of wetland vegetation. Therefore, the Project is projected to provide marsh creation benefits using both the diversion of fresh water and sediment, as well as through dredged material placement.

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**Concern ID: 62370**

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**The commenter asserted that the MRGO was a shipping channel and a diversion, and asked how much land it built and why it was closed if it built land.**

**Response ID: 15878**

The MRGO was not a diversion; it was a navigation channel for shipping. The MRGO did not directly connect to the Mississippi River; instead it connected to the Gulf Intracoastal Waterway, which goes through the Inner Harbor Navigation Canal and the IHNC Lock before reaching the river. The lock is not designed to carry water or sediment from the Mississippi River into the MRGO. The MRGO is not a useful comparison to the proposed Project for the purpose of impact analysis in this EIS.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63100**

**Commenters request additional information on how homestead exemption will be considered in compensation for acquisition.**

**Response ID: 16638**

The reference to homestead exemption in the Draft EIS was for informational purposes, and not intended to determine how compensation or mitigation would be provided. As part of any property acquisition to implement the Project, CPRA intends to compensate landowners for the value of any property interest acquired in accordance with applicable law..

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**Concern ID: 63142**

**Commenter requests information on how brown shrimp would shift in distribution in the basin and raised concern about the impact it would have on smaller shrimping boats that could not travel the added distance to catch them.**

**Response ID: 16525**

Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS analyzed Project impacts on brown shrimp, including the decrease in habitat suitability of portions of Barataria Basin for brown shrimp and the potential of a shift in location for future brown shrimp fishing. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.2, under the Applicant's Preferred Alternative, brown shrimp are expected to experience major, permanent, adverse impacts earlier, while white shrimp are expected to experience negligible to minor, permanent, beneficial impacts, relative to the No Action Alternative. However,

because a number of the same commercial fishers catch both brown and white shrimp during different seasons, overall impacts on the shrimp industry as a whole (including brown and white shrimp) would be expected to be moderate to major, permanent, and adverse, with the potential for a substantial loss of income in some months due to the decreased abundance of brown shrimp. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential adaptive responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, as well as increasing the length of fishing trips. CPRA's Mitigation and Stewardship Plan includes measures to mitigate some Project impacts on the brown shrimp fishery, including funding to assist shrimpers with gear improvements necessary to travel farther distances (see Section 6.3 [Other Mitigation and Stewardship Measures] of Appendix R1 to the EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1), including allocating \$15 million] for vessel and facility improvements. There is no plan to relocate brown shrimp.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.



**Correspondence ID:39865**

Sierra Club

Grace Morris

Grace Morris, Sierra Club, New Orleans, brief comment at this time: request to extend the public comment period by 60 days from May 4th, request that CPRA, USACE and NOAA/TIG work with Plaquemines Parish Councilmember of District 7, Councilmember LaFrance, Sr to hold community meetings with District 7 communities - - such as Ironton, Myrtle Grove and Wood Park - - and engage in a question and answer session from community

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**Concern ID: 61961**

**Request that CPRA, USACE, and NOAA/TIG work with Plaquemines Parish Councilmember of District 7, Councilmember LaFrance, Sr. to hold community meetings with District 7 communities, such as Ironton, Myrtle Grove and Wood Park, and engage in a question-and-answer session from community.**

**Response ID: 15906**

Concurrent with issuance of the Draft EIS, CPRA has held several public meetings with the communities projected to be impacted by the proposed MBSD Project, including communities south of the diversion from Myrtle Grove south to Grand Bayou and Happy Jack, to solicit input on mitigation and stewardship strategies. Although the EIS indicates that the proposed MBSD Project would not have more than moderate impacts on Ironton, CPRA also held a public meeting in the community of Ironton.. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. CPRA will continue to coordinate regarding these meetings with the Plaquemines Parish government. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62487**

**Several commenters requested additional time to submit comments on the LA TIG's Draft Restoration Plan and Draft EIS.**

**Response ID: 15768**

The public comment period for the LA TIG's Draft Restoration Plan and Draft EIS was originally 60 days (March 5, 2021 through May 4, 2021). On April 23, 2021, USACE and the LA TIG issued a special public notice, announcing a 30-day extension of the public comment periods. With this addition, the public comment period for both documents was 90 days (March 5, 2021 through June 3, 2021).

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**Correspondence ID:39866**

Steve Pollock

Dr Steve Pollock PhD. Triple N Oysters:

I am extremely worried about the short and long-term consequences of the mid Barataria planned diversion. The EIS seems to support the idea that environmental damage will be immediate, long lasting, and severe. The EIS does not clearly show that the benefits will outweigh the costs of going through with this project.

Other alternatives should be considered to minimize severe impacts to the LA fisheries, communities, and gulf coast ecosystems.

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable**

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**alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured

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resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG’s Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Correspondence ID:39867**

Katharine Poole

Did y'all have any dedicated climate scientists look at this proposal?

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**Concern ID: 62667**

**One commenter inquired about whether climate scientists had been involved in assessing the potential impacts of the proposed Project.**

**Response ID: 16626**

Multi-disciplinary teams of scientists and professionals contributed to the preparation of the EIS and the LA TIG's Restoration Plan. See Chapter 6 List of Preparers in the Final EIS for the qualifications of the contributors to the EIS. In addition, climate modeling was incorporated into the EIS analysis. The Delft3D Basinwide Model incorporates two different Gulf of Mexico regional sea-level rise scenarios: 2.6 and 4.9 feet (0.79 and 1.5 meters) by year 2100 in addition to local subsidence rates. For additional information on Delft3D Basinwide Modeling, refer to Appendix E of the EIS.

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**Correspondence ID:39868**

Michael Tritico

Would it not be a better use of words to say "restore elements injured" than to say "restore injuries" ?

How much consideration has been given to the timing of diversions compared with the timing of aquatic organism migrations and/or passive entrainment of eggs, larvae, and juveniles into the Basin?

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations "trigger to open the diversion for flow (above the base flow)". Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and

technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62687**

**A commenter suggested that the restoration goal should be clarified, noting the purpose should be to “restore elements injured” rather than “restore injuries” resulting from the DWH oil spill.**

**Response ID: 16503**

The LA TIG acknowledges the commenter's close reading of the LA TIG's Draft Restoration Plan and agrees that the phrase “restore injuries” could be confusing to the reader. In the LA TIG's Final Restoration Plan, the phrase “restore injuries” has been replaced with the more common phrase “restore for injuries,” as the goal is to restore what was injured.

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**Correspondence ID:39869**

Mayor, City of New Orleans

LaToya Cantrell

In New Orleans, living with water is the foundation of our existence. With climate change impacting our daily lives, we are experiencing record-breaking Mississippi River flooding, increasingly intense and frequent rainfall events, and unprecedented hurricane seasons. We are also facing some of the highest rates of sea level rise in the world. Now is the time to innovate and adapt. We can continue to see water as our biggest threat, or we can use it as a major asset. Here in New Orleans, we are leading the way, finding innovative ways to live with water. We are proud of the progress made since Hurricane Katrina.

Our delta city was built by the sand and mud of the Mississippi River. Though we've walled it off, the river is intricately linked to our geography, culture, and economy. The river will continue to be critical, especially to the sustainability of the coast that protects our city. In part, because we've walled off the river and its natural land-building process, we are losing our coast at a rate of one football field of wetlands every 100 minutes. This is not just an issue for our neighboring parishes; this is a dire issue for every parish in the region - from fishing camps on Grand Isle to bedroom communities of Baton Rouge.

The good news is that our state has recognized the seriousness of our coastal land loss and prioritized restoration and protection. We've empowered the Coastal Protection and Restoration Authority to advance coastal solutions at a rate that other coastal states can only dream of.

We should also all be thankful for the Mississippi River. We've leveed it off, but it's still there. It's still the Mighty Mississippi. Our best shot at maintaining and even rebuilding a coastal buffer to help sustain the future of New Orleans and our neighbors is to utilize the very tool that built the delta in the first place.

New Orleans and Louisiana are truly leading the way in coastal climate adaptation. CPRA has put forward a world-class Coastal Master Plan to provide a science-based blueprint for coastal restoration.

One of the most innovative projects in the Coastal Master Plan is the Mid-Barataria Sediment Diversion, located south of New Orleans in Plaquemines Parish. Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in U.S. history. It will build more land than any other restoration project in the world. This is the type of innovation and ingenuity we need to address the challenges that we face. Mid-Barataria will reconnect the river to its delta in a tightly controlled way restoring the natural wetland-building process and sustaining existing wetlands that are otherwise going to wash away.

This project will help protect our communities by restoring our coastal buffer and could bring thousands of jobs and billions of dollars in economic impact to our region.

Right now, we are in the midst of one of the most important public comment periods in the history of our coast. Comments are being accepted on the \$2 billion Mid-Barataria Sediment Diversion project. This is the time to support innovation, ingenuity, and climate adaptation. This is the time to embrace living with water and to make it our great asset. It's time to get involved and protect our coast and the future of our delta city.

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**Concern ID: 63340**

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**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39873**

Russell Caffery

As a concerned citizen of Louisiana, I fully support the Mid-Barataria Sediment Diversion project. This project is desperately needed to aid in saving the Barataria Basin. Without this project, the immediate area will continue to collapse and disappear making the surrounding areas more and more vulnerable and susceptible to increased impacts from natural disasters as well as saltwater intrusion and sea level rise. Even if other alternatives are considered, their planning timeline and implementation schedule would put whatever that alternative project is, so far out in time that saving what precious resources we have today will be too far gone to even restore. Restoration of the Barataria Basin will be nearly impossible if this project is not permitted, and Louisiana is at an extremely crucial decision point. Our coastal wetlands are starving for sediment input. Dredging alone cannot save our wetlands, we must reestablish the processes that originally built them. The Mid-Barataria Sediment Diversion is the project that will restore that original, natural, process.

Not permitting the project will do such a disservice to the people that call this state home that we might as well start the clock on how long we have to watch Barataria Basin wash away. Doing nothing is not an acceptable alternative, and if this project is not granted a permit by the Corps, essentially the state is locked in to doing nothing and we'll watch the negative impacts to our coast and our people increase.

Please do not let the news that's populated the pages of the popular press recently about a few town councils passing a poorly written resolution against the Draft Environmental Impact Statement fray the importance and necessity of this permit and this project. I think it would be massive black mark on the state and the Corps if this project was not permitted because a few fishermen did not want to fish new areas. If this project is not permitted and built, generations to come will suffer the consequences because of our inability to act when we had opportunity.

I implore the Corps to permit the Mid-Barataria Sediment Diversion project to allow the State of Louisiana to protect itself and its citizens.

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**Concern ID: 61977**

**While other restoration project types, such as marsh creation, have been suggested in lieu of large-scale diversions, these project types would fail to build and sustain significant amounts of land in the Barataria Basin over the 50-year Project lifespan due to subsidence, sea-level rise, and erosion. Dredging alone cannot save the wetlands, the processes that originally built them must be reestablished. The power of the river allows more land-building potential to be harnessed than could be had with dredges at a fraction of the cost, and the benefits are long-lasting, even in the face of sea-level rise and hurricanes.**

**Response ID: 15977**

The commenter's support of the proposed Project is acknowledged. The EIS concludes that a large-scale sediment diversion meets the purpose and need of the proposed Project while large-scale marsh creation does not meet the purpose and need. Details on marsh creation alternatives including sustainability and the reasons for elimination from further detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional

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Alternatives. Additional information related to the marsh creation alternative have been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

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**Concern ID: 61995**

**Commenters suggested that restoration of the Barataria Basin would be nearly impossible if the proposed MBSD Project is not permitted, and Louisiana is at an extremely crucial decision point. The coastal wetlands are starving for sediment input. Dredging alone cannot save the wetlands, the processes that originally built them must be reestablished.**

**Response ID: 16018**

The commenter's support of the proposed Project is acknowledged. The EIS acknowledges that a large-scale sediment diversion meets the purpose and need of the proposed Project while large-scale marsh creation does not meet the purpose and need. Details on marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. Additional information related to the marsh creation alternative has been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39879**

Justin Bosler

I support one of the Alternative action plans of the Mid-Barataria Sediment Diversion proposal. I support using Deepwater Horizon settlement/ restoration monies for implementing the plan.

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**Concern ID: 63373**

**The commenter supports one of the alternative action plans of the Mid-Barataria Sediment Diversion proposal and the use of DWH settlement/ restoration monies for implementing the plan.**

**Response ID: 16336**

The USACE and LA TIG acknowledge the commenter's support for the proposed Project. The LA TIG further acknowledges the commenter's support for using DWH restoration dollars to fund construction of the Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement and determined by the LA TIG. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39881**

Commenter

As a concerned citizen of the state of Louisiana I fully support the Mid-Barataria Sediment Diversion project, the Corps' Draft Environmental Impact Statement, and the LA-TIG's Draft Restoration Plan

Thank you.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39887**

Coalition to Restore Coastal Louisiana

Sarah Giles

I am a wetland biologist, tournament kayak angler, duck hunter, and board member of the Coalition to Restore Coastal Louisiana. I completed the wetland delineation for the Mid Breton sediment diversion and an Environmental Site Assessment for the land adjacent to the Mid Barataria Sediment Diversion.

This is our only and best chance at preserving life in Louisiana as we know it. There is a pervading sense that we are on the cusp of something great, and I believe that we are. We can fight climate change and coastal land loss. But this project is the linchpin of it all. I live in a vulnerable city that depends upon our wetlands as a component of our hurricane protection. I see that something beautiful is slipping away from us before our eyes, but I know we have the means to fix it - if only we have the gumption.

We can either move oysters, or we can move people. It's time to move the oysters.

Sincerely,

Sarah Giles

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**Concern ID: 62961**

**Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.**

**Response ID: 16532**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance

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public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39889**

Katherine Gruzd

May 27, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Ave.

New Orleans, LA 70118

Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Mr. Laborde and Mr. Landry,

I support the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion, which has been comprehensively studied in the DEIS. Louisiana's land loss crisis is dire, and while the Mid-Barataria Sediment Diversion is only one piece of the solution that is needed, it is the most important and impactful one. Without re-connecting the river to the Mississippi River delta that it built, there is no future for Louisiana's coast.

I have lived in New Orleans for over a decade - first moving here for college at Loyola University, and then returning after obtaining a Masters degree that focused on environmental policy, and Louisiana's coastal land loss more specifically. Like many others who have lived in New Orleans and left, I was called back to this city and this unique slice of coastal paradise because I missed it, but also because I feared, deeply, for its future after I became aware of the scale of Louisiana's coastal crisis. I've now begun my career here and planted roots that I hope will one day become a family, including children that I can raise in this special place I love so much and now call home. Because of the rapid erosion of wetlands – decimating storm protection for communities and destroying one of the most important ecosystems in the country - I am uncertain that future will ever materialize, at least in Louisiana. I know for certain that it will not materialize, at least not with any degree of certainty, without the Mid-Barataria Sediment Diversion.

This project has been decades in the making and now is the time to act. I urge the Army Corps of Engineers to continue advancing this vital project with as much focus on time efficiency and productive coordination with statewide and local agencies and governments. That said, it is crucial for this project to be as comprehensive, inclusive, accessible and equitable as possible so that it can move forward with robust support and with the interests of the most marginalized communities in mind. I encourage further development of mitigation plans, and continued efforts to engage those living in the most impacted communities so that they're involved as the project moves towards implementation.

Please continue the forward momentum on this project and issue the final EIS as soon as possible, followed by the necessary permits and then construction. I look forward to watching the Mid Barataria Sediment Diversion come to life, along with many others of similar scale and size, and operating at its maximum potential. More than that, I look forward to showing my children a restored and thriving Barataria Bay in the years and decades to come.

Sincerely,  
Katie Gruzd  
New Orleans, Louisiana

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**Concern ID: 61959**

**State government, elected officials, CPRA and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the proposed MBSD Project. This would open the door to creating a truly equitable restoration landscape; one where those impacted by the proposed MBSD Project and future coastal restoration projects are proactively engaged and consulted as restoration projects are planned, designed, and implemented.**

**Response ID: 15905**

Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to their concerns regarding proposed MBSD Project. More recently, CPRA has engaged the public through meetings with the communities impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities including fishers. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings and additional outreach can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that CPRA states it would implement as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63185**

**Additional development of mitigation plans and accountability for mitigation commitments is needed.**

**Response ID: 16562**

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

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The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39890**

Caitlin Lill

I am strongly supportive of the Mid-Barataria Sediment Diversion. This ambitious project is going to make an enormous and tangible difference for the communities and environment of the region. I am extremely hopeful that this project is approved and moves forward soon. Thank you for your efforts on it!

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39894**

Scott Mouledous, Jr.

As a concerned citizen of Louisiana and resident of New Orleans, I believe diversion projects are crucial to a prosperous future in our region. I fully support the mid-Barataria Sediment Diversion project, the Corps' Draft Environmental Impact Statement, and the LA-TIG's Draft Restoration Plan.

Sincerely,

Scott Mouledous Jr.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39897**

Isabella Donnell

I'm writing to voice my support for the preferred alternative: Alternative 1, variable flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion. I support the adoption of the preferred alternative in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

While I support the diversion's construction, I am concerned about the quality of water that would be released from the river into the wetlands. It is also important to me that efforts are made to reduce, as much as possible, the potential negative impacts that the construction of this project would have on surrounding communities.

I would also suggest, if it has not been done already, that an assessment be made on how this construction of this project might impact the property value of homes in the surrounding area and that those landowners/home owners be made aware of the impact.

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 62020**

**The EIS is lacking in detail and particularly vague when it comes to addressing the impacts on the communities that are within a 2-mile radius of the Mid-Barataria Sediment Diversion: Ironton, Myrtle Grove, and Wood Park. An assessment should be made on how the construction of this proposed Project might impact the property value of homes in the surrounding area and that those landowners/homeowners be made aware of the impact. Efforts should be made to reduce, as much as possible, the**

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**potential negative impacts that the construction of this proposed Project would have on surrounding communities including Ironton, Myrtle Grove, and Wood Park.****Response ID: 16216**

The impacts raised by the commenters were considered in the Draft EIS. The EIS includes analysis of socioeconomic impacts on affected communities. Section 4.13 Socioeconomics, 4.14 Commercial Fisheries, and 4.15 Environmental Justice provide detailed analyses of impacts from the proposed Project. In addition, the Socioeconomics Technical Report in Appendix H of the EIS provides additional details. In Chapter 4, Section 4.15.5 Environmental Justice of the Final EIS, a section has been added that provides a summary of impacts on the community of Ironton to assist understanding impacts of the proposed Project on that community.

CPRA has engaged in public outreach meetings with the communities and groups impacted by the proposed MBSD Project to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. A summary of these public outreach meetings can be found in Chapter 7 Public Involvement of the Final EIS. The Mitigation and Stewardship Plan in Appendix R1 of the EIS provides additional details about mitigation proposed by CPRA for the proposed Project, including mitigation measures for the communities projected to be impacted.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.**



**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39917**

First Grace

Shawn Anglim

"The choice is not between dropping MBSD and keeping our coast as it is. The choice is between not doing the MBSD and losing our coast and all that entails. Because, if we are unable to find a way to move the MBSD forward, then I don't see us coming together around any other major projects in time for them to matter. That is where we are." Mark Davis states our situation clearly. Don't do this project, and we don't have a chance. Please decide NOW to go forward.

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**Concern ID: 63336**

**This proposed Project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.**

**Response ID: 16292**

The commenter's support for the proposed Project is noted. The proposed Project, by reestablishing deltaic processes, is intended to build coastal resiliency and protection for the coastal communities behind Barataria Basin. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

See Sections 3.2.1.6 (Benefits Multiple Resources) and 3.2.1.7 (Public Health and Safety) of the LA TIG's Restoration Plan for a detailed discussion of the proposed Project's potential benefits and public health and safety impacts, respectively.

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**Correspondence ID:39933**

Scott Mouledous

I support the mid-barataria sediment diversion

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39934**

Tina Freeman

I urge you to go ahead with the Mid-Barataria Sediment Diversion.

As a New Orleans native I have seen our wetlands shrink over my lifetime. We need to rebuild our precious wetlands to protect our city. The wetlands decrease storm surge and if the lost wetlands had been there in 2005 it is very likely the levees would not have failed after Katrina.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:39948**

Anne Giles

I am in favor of the diversion as a step towards helping Louisiana mitigate coastal land loss, which is happening with alarming speed. Now is a crucial time to act to save Louisiana's coastal lands, and we must do more, and faster. Having grown up in southern Louisiana, it pains me to see marshes I used to fish in as a child that are now reduced entirely to open water. This of course has devastating effects in many ways - to local livelihoods, the unique culture of these lands, and such a wide array of wildlife. Louisiana has already seen climate refugees and, unfortunately, they are unlikely to be the last, but potentially the first of many more to come. We still have time to work together to turn around the fate of Louisiana's coastal lands. Organizations like the Coalition to Restore Coastal Louisiana are working hard to make a brighter future for Louisiana possible. I urge you to please approve this diversion. Thank you.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39952**

Chris Macaluso

May 26, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group (LA TIG) c/o of NOAA

CEMVN-Midbarataria@usace.army.mil

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

My name is Chris Macaluso. I am a lifelong Louisiana resident, an avid recreational hunter and angler who has committed his life and career to advocating for the restoration and protection of my state's coastal fisheries and wildlife habitats.

I would like to respectfully submit the following comments of support on the U.S. Army Corps of Engineers' Draft Environmental Impact Statement for the Proposed Mid-Barataria Sediment Diversion Project, as well as the Louisiana Trustee Implementation Group's (LA TIG) Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion.

I strongly support the adoption of the Preferred Alternative in the U.S. Army Corps of Engineers' Draft EIS and Alternative 1 in the Louisiana TIG's Draft Phase II Restoration Plan #3.2.

I've had the incredible opportunity to fish and hunt across our state's coast over the last forty years.

Unfortunately, many places I have fished across this coast that had seemingly infinite bounties of marsh filled with fish, crabs, shrimp and ducks no longer exist.

Towns like Leeville and Empire, once separated from open water by miles of marsh, are now at the Gulf's door. Without changing how our coast is managed, Lafitte, Golden Meadow and surrounding marshes seem destined for the same.

The Mississippi River built this coast, established and fed the land our coastal communities are built on and the marshes that supported unparalleled commercial and recreational fishing.

Over the last century, as the river has been cut off from delivering sediment and nutrients to its wetlands, life has been squeezed out. As the Draft Environmental Impact Statement for the Mid-Barataria Diversion illustrates, nearly one-third of the Barataria Basin's marshes have been lost, costing commercial and recreational fishing opportunities and threatening communities.

The basin will continue to die unless it is resuscitated by the river. Building islands and marshes with dredges is important and can fill gaps. Without sediment depositions and nutrients from the river, however, life will continue to drain from the basin. That is why I write to insist the Mid-Barataria Diversion move forward to construction and operation.

I've seen sediment deposits from the Mississippi and Atchafalaya Rivers build wetlands.

Fishing those marshes has demonstrated fish and wildlife can respond to spring inundations,

utilize the new habitat created and thrive. In the spring of 2021, I caught more than 100 speckled trout over the span of three separate trips in three weeks in an area less than 9 miles from Mardi Gras Pass near Point a la Hache. It is a wetland thriving with freshwater grasses, alligators and freshwater catfish as well as crabs, brown shrimp, redfish and other fish and shellfish considered saltwater species all while more than 20,000 cubic feet per second of sediment-laden water flowed through the pass and building new marshes.

The notion water from the Mississippi River is irreparably detrimental to our state's fisheries is simply not true and not factually based in any way. And it is demonstrably false based on the fisheries like white shrimp, mullet, blue crabs, red drum, speckled trout and a litany of other species that thrive in areas affected annually by high river events. I remember well an August 2019 trip to Buras, seeing fishermen remove crawfish traps from marshes influenced by the Mississippi River while seeing another deploy crab traps in that same area. I have fished this spring less than 10 miles from the mouth of the Atchafalaya River with it flowing at more than 240,000 cubic feet per second and caught redfish and black drum and dodged crab traps throughout the freshwater and brackish marshes of western Terrebonne Parish that are influenced by that river.

I implore the agencies working to implement and build this project to rely on the best scientific data and the empirical evidence of how Louisiana's fisheries respond in areas where sediment deposition and freshwater inundation occur annually and facilitate the adaptation of commercial and recreational fishing in the Barataria Basin once this project is operational. I implore you to avoid the highly-emotional and politically charged rhetoric surrounding this project and to trust the science and the facts.

Undoubtedly, the Mid-Barataria Diversion will change fisheries. Louisiana's Coastal Protection and Restoration Authority is required to work with fishermen to help mitigate those changes. Louisianans should hold our state's agencies and our legislature accountable to finding the path forward for commercial and recreational fishing to adjust and capitalize on the opportunities that will come from diversion operation while embracing the land-building and wetland restoration and sustenance that will certainly result from this project. There is no sustainable future for most fisheries and wetlands in this Basin without the utilization of the sediment and freshwater resources of the Mississippi River.

There are thousands of acres of water bottom in the southern and western portions of the Barataria Basin that at one time supported oyster production but are no longer producing oysters on a large scale. Those areas should become productive oyster grounds again after operation of the Mid-Barataria Diversion begins. It is imperative the CPRA and Department of Wildlife and Fisheries continue to work to overcome the political barriers in the oyster industry and rely on the biological resources available to rebuild oyster productivity in the lower parts of the Barataria system. This will not only benefit the oyster industry in the long run, but also improve water quality, improve fisheries habitat for other species like blue crabs, redfish and speckled trout and provide some natural protection for Grand Isle and other areas in the lower Basin.

It is an undeniable reality that sediment deposition from the Mississippi River builds land. It is also undeniable and factual that the animals, fish and plants that utilize our coastal habitats have the ability to adapt to seasonal changes in salinities and many of them thrive because of

those changes, not in spite of them. Louisiana is one of the most productive fisheries in the world because of the Mississippi River's influence, not in spite of it.

While the benefits to the system in the short and long term of diversion operation are undeniable, there will be some adverse impacts as identified in the draft EIS, especially the inundation of area camps and communities outside of levee systems. To the fullest extent, the CPRA should adaptively manage diversion outflow to minimize these impacts. Personal experience and scientific data have shown water levels in Louisiana coastal marshes are at their lowest in the late winter and early spring when cold fronts combined with tides push water out of the marsh, exposing mudflats and draining bayous, ponds and lakes. This annual occurrence has been exacerbated by the extraordinary land loss over the last century in the Barataria and other basins.

During these low water periods, diversion operation can occur with lessened impacts to homes, camps and other physical structures because the basin can accept more water. It will also be able to retain more sediment during these periods because of the additional exposed water bottom and shallower water areas that will be able to slow and trap sediment.

Conversely, when water levels increase in the late spring and summer because of stronger southeast winds and higher tides, the basin will not be able to accept high volumes of water from the diversion. Sediment load in the river cannot be the only determining factor in diversion operation. Water levels in the basin and the basin's ability to accept additional volume must be accounted for. It is crucial that diversion operation be truly adaptive and responsive to a host of environmental conditions in the Barataria Basin. Reducing water flows from the diversion during the late spring and summer should also lead to fewer impacts to spawning activity for speckled trout.

I urge the federal and state agencies responsible for the construction and operation of the Mid-Barataria Diversion to continue to move this project forward. The future of our coastal wetlands, fisheries and wildlife productivity and coastal communities are dependent upon the use of all available resources to restore and sustain our coast, especially the suspended sediments of the Mississippi River.

Sincerely,

Chris Macaluso

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

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The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not

know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62734**

**Wetlands built by the Mississippi and Atchafalaya Rivers, as well as by wetlands downstream of Mardi Gras Pass, have shown resiliency and a diverse assemblage of freshwater and estuarine species during spring flows and active water diversions.**

**Response ID: 16112**

The commenter's observations are consistent with Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, which notes that, while some species would be negatively impacted by the freshwater flows from the diversion (including oysters, brown shrimp, spotted seatrout, and southern flounder), a higher number of key fishery species would either be unaffected or be benefitted by the proposed Project (including white shrimp, blue crab, bay anchovy, Gulf menhaden, red drum, Atlantic croaker, and largemouth bass). Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62735**

**Operation of the proposed Project would allow for the return of productive oyster grounds in the lower basin, which would in turn improve water quality, fisheries habitat, and natural protection for Grand Isle.**

**Response ID: 16113**

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, operation of the proposed Project could allow for increased production of oyster grounds in the lower basin; however, this would likely be contingent on the enhancement of existing substrates to make them more suitable. The Final Mitigation and Stewardship Plan (Appendix R1), which has been revised for the Final EIS, describes CPRA's mitigation and stewardship measures, including those measures intended to offset adverse impacts on oysters; these mitigation and stewardship measures have been revised in response to public comment since the release of the Draft EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without

implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62736**

**The flora and fauna of Louisiana can adapt to seasonal changes in salinity and many of them thrive because of those changes, not in spite of them.**

**Response ID: 16114**

Comment noted. The proposed Project is anticipated to have both beneficial and adverse impacts on the flora and fauna of the Barataria Basin, as discussed throughout Chapter 4, Section 4.10 Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62956**

**It is imperative that oyster productivity be rebuilt because it would provide natural flood protection.**

**Response ID: 16613**

The oyster mitigation concern raised by the commenters was considered in the Draft EIS as part of the Draft Mitigation and Stewardship Plan (Appendix R1). Additional details on oyster mitigation have been added to this appendix in the Final EIS. CPRA agrees that maintaining a sustainable oyster population is imperative and has designated \$32 million in mitigation strategies associated with the Project toward that objective. Most of these funds would go towards new public seed grounds, enhanced public/private grounds, Alternative Oyster Culture, and broodstock reefs. Additional funding would go towards assisting the oyster industry in marketing and outreach. Details regarding the oyster mitigation measures are set forth in the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and

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Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62978**

**Collaboration is needed to minimize impacts on oyster industry, including developing innovative uses for bottom oysters and supporting collaboration between CPRA and LDWF.**

**Response ID: 16539**

CPRA and other state agencies, such as LDWF, recognize the importance of collaboration to support the fishing industry in adapting the ongoing changes in the environment. As explained in Section 4.14.4.1 Commercial Fisheries of the Draft EIS, without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. CPRA and LDWF worked together with numerous oyster fishers as part of Louisiana Sea Grant's Seafood Futures Initiative to develop mitigation and stewardship measures aimed at maintaining a sustainable oyster fishery. CPRA anticipates working with other agencies, such as Louisiana Economic Development, on the workforce development, education and training programs included in the Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS). In addition, CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

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Refer to the Mitigation and Stewardship Plan for mitigation and stewardship measures to be implemented as a result of these engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of

specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:39966**

Form Letter 21

Louisiana's coastal loss is of great concern to many. While Mardi Gras Pass is naturally building back some land it is not enough to off set the loss. Clearly Mother Nature needs our help. The Barataria Sediment Diversion will support land growth. I am a proponent of the diversion for a multitude of reasons. Among them are:

- The Mid-Barataria Sediment Diversion will work in concert with nearby marsh creation projects and will

extend the lifespan of the millions of dollars that have been invested in nearby marsh creation projects.

- Constructing the Mid-Barataria Sediment Diversion will have a massive positive economic impact, bringing thousands of jobs and billions of dollars in regional economic sales.

- The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the U.S. This project will build more wetlands than any other individual restoration project in the world, and it is exactly the scale of project we need to address the very serious challenges we face.

As a result it will protect our area from severe hurricane damage, protect our way of life, stop the disappearance of many villages and towns, and maintain our rich culture.

I encourage you to do the right thing and support the Barataria Sediment Diversion.

Thank you in advance for your support.

Sincerely

Patricia Meadowcroft

Board of Directors Chair Pontchartrain Conservancy

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63342**

**Other natural or man-made diversions have successfully built land, such that the proposed MBSD Project would also be expected to build land.**

**Response ID: 16302**

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The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils indicates that the proposed Project is anticipated to build land in the Barataria Basin (with smaller amounts of land loss projected in the birdfoot delta). To facilitate comparisons between the proposed Project and other natural or man-made diversions, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Concern ID: 63374**

**Construction of the Mid-Barataria Sediment Diversion Project would have a massive positive economic impact, bringing thousands of jobs and billions of dollars in regional economic sales.**

**Response ID: 16337**

The commenter's support for the proposed Project is noted. Chapter 4, Section 4.13.4.2 in Socioeconomics of the Draft EIS discussed major economic benefits projected to occur within the Project area during construction of the proposed Project from increased jobs and regional sales.

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**Correspondence ID:39970**

Jacques Hebert

May 28, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Mr. Laborde and Mr. Landry:

I am writing to offer public comment in response to the Draft Environmental Impact Statement (DEIS) for the Mid-Barataria Sediment Diversion.

I was born and raised in Braithwaite, Louisiana, on the East Bank of Plaquemines Parish. I consider myself incredibly fortunate to have grown up in this uniquely beautiful part of Louisiana. Although my home was only a 20-minute drive from New Orleans, Braithwaite and the East Bank of Plaquemines Parish were an entirely different world. I spent my childhood fishing and exploring the marshes behind our neighborhood and riding my bike and four-wheelers on the Mississippi River and back levees that protected my community from flooding.

Growing up, I had no awareness of the role that the Mississippi River levees played in cutting off sediment and freshwater to the wetlands and marshes behind our neighborhood. I really didn't even know that Louisiana was facing a land loss crisis and that these marshes and the wetlands that protected my community were disappearing. Nor was I fully aware of the Caernarvon Freshwater Diversion upriver from my neighborhood or its purpose and need and the value it provided to the basin. I didn't even really consider my community to be "coastal." To me, it was just home.

It was also a place my family had lived for many generations. My father and grandparents and their ancestors before them all grew up in Pointe-à-la-Hache, Louisiana, as far downriver as one can go on the East Bank. I grew up hearing stories of life there, but I knew it was Hurricane Betsy's destruction and flooding that forced my family to move further upriver to the safer, higher ground of Braithwaite. That plan worked for 50 years until Katrina destroyed everything I knew of my community, forcing my family and elderly grandparents to move outside of Baton Rouge, where they lived for the rest of their lives, always longing to get back to the place that was truly "home" for them. Today, all that my family has left in Plaquemines Parish is our tomb at the St. Thomas Catholic Church in Pointe-à-la-Hache, Louisiana.

In the years since Katrina, I would often drive back down to Braithwaite and all the way down to Pointe-à-la-Hache and imagine what things were like before the storm; however, imagining a return to a more normal time was difficult given what I would see on these drives. My next-door neighbor's house was demolished. In its place stands a home elevated 25 feet in the air. This is a common sight on the East Bank of Plaquemines Parish as storm surge from Hurricane Isaac in 2012 further decimated mostly what was left of the area and many people

have been forced to live in these homes in the sky if they want to remain there and if they can secure the resources to elevate.

I mention this because this alone is a clear sign that things are not normal and in my short lifetime, conditions have changed dramatically for Plaquemines Parish and the people who have or do call it home. Wetland loss and hurricanes have decimated communities and have forced so many families, like my own, to migrate away from the places they once called home.

How many more communities and families will be displaced before we finally act in a meaningful, substantive way to address this crisis? These are people, like me growing up, that didn't have knowledge of Louisiana's coastal environment or the ways it protected us. We were just living our lives - going to school or work or church, connecting with neighbors and family, feeling a deep connection and sense of pride in the place we lived. And then nature's destructive force – compounded by the actions of man, whether it was Mississippi River levees or navigation channels like the Mississippi River Gulf Outlet – disrupted our lives and communities in ways that were indelible.

We need to act today stop this destructive cycle before it's too late, before more intense hurricanes and sea level rise force what's left of communities in Plaquemines, St. Bernard, Jefferson and Orleans Parishes to follow in the footsteps of my family and so many others across coastal Louisiana.

That is why I am urging you to select the Preferred Alternative from the DEIS for the Mid-Barataria Sediment Diversion and to fund it using settlement dollars from the Deepwater Horizon Oil Spill settlement.

Louisiana literally is running out of time, land, and resources. Sediment diversions have been studied and pointed to by a large consensus of coastal scientists as absolutely critical to our future since as far back as 1984 – the year before I was born. It is vital that these projects are built and that Louisiana be allowed to leverage its greatest natural asset – the Mississippi River and its tons of sediment to push back against the forces of coastal land loss, sea level rise and stronger hurricanes.

The 2020 Atlantic Hurricane Season – the most active ever recorded – was a wake-up call for what's at stake if we do not act. We went to sleep expecting a tropical storm to make landfall, only to wake up and be faced with a Category 3 storm without time to evacuate. How will our region be able to survive into the future and face these rapidly intensifying hurricanes without the natural buffer provided by surrounding wetlands? As sea level rise increases, what sustainable, efficient options do we have to hold onto our wetlands and support other coastal restoration and protection investments?

Louisiana has been working tirelessly to advance projects from its Coastal Master Plan, but the State does not have the funding it needs to implement this plan in full. As other coastal areas, such as Miami, New York and California, begin to compete for funding to protect their communities and assets from sea level rise and flooding, how can Louisiana expect to compete for federal dollars if it is not putting its best natural asset – the Mississippi River – to work to protect its communities, infrastructure and natural resources? Given increased competition and need for these resources among other vulnerable coastal areas, what other options does Louisiana have to sustainably build, maintain and manage its wetlands into the future without using sediment diversions and harnessing the power and sediment of the river?

My sincere hope is that this project and others like it can move forward with urgency. I also hope the State and other involved parties do what they can to support communities living and working in Plaquemines Parish who need assistance in navigating the difficulties brought by a changing coast and climate. My next-door neighbor growing up was an oyster fisherman. He would often bring over gallons of freshly shucked oysters for us to enjoy. This is part of our culture and the livelihoods of many people in this region. However, the fact that people have been able to harvest species like shrimp and oysters adjacent to the largest freshwater river on the continent is a sign of human-induced change on our coast. We cannot pretend that conditions for species like oysters and shrimp haven't already changed and won't continue to change into the future with or without this project. Help people better understand and navigate these changes.

This brings me back to my earlier point about my knowledge and awareness of coastal and environmental issues growing up. My family was not steeped in these issues. We enjoyed the coast for what it was to us. We fished in the marshes across Plaquemines Parish. We enjoyed the parish's shrimp, oysters and citrus. For the most part, we just lived our lives year after year, until a hurricane whose damage was exacerbated by the loss of surrounding wetlands changed all of that.

There are many families like mine living and working across southeastern Louisiana who are also not tuned into the latest development or debate about coastal restoration and protection. They may not be familiar with the Coastal Master Plan or sediment diversions. They don't attend public meetings or offer public comment for projects and restoration plans. They are simply living their lives and want to continue to do so, hopefully where they are, without fear of having to relocate because of massive storm surge or increased flooding from rising seas. There are many people that many not have the knowledge, time, or resources to be deeply involved in these issues, but who also have a stake in what is happening. I hope that you consider the needs of these people in making a decision about moving this project forward. I also hope as this and similar projects move forward that you consider opportunities to better engage people across Louisiana's coast in the value of projects like these and why they are crucial to the future of our region.

There is truly no place else in the world like Plaquemines Parish. I often go back to the stories of my family members and neighbors, many of whom are now deceased or scattered across the state and country, of what their lives were like growing up there. I also remember and reflect on my own childhood. It's deeply saddening to have seen a place I was taught to love and appreciate so deeply change so drastically in my short lifetime. I hope we can hang onto what is left of this place and create a better future for the people who still live there and for all people across southeastern Louisiana who want to continue to call the region home.

With sincere regards,

Jacques P. Hebert

Former Plaquemines Parish Resident

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**Concern ID: 61955**

**Commenters are concerned that all those that are impacted may not be aware of the proposed Project, its impacts, or potential mitigation. There are many people that may not have the knowledge, time, or resources to be deeply involved in these issues, but**

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**who also have a stake in what is happening. Consider the needs of these people in making a decision about moving this proposed Project forward. If this proposed MBSD Project and similar projects move forward consider opportunities to better engage people across Louisiana’s coast in the value of projects like these and why they are crucial to the future of our region.**

**Response ID: 15900**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG’s Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a “one-stop shop” and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and the LA TIG conducted public outreach and provided public comment opportunities throughout the development of the Draft EIS and the LA TIG Draft Restoration Plan. Details on USACE’s and the LA TIG’s outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG’s Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG’s Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG’s Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. Throughout the public comment period and concurrent with the preparation of the Final EIS and LA TIG’s Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including

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reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups.

This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented.

Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61996**

**A commenter inquired about what sustainable, efficient options are available to hold onto wetlands and support other coastal restoration and protection investments as sea-level rise increases.**

**Response ID: 16014**

The Draft EIS considered sea-level rise in the assessment of impacts of the proposed Project alternatives. Refer to Chapter 4, Section 4.1.3.2 in Approach to Evaluation of Environmental Consequences for a description of how the Delft3D Basinwide Model factors in sea-level rise projections. Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S. of the Draft EIS found that the proposed MBSD Project would have beneficial impacts on wetlands in the Barataria Basin where wetlands would be sustained and created by the diversion of sediment and fresh water from the Mississippi River.

CPRA's Louisiana Coastal Master Plan evaluates other options for coastal restoration taking into account future sea-level rise. The implications of sea-level rise are also a component in the design and development of all LA TIG restoration projects.

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**Concern ID: 62233**

**Restoration of coastal habitat and the delta would provide protection from storm damage.**

**Response ID: 15752**

While the intent of the proposed Project is to reestablish deltaic processes to restore resources injured by the DWH oil spill, the Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the ancillary benefit of storm damage risk reduction on communities north of the proposed diversion due to the creation and maintenance of wetland habitat and increases in topography and land acreage within the delta formation area. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as

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determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63362**

**This is a necessary step toward correcting environmental damage done to Louisiana by artificially directing water down the Mississippi River. Information about the necessity of healthy coastal marsh systems wasn't available when those decisions were made. It is especially necessary that the coastline is restored in preparation for climate change, which would hit Louisiana harder than most states.**

**Response ID: 16324**

The commenter's support for the proposed Project is noted. The impacts of climate change and sea-level rise in Louisiana were discussed in Chapter 3, Sections 3.1.3 in Introduction and 3.4.1.1 in Surface Water and Coastal Processes of the Draft EIS and were factored into the Delft3D Basinwide model results discussed throughout Chapter 4 Environmental Consequences. Impacts to marsh and to flood risk for various communities are discussed for both the No Action Alternative and the Applicant's Preferred Alternative.

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**Concern ID: 63376**

**The State of Louisiana does not have the funding to implement its Coastal Master Plan in full. The State must utilize its best natural asset (the Mississippi River) to protect its communities, infrastructure, and natural resources, to compete for federal restoration funds in the future.**

**Response ID: 16339**

The commenter's input is noted. Implementation of Louisiana's Coastal Master Plan in full is outside of the scope of this EIS and the LA TIG's Restoration Plan.

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**Correspondence ID:39971**

Southern Services & Equipment, Inc.

Mindy Nunez Airhart

My name is Mindy Nunez Airhart, and I am the President and CEO of Southern Services & Equipment, Inc. My company is a steel contractor located in lower St. Bernard, Louisiana. I am aware of the potential negative impacts of the Mid-Barataria and Mid-Breton Diversions. I know that fishing industries will change and potentially decline. But I do believe that people are resilient, and those industries will find new ways to survive. As for the diversion itself and its potential success, scientists and engineers agree the Mid-Barataria project is the best long-term solution to fight the threats we face from climate change, land loss, and a rise in the sea level. Change is hard, but this is something we must do.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:39985**

Paulette Beninate

NO TO DIVERSION. DOES NOT MAKE SENSE.

1. Concrete: when my concrete guys pull up my driveway soon, where will it go?

have partners in place!!!!

2. Sink obsolete ships, barges. and build on that... And CAN YOU PLEASE REFRAIN from millions spent on new studies? How many ships are at the bottom of the ocean? Am sure there are plenty of environmental studies that have been done ALREADY!!!! Use that info. and if the govt doesn't like it, then let me know and concerned citizens can lambast our congressmen and women.

3. DREDGE

4. Alternate products. i have seen documentaries with alternate products to control erosion. GOOGLE IT.

Sheesh.....what are y'all doing?

NO TO BARATARIA DIVERSION !!!!!!!!!!!!!

Plenty of alternatives out there that will not kill an entire ecosystem. If you haven't figured them out yet, then shame on you!!!!!!!!!!!!

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**Concern ID: 61890**

**Consider suggestions such as barging in wood chips and placing in shallow waters, and using old sunken ships and barges to build land.**

**Response ID: 15984**

Suggestions such as barging in wood chips and other organic material to the sediment deposited by the diversion or building upon old sunken ships and barges would not meet the scope and the scale of the proposed Project or its purpose and need, and therefore, would not be practicable. While alternative materials such as these may fill in small-scale areas, fill material such as these would not address the proposed Project's purpose of restoring deltaic processes to the Barataria Basin. Therefore, they were eliminated from further consideration. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 61892**

**Consider including in the design of the diversion the planting of black, red, and white mangroves to create and sustain land in the Barataria Basin, as well as planting bald or related species cypress trees to aid in the retention of land. Even dead trees would stabilize the soils.**

**Response ID: 15986**

The Draft EIS acknowledged impacts on wetland vegetation and terrestrial vegetation due to the proposed MBSD Project in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S. and Section 4.9 Terrestrial Wildlife and Habitat, respectively. While mangroves can provide areas of soil retention, their relative lack of cold tolerance does not currently allow growth throughout the entire coast of Louisiana. Red or white mangroves are not currently

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found in Louisiana because they are not as cold tolerant as black mangrove, although as the climate changes, CPRA recognizes that dedicated plantings of black mangrove and exploratory plantings of other mangrove species are a potential option in areas that are not currently suitable. Cypress trees are a viable option today and have been used (along with willows) to stabilize newly deposited sediments at the outfalls of existing diversions. CPRA would consider these options in the outfall area as part of future adaptive management efforts, especially to the extent base flows would provide suitable freshwater habitat, as well as to increase sediment stabilization and retention.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63102**

**Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.**

**Response ID: 16640**

The commenters' concern regarding the adequacy of the funding for mitigation measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts

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of the Project on surrounding communities outside levee protection, including potential mitigation measures to address increased water levels due to the Project. In response to comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:39998**

Louisiana Sportsman Coalition

Steven Rockweiler

I was raised in the Barataria Basin, fishing, hunting, and trapping

. I go back over 60 years inside this basin. The amount of marsh lost in this basin is staggering. I cry each time I traversr it in my boat. I live on the edge of the upper basin with zero hurricane protection. We once had plenty of marsh to absorb any storm surge. The loss of all this marsh was also a huge loss in edge cover for important recreational and commercial fish species. Species such as Spotted Sea Trout are already below sustainable future brood stock levels. Many salwater fishermen that do not want this divetsion, are proposing a saltwater only dream. It is the immense saltwater intrusion which is killing all plant life in these marshes. We need this diversion, and the land which it will deposit. It is truly short sighted to just worry about today and next week, rather than the next decade, and the decades after. If this diversion is not built, and built soon, I will sell this house and move to another , safer location. We are a ticking time bomb in so many ways. Thank you for allowing my comments. Steven Rockweiler.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40000**

Bonnie Giles

This project is critical to help restore a least a small portion of the wetlands that have been lost in Louisiana, or more accurately, the state of Louisiana is being lost. Nature will restore itself if allowed and this is a cost effective way to restore the coastline in the most efficient way, having nature do it rather than man.

The sooner this project begins, the more land that will be restored and the more protection the state will have from hurricanes and high tides.

We cannot let the way of life of Southern Louisiana be jeopardized by inaction.

Bonnie Giles

Raleigh, NC



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**Concern ID: 63334****The proposed MBSD Project would maintain and restore coastal lands and should move forward.****Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40001**

Environmental Consulting Services

Ted Falgout

As a fourth generation Louisianaian living in the Barataria basin for my entire life (70 yrs), some of my fondest memories involve activities in the basin with my grandfather, father, siblings, and now my children and grandchildren. My experiences are somewhat unique in that I have an educational background in fisheries biology and actually wrote my masters thesis on Commercial Fishermen's Perceptions of Coastal Zone Management. I have been heavily involved in coastal issues since 1973 (before it was cool)! Additionally, I had the opportunity to serve as the Port Director of Port Fourchon for over 30 years and participated in many restoration projects. I also served as the Chairman of the Lafourche Parish Coastal Zone Management Program, the first local program in the state, for over 30 years. I am also owner of over a thousand acres of wetlands in the basin.

Since the early 1970's just about every credible study conducted about the coastal crisis we face has stated reintroduction of sediment from the Mississippi River is key to address the magnitude of the problem we face. I have long been a proponent of diversions and have served as Chairman of the Davis Pond Advisory Committee.

We have before us what perhaps is a one time opportunity to effect change at the same level as the scale of the problem. Unfortunately, no affordable project that can adequately address the scale of the problem can be constructed without impacts. I believe these impacts are manageable and pale in significance to what is at stake if we squander this opportunity to construct the Mid Barataria Sediment Diversion.

Simply put, the Mid Barataria Sediment Diversion is the best long term solution to match the challenges we face from land loss, sea level rise and other impacts from climate change. A "future without action" would mean a future without much of South Louisiana, and that is something we owe to future generations!

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**Concern ID: 63333****Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.****Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40016**

Marcus and Denise Ray

My family & I own (6) waterfront lots & 7 1/2 acres. We have a family camp on 1 of the water front lots and lease out the remaining properties to long term lessors whom are basically extended family. We also have a family cemetery there which is an historic landmark. We have owned and enjoyed this property for many generations and planned to have future generations enjoy this as well.

My girlfriend & I sold our homes in 2019 and decided to move and retire here. We purchased a home from one of our long term lessors and now live on (2) lots [REDACTED]. I also maintain our family camp which is located [REDACTED]. We also got married Oct 3rd , 2020 at our new home.

We have attended meetings but have left with more questions then answers.

How will this affect us now and in the future including future generations?

When this project starts they have discussed raising roads and properties.

Where will we live during this process and who will will pay for our relocation expenses?

We moved to this location to enjoy the bayou living and the fishing.

What will happen to our future bayou living and fishing which we love?

If we can't live & retire in "God's Country" due to this project.

How will be able to afford purchasing a new home and other associated cost?

How will we be able to afford to purchase another family camp for our family to enjoy for many generations?

What will happen to the family cemetery which is a historic landmark?

What will happen to all of the people who lease from us?

Who will buy our land, homes and also lessors homes and at what value will be used to determine purchase price?

Our lease money maintains our family camp, What happens to all of our lost revenue?

Hard to put a dollar figure on property that has been owned and enjoyed by many generations both past & future.

Once again more questions then answers.

How & when do we receive answers to all of this questions?

Our lives or basically on hold now due to as stated, this is our home and the place we planned on living out our retirement years.

What do we now when our lives or on hold?

What happens the fishing industry and the people who make a living here?

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**Concern ID: 61757**

**Commenters recommended educating the public about the proposed Project as well as the impacts of the No Action Alternative. There would be a benefit of continued education with the affected communities.**

**Response ID: 15893**

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As part of the Draft EIS process, USACE prepared various materials to educate the public regarding the analysis and impacts included in the Draft EIS. This included an Executive Summary summarizing the details of the Draft EIS into a concise, easy to read, document. Additionally, at the beginning of the public comment period, CEMVN posted to the CEMVN's Project website several pre-recorded presentation videos consisting of an explanation of how to comment on the Draft EIS and/or LA TIG's Draft Restoration Plan, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS. These pre-recorded presentation videos were then consolidated into one presentation and played at the beginning of each of the three public meetings. This consolidated pre-recorded presentation was also translated into Spanish, Vietnamese, and Khmer and available on CEMVN's Project webpage. In addition, dedicated toll-free numbers were provided during the public comment period on the Draft EIS and LA TIG's Draft Restoration Plan through which Spanish, Vietnamese, and Khmer-speaking individuals could listen to the translated pre-recorded presentation.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through newspapers, mail outs, and local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. The Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, the Executive Summary for the LA TIG's Draft Restoration Plan, and the public meeting presentations were translated into Spanish and Vietnamese. As noted above, the consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage. As stated in Chapter 7 Public Involvement of the EIS, public engagement has been a vital element of developing and evaluating the proposed MBSD Project. Since 2016, CPRA has participated in nearly 200 outreach and engagement activities focused on the proposed MBSD Project, reaching more than 7,000 people. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. These outreach and engagement efforts provided the public with an opportunity to ask questions and obtain information about the proposed MBSD Project. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings and public outreach conducted by CPRA can be found in Chapter 7 Public Involvement of the Final EIS.

For more information about proposed Project's operational and adaptive management governance, see Final EIS Appendix R2: Monitoring and Adaptive Management (MAM) Plan. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but

not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

In addition, EIS Chapter 4, Section 4.24.3 Operations Impacts in Cultural Resources and Section 4.9 of the Final Mitigation and Stewardship Plan (in Appendix R1 to the Final EIS) discuss the NHPA process and mitigation for the proposed Project. The NHPA Programmatic Agreement developed for the proposed Project through the NHPA Section 106 consultation sets forth the alternative historic and cultural resources mitigation to be implemented by CPRA as part of implementing the Project. An Alternative Mitigation Plan is appended to the Programmatic Agreement and describes in detail the mitigation proposed to resolve adverse effects within the Operational Impacts APE. A website and public education materials are included in the Alternative Mitigation Plan as products to be developed through the alternative historic and cultural resources mitigation. The Programmatic Agreement is provided in Appendix K Cultural Resources Information of the Final EIS and attached as Appendix A to the Final Mitigation and Stewardship Plan located in Appendix R1 of the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The**

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**diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.****Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62380**

**Commenter asks how the proposed Project will affect current and future generations.**

**Response ID: 15916**

The Draft EIS discussed impacts of the proposed Project on human and natural resources projected over 50 years of Project operation.

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**Concern ID: 62498**

**The commenter owns waterfront property near Port Sulphur and has a family cemetery that is an historic landmark. The commenter has owned and enjoyed this property for many generations and planned to have future generations enjoy this as well. The commenter wants to know what impacts the Project would have on the family cemetery that is an historic landmark.**

**Response ID: 16456**

The potential impacts raised by the commenter were considered in the Draft EIS. According to the LA SHPO database of historic sites, the Lake Hermitage cemetery located near the address provided by the commenter is identified as the Bieber Cemetery. As compared to the No Action Alternative, operation of the proposed Project would increase tidal flooding and storm surge in communities outside of federal levees within 20 miles of the outfall area, including the town of Lake Hermitage in which this cemetery is located. Such events may result in impacts from sediment deposition (burial) and/or erosion. Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes and Section 4.13.3.1 in Socioeconomics detail these impacts.

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**Concern ID: 62739**

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**The commenter questioned what would happen to bayou living and fishing in the future.**

**Response ID: 16117**

Impacts of the proposed Project on Recreation and Tourism are discussed in Chapter 4, Section 4.16.5.2, impacts on local communities are discussed in Section 4.13 Socioeconomics, and impacts on Aquatic Resources are discussed throughout Section 4.10 of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40026**

Ben Taylor

If you know anything at all about how this river delta came to be in such a short period of time (700 years for most of Plaquemines Parish) and what it demands for its sustenance and good health, this diversion only makes sense, especially as an important coastal line of defense for the large human population that resides on the delta a short distance away.

The people who are adamantly against this project either do not yet understand these things or seek profits from an artificial status quo which is unsustainable. Perhaps these people must be bought off, but it is of paramount importance to return the river to its delta.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40032**

United Methodist Church

Ellen Blue

I am an ordained member of the clergy in the United Methodist Church who believes we have a duty to care for the Creation. The decisions you make about how we should treat the land and water the Creator gave us for nourishment and nurture are vital for us and for generations to come.

I urge you to SELECT THE PREFERRED ALTERNATIVE from the draft EIS on the Mid-Barataria Sediment Diversion and to fund the project from the Deepwater Horizon settlement.

In the late 1970s, I learned of Woody Gagliano's idea that diverting sediment from the river could shore up the dwindling coast. If steps had been taken then - 40 years ago – so much land loss could have been prevented. Now is the time to act to avoid the loss of over 400 square miles in the next 50 years.

Through human actions, we have altered the shape of the coast, destroying habitats of people, animals, and plants. The Isle de Jean Charles band of the Biloxi-Chitimacha-Choctaw people have already been displaced. The United Houma Nation is in peril. All Louisianians are at huge RISK OF DEATH AND DESTRUCTION FROM HURRICANES due to land loss.

I appreciate the efforts of all the people who have worked on this complex issue. The land that is built will be a gift to all Louisianians.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

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The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:40062**

William Monie, Jr.

I own both a residence and property in Myrtle Grove Marina Estates 1 in Plaquemines Parish Louisiana and stand in complete opposition to the Mid Barataria Sediment Diversion. My reasons for this opposition are as follows:

1) The diversions that have been built previously have achieved only marginal success and the cost have all exceeded projections. For example Davis Pond and Marti Gras Pass. What makes the USACE believe this one will be different?

2) CPRA when considering alternatives to this diversion examples 5 alternatives...4 were diversions and the last was to do nothing.

Yet last week the governor announced 3 more projects that were not diversions that will build coastline. Why were these not considered for Mid Barataria?

3) The draft EIS clearly states that the majority of the bottle nosed dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death at the hands of USACE. Who I might add has already killed hundreds of dolphins along the coast of Mississippi and Alabama with fresh water from the Bonnet Carre spillway. Not to mention the threatening of the Kemp- Ridleys sea turtle. Which by the way is a Endangered species....that alone should stop this diversion in its tracks. Not to mention the clandestine way that lobbyist for this project snuck into a budget Bill and got a one time exemption to the Marine Mammal Act ...in order to allow CPRA/USACE to kill these helpless creatures. Keep good records folks as that will be at the very top of the list for the lawsuit that will follow in Federal Court..not to mention the upcoming articles in the New York Times.

4) Chief among all these issues is the destruction of the seafood industry in Louisiana, as well as the elimination of a culture that has existed for over 200 years....shrimping and oyster fishing. Fresh water has destroyed these industries on the East bank of the Mississippi and now this ill planned diversion will destroy what's left of Louisiana's greatest industry. How can you reasonably justify that destruction

5) Camps that have been in families for years and many single family residences that are the only homes some people possess., will be flooded and destroyed by this fatally flawed attempt to build land along our coast. There is a very good reason that both the Plaquemines and St. Barnard Councils voted along with both Parish Presidents to oppose the diversion...unanimously to oppose I might add as did the Lt. Governor Billy Nungasser, a life long resident. You see they know the diversion will be a failure and destroy their parishes.

I have little doubt USACE will approve the Final EIS since they have a solid reputation of doing all the wrong things at the right time. But one can only hope this time it will be different. No one can argue that we need to build land along our coast. But there are many good ways to build land..hopefully other methods will be considered by the USACE...one can only hope. Thank you for allowing me to comment.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider**

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**analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA

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TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRa has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRa has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially

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affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent



anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

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**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the

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Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on "Effects of Low Salinity Exposure on Bottlenose Dolphins," 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>

Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. *Scientific Reports* 10:21979.

McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). *Journal of Zoological and Botanical Gardens* 1:61-75.

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts;

see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63080**

**The Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems by obtaining a Congressionally-mandated MMPA waiver for the proposed Project. The waiver does not establish a quota for how many dolphins can be taken by the proposed Project, and it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, provided Congressional permission to break the law. It is critical for the protection of marine mammals that such a legislative waiver be a one-off occurrence.**

**Response ID: 16599**

The U.S. Army Corps had no role in seeking a Marine Mammal Protection Act waiver for this Project from Congress, nor did any federal agencies on the LA TIG. CPRA sought the waiver. Title II, section 20201 of the Bipartisan Budget Act of 2018 provides: "(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S. C. 1361 et seq., as amended) regarding maintaining the health and stability of the marine ecosystem, within 120

days of the enactment of this section, the Secretary of Commerce shall issue a waiver pursuant to section 101(a)(3)(A) and this section to Section 101(a) and Section 102( a) of the Act, for such projects that will remain in effect for the duration of the construction, operations and maintenance of the projects. No rulemaking, permit, determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.”

The National Marine Fisheries Service issued the waiver in March 2018. Since that waiver in 2018, CPRA has not requested any additional waivers for coastal restoration projects. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Concern ID: 63107**

**The proposed Project would kill sea turtles, which commenters indicated should stop the proposed Project.**

**Response ID: 16205**

Chapter 4, Section 4.12.2.2 Sea Turtles of the EIS, determined that the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp’s ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts.

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS’ Biological Opinion on the proposed Project (included in the Final EIS as Appendix O4) concludes the proposed Project is not likely to jeopardize the continued existence of sea turtles and authorizes a “take” for the Project, which is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. In its Biological Opinion, the NMFS authorizes the incidental take of 783 sea turtles per year, including 370 Kemp’s ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities). This can be compared to the lower-end estimate of 4,900 large juvenile/adult, 56,000 juvenile, and 35,000 hatchling sea turtles killed by the DWH oil spill (NMFS 2020). Under the Endangered Species Act, NMFS can authorize the incidental take of sea turtles, but it cannot authorize a project that jeopardizes the continued existence of sea turtles in the proposed Project area.

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**Correspondence ID:40066**

Rafferty Studio

Katherine Rafferty

Hello,

I am writing to ask that you do everything in your power to make the Mid-Barataria Sediment Diversion a reality in order to save the coastline of Louisiana. It is vital for the future of our state.

Sincerely,

Katherine Rafferty

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40067**

Women of the Storm

Anne Milling

We are strongly in favor of the building of the mid Barataria diversion, which we believe will rebuild wetlands and demonstrate to the world what can be accomplished with the political will.!

Thank you

Anne M. Milling

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40079**

Marguerite Knight Erwin

The Mid-Barataria Sediment Diversion is a cornerstone project in Louisiana's plan for a resilient coast, and it will have a fundamental impact on Lafourche (my home) and Jefferson Parishes. It is projected to build and maintain thousands of acres of wetlands, create diverse habitat, and reduce storm surge threats to many communities. Please support this diversion project for the future of Louisiana.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40084**

John Morello

Hello-

I'm writing to express my support for the Mid-Barataria Sediment Diversion. The diversion is critical to the future of Louisiana, our culture, our environment, and the economy of the whole country. I strongly urge you to support it and it build it as rapidly as possible.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40131**

Thomas Gordon

I am writing this letter in opposition to the mid Barataria and mid Breton sound diversion projects. The potential for possible wetlands growth is far of a stretch where the diluted sound of the Mississippi coast and mid Britain sound in estuary harm would be a 100% factor. The solution would be to dredge the passes south pass and south east pass to relieve a pressure on rising rivers and let the natural process of building the river there also rock jetties to support growth and protect from oncoming storms would be a far more affordable solution than the potential for artificial growth in the diversion projects

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**Concern ID: 61973**

**Consider dredging the passes (south pass and south east pass) to relieve pressure on rising rivers and let the natural process of building the river there, along with rock jetties along the Louisiana coastline, support growth and protect from oncoming storms. Then use dredging to build up specific areas inland.**

**Response ID: 15974**

This alternative as presented, specifically dredging the passes and building rock jetties to create marsh, would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives in the EIS. Similar to marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long-term would require repeated lifts and maintenance through placement of additional dredged material. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40132**

William Herke

I am wholeheartedly in favor of the Mid-Barataria Sediment Diversion project. However, I fault the Corps for not citing any of my publications. There are dozens of them that would be pertinent to the Draft EIS, especially those regarding salinity tolerance of fishes and crustaceans. Most of my over 30 years of studying the coastal marsh nursery was deep in the marsh where the water was so shallow that a shallow draft outboard, or better an airboat, was required. Most other researchers (including those of LDWF) ignore this habitat. Consequently, I discovered things such as salinity tolerances that are much lower than most of those found in the scientific literature.

I give a brown shrimp example from my dissertation, (Use of natural, and semi-impounded, Louisiana tidal marshes as nurseries for fishes and crustacean). I used a 16-ft setback otter trawl (knotted nylon 5/8-inch-bar mesh throughout except for 1/2-inch-bar-mesh in the tail). Also used was a 14-foot-wide surface trawl with 1/4-inch- -bar mesh. The otter trawl was pulled behind the boat and the surface trawl was pushed in front of the boat; it was set to fish from the surface to about 6 inches from the bottom. A measured 400-meter pass was made twice with each trawl. For each monthly sample I combined the catch from 2 passes with each trawl. On the May 2,1967 trip a total of 2381 shrimp were caught. Salinity per sample ranged from 0.68 to 1.85.ppt.; 45 were taken at salinities between 0.68 and 0.78.ppt.; 58 more were taken below 0.86 ppt. salinity.

My dissertation gives similar information (and much more) for Atlantic Croaker, Spot, Menhaden, Striped Mullet, Bay Anchovy, and White Shrimp. For further information on how interacting environmental factors affect Atlantic Croaker distribution see the monograph in my website "www.herke-estuarine-fisheries-com." I think anyone who reads the monograph will gain new perspectives. The website also contains the citations to dozens of my peer reviewed publications that should be of interest to your fishery biologists.

In conclusion, I fully support the sediment diversion project. In my opinion it will have fewer detrimental effects than those opposed to it understandably believe it will.

William H. Herke, PhD

American Fisheries Society, Certified Fishery Scientist, and  
Fellow, American Institute of Fishery Research Biologists

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**Concern ID: 62740**

**Specific field research indicates that fishes and crustaceans tolerate much lower salinity than those found in scientific literature; this research is available at [www.herke-estuarine-fisheries-com](http://www.herke-estuarine-fisheries-com) and should be cited in the EIS.**

**Response ID: 16118**

Although the noted website does not appear to exist as identified, select references by the comment author have been reviewed. Herke et al. 1987 (Abundance of Young Brown Shrimp in Natural and Semi-Impounded Marsh Nursery Areas: Relation to Temperature and Salinity) was incorporated into Chapter 4, Section 4.10.4.5.2.1 Brown Shrimp of the Final EIS.

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**Concern ID: 63381**

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**The proposed Project would have fewer detrimental effects than those opposed to it understandably believe it would.**

**Response ID: 16343**

The commenter's input is noted. The beneficial and adverse impacts of the proposed Project were explained throughout Chapter 4 Environmental Consequences of the Draft EIS. The LA TIG's Restoration Plan evaluated the proposed Project against a variety of factors, including those outlined in 15 CFR §990.54, and strove to identify an alternative that would provide what the LA TIG believes is the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. See Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG came to its decision on the proposed Project.

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**Correspondence ID:40138**

David Brooks

To Whom It May Concern:

I wish to emphasize my strong support for the Mid-Barataria Sediment Diversion project. This is an area that is not only of great importance to myself, but the value it will have for future generations is incalculable.

I urge you to make the right decision for our children's' future and support this project.

Thank you,

David Brooks

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40142**

Christopher Trapani

Dear commission, I am a 55 year old married man with 4 grown children, our whole family loves the Bay and the Ms Sound!,

I'm a life long resident of the Mississippi Coast, and thank you for the opportunity to voice additional comments regarding this project. My comments come from the experience of 2019 where volumes of Riverwalk was diverted through the Bonnie Carrie spillway through Lake Pontchartrain and drained into the Ms Sound, destroying trained into the Mississippi Sound. In the beginning we thought the fish kill would be short lived, it was not! We lost our beaches are tourism or fishing or recreation in the water everything and that was a three or four month diversion you are talking about a 36524 seven diversion of Mississippi river water into the Mississippi sound please record my comment in opposition to this plan and I would strongly suggest the dredging of the current passes of the Mississippi river to allow the volumes of water into the Gulf versus the Ms Sound.

Please be reasonable and stop this project.

Sincerely,

Chris Trapani

██████████

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**Concern ID: 61905**

**Commenters expressed that residents' way of life including living off of and recreating in the water would be impacted by an influx of fresh water due to the MBSD Project.**

**Response ID: 16235**

The issues raised by the commenters were considered in the Draft EIS. As described in the Existing Conditions in Chapter 3, Section 3.16 Recreation and Tourism, as well as Appendix H1 Socioeconomics Technical Report, the Draft EIS acknowledges the importance of recreational use in the region, describing many types of outdoor recreational activities, including fishing, hunting, boating, wildlife viewing, and general shoreline use, among others. The EIS further acknowledges that extensive estuarine and freshwater wetlands provide habitat for many kinds of fish, birds, reptiles, and mammals that are an integral component of recreation in the region. The evaluation of environmental changes in the basin under the No Action Alternative shows that the abundance of target recreational species, including spotted seatrout and red drum, would decline over time. Access to recreational boating sites would also increase from negligible impacts in the early decades to major, adverse impacts in the later decades, leading to decreases in recreational use in the southern portions of the basin even without the Project. Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe how changes in the amount of fresh water due to the MBSD Project would impact recreation and tourism. As noted, there would be adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to tidal flooding, sedimentation, and invasive plants. There would be adverse impacts on recreational fishing for spotted seatrout and beneficial impacts on recreational fishing for red drum.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and



Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61973**

**Consider dredging the passes (south pass and south east pass) to relieve pressure on rising rivers and let the natural process of building the river there, along with rock jetties along the Louisiana coastline, support growth and protect from oncoming storms. Then use dredging to build up specific areas inland.**

**Response ID: 15974**

This alternative as presented, specifically dredging the passes and building rock jetties to create marsh, would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives in the EIS. Similar to marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long-term would require repeated lifts and maintenance through placement of additional dredged material. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 62709**

**The 2019 opening of the Bonnet Carré Spillway caused significant impacts to aquatic fauna from the release of river water, and resulted in a declared fisheries disaster of at least \$58 million.**

**Response ID: 16087**

A summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment, including area fisheries. This summary is available in Appendix U of the Final EIS. However, it is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. The anticipated impacts of the proposed Project on aquatic fauna from the release of river water is discussed in detail in Chapter 4, Section 4.10 Aquatic Resources.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40145**

Pontchartrain Conservancy

John Kinabrew

Louisiana's coastal loss is of great concern to many. After all, this is our home and a place we all love.

I am a proponent of the Mid-Barataria Sediment Diversion for many reasons. Among them:

1) Louisiana leads the way in climate adaptation planning with the Coastal Master Plan. The Mid-Barataria Sediment Diversion is a linchpin project from the plan that is critical to building a more climate resilient future for Louisiana.

2) For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this project and projects like it are the best long term solution and necessary to match the challenges we face from land loss due to sea level rise and other climate change impacts. This is our best shot.

3) The Mid-Barataria Sediment Diversion is a game-changing coastal restoration project that uses the power of the river to build and maintain land. The project will build and maintain thousands of acres of vital wetlands to protect people from flooding from more intense hurricanes and sea level rise. Without action, some communities will see increased vulnerability floods, continued loss of wetlands, and a collapse of key fisheries.

4) The Mid-Barataria Sediment Diversion will work in concert with nearby marsh creation projects and will extend the lifespan of the millions of dollars that have been invested in nearby marsh creation projects.

I encourage you to take the broad view and do the right thing by supporting the Mid-Barataria Sediment Diversion.

Thanking you in advance for your support

Sincerely

John Kinabrew

Board Member - Pontchartrain Conservancy

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**Concern ID: 63382**

**The Mid-Barataria Sediment Diversion is a linchpin project from the plan that is critical to building a more climate resilient future for Louisiana. For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this proposed Project, and projects like it, are the best long-term solution and necessary to match the challenges faced from land loss due to sea-level rise and other climate change impacts. The proposed Project would build and maintain thousands of acres of vital wetlands to protect people from flooding from more intense hurricanes and sea-level rise. Without action, some communities would see increased vulnerability to floods, continued loss of wetlands, and a collapse of key fisheries. Finally, the proposed Project would work in concert with nearby marsh creation projects and would extend the lifespan of the millions of dollars that have been invested in nearby marsh creation projects.**

**Response ID: 16344**

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The commenter's support for the proposed Project is noted. The No Action and proposed Project alternatives' impacts on flooding potentials, wetland extent, and key fisheries were discussed in Chapter 4, Sections 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk, 4.6 Wetland Resources and Waters of the U.S., and 4.10 Aquatic Resources of the Draft EIS, respectively. Similarly, the cumulative impacts of the proposed Project and other restoration projects were discussed in Section 4.25 Cumulative Impacts of the Draft EIS, as applicable.

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**Correspondence ID:40155**

Conyers Family BBQ LLC

Howard Conyers

The oysterman and community need a BIPOC media and education consulting company like Conyers Family BBQ LLC to help document and tell the stories of the community. In addition, it will be extremely helpful if the consultant has an engineering background to be able to explain and translate the implications of the diversion plan and often the communities being impacted don't have the educational understanding. The people generally a white led organization does not always know how to communicate within these communities.

The State need to give Terry's Oysters funding to build tanks to get salinity back into the oysters when the diversion put more fresh water in the oyster beds. The other option the state need to investigate is to allow the oysterman to move the oysters in the water using some mobile device to allow the oysters to get more salinity.

Finally, the new Orleans chefs community needs to be consulted on how the gulf have off bottom oysters that can be used instead of going to Murder Point Alabama. Some of these Off Bottom oysters can be used in other dishes like oyster soups, stews, fried oysters, etc. In order for oystermen and fishermen impacted by the diversion, the restaurant community need to be well aware of the food that come from the area. It is particularly important that both black and white chefs in the city are consulted on this product. Conyers Family BBQ LLC media and education consulting company have an unbiased relationship with chef and restaurant owner in the city.

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**Concern ID: 62961**

**Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.**

**Response ID: 16532**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation

of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62978**

**Collaboration is needed to minimize impacts on oyster industry, including developing innovative uses for bottom oysters and supporting collaboration between CPRA and LDWF.**

**Response ID: 16539**

CPRA and other state agencies, such as LDWF, recognize the importance of collaboration to support the fishing industry in adapting the ongoing changes in the environment. As explained in Section 4.14.4.1 Commercial Fisheries of the Draft EIS, without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational

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life. bCPRA and LDWF worked together with numerous oyster fishers as part of Louisiana Sea Grant's Seafood Futures Initiative to develop mitigation and stewardship measures aimed at maintaining a sustainable oyster fishery. CPRA anticipates working with other agencies, such as Louisiana Economic Development, on the workforce development, education and training programs included in the Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS). In addition, CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Refer to the Mitigation and Stewardship Plan for mitigation measures to be implemented as a result of these engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40168**

Little Lake Club

Stephen Saucier

I've been fishing and duck hunting in the Lafitte area for over 35 years and have watched the land erosion escalate annually. About ten years ago I took a flight over the Wax Lake Outlet and the Atchafalaya River sponsored by the Coalition to Restore Coastal Louisiana, it was an eye opening experience to see actual land being built naturally from free flowing river water laden with sediment. I've watched the dredge and fill projects constructed in the Lafitte area since Katrina and they are not really wetlands habitat, instead they are islands of land rising a foot or two above sea level that serve as storm surge protection more than marsh habitat. Releasing river sediment into this marsh is the only way to sustain it. I know some in the fishing community oppose the changes that will most likely occur but by doing nothing we lose the estuaries that sustain our seafood industry. We have a vibrant fishing industry downriver in Venice with the flow of river water. Barataria Bay needs the sediment and fresh water from this diversion. I am in favor of proceeding with permitting and construction.

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**Concern ID: 62089**

**The Barataria Estuary would be more productive as a result of the increased input of carbon and the vital building blocks of life, which would mean opportunities for increased seafood harvest. The proposed MBSD Project is of critical importance for this transformation to one of our nation's most productive fisheries.**

**Response ID: 16250**

The commenter's support of the proposed Project is acknowledged. Chapter 4, Section 4.10 Aquatic Resources in the Draft EIS describes anticipated impacts from the proposed Project on aquatic species. As described, impacts would range from adverse to beneficial, depending on the species.

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**Concern ID: 63342**

**Other natural or man-made diversions have successfully built land, such that the proposed MBSD Project would also be expected to build land.**

**Response ID: 16302**

The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils indicates that the proposed Project is anticipated to build land in the Barataria Basin (with smaller amounts of land loss projected in the birdfoot delta). To facilitate comparisons between the proposed Project and other natural or man-made diversions, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Correspondence ID:40171**

Calvin A Lopes

There is no doubt sediment deposits by natural means is the most efficient. Man has intervened and prohibited this from occurring by creating a hardened levee structure with fast flowing channels.

The goal of this Mid-Barataria Sediment Diversion project is to undo this situation to a very small degree.

The points needing addressing require a methodical approach which does not cause additional harm. Harm has been done to the environment already. To compound that would be unconsciousable.

My primary concerns:

- - Move sediment, not water
- - Prevent pollutants from being introduced into wetlands
- - Accommodate a reasonable salinity match
- - Utilize the flow rates as necessary to transport sediment over a given distance without erosion
- - Adjust the temperatures of the sediment and water to match

The common solution that addresses all of these concerns requires a 'processing plant' at the Mississippi River water's edge. Putting a hole in the levee solves nothing.

I would assume the greatest concentration of sediment in the River would be at substantial depth(s). The waters will be colder than near the surface. The 'diversions', as planned, would occur only during months with a high flow rate, aka northern regional snow melt. The waters will be colder than usual, most assuredly not matching the wetlands' temperature(s). The temperature shock will be harmful and likely will damage existing vegetation.

A processing plant that removes the sediment from the River needs to filter and neutralize it before transport. There will be a minimal salinity mismatch If the sediment is transported by barge. Water piped from the wetlands should be used if transported by pipeline (a closed-loop system). Using this water will solve other problems, specifically salinity, temperature, and, to a small degree a Ph balance.

Vegetation is fragile but is resilient. Seedlings could be introduced in the sediment flow as topsoil crusting occurs, or introduced years later at additional cost.

Presumably all of my concerns have already been considered; if not, they are worthy of consideration.

Calvin Lopes

New Orleans

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**Concern ID: 61825**

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**Diversion operations would occur during months with a high flow rate, which coincides with northern regional snow melt. The commenter expressed concern that the cold river water would have adverse impacts in the basin.**

**Response ID: 16430**

The impacts of water temperature from the river into the basin during proposed diversion operations were considered in the Draft EIS. As explained in Section 4.5.5.2 in Surface Water and Sediment Quality of the Draft EIS, the proposed Project would cause minor, intermittent decreases in water temperature during Project operations. As explained in Section 4.10.4.4 in Aquatic Resources, the proposed Project's overall direct and indirect impacts of decreased average temperatures and acute temperature changes on faunal populations at discrete locations and time periods in the Barataria Basin would likely be direct or indirect, minor to moderate, and adverse, and annually recurring and therefore permanent throughout the analysis period.

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**Concern ID: 61897**

**Consider alternatives that transport more sediment and sand and less water, such as a conveyor belt or barge and utilizing a processing plant that removes the sediment from the Mississippi River to filter and neutralize the sediment before transport.**

**Response ID: 15991**

This suggested alternative would not meet the goals and objectives as stated in the purpose and need as described in Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. CPRA's intent is to reestablish sustainable deltaic processes between the Mississippi River and Barataria Basin through the introduction of fresh water, sediment, and nutrients from the Mississippi River into the Basin. Additionally, in light of the volume and nature of the material that would need to be transported, a conveyor belt is not feasible. In addition, as described in Chapter 2, Section 2.4 Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow the proposed Project is designed to maximize sediment bed load transport. Previous studies of the Mississippi River have documented the positive correlation between river discharge and sediment load, demonstrating that higher river discharge levels are generally correlated with higher sediment loads. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 63050**

**The temperature shock from the discharge of colder river waters would be harmful and likely would damage existing vegetation.**

**Response ID: 16056**

As described in Appendix E Delft 3D Modeling, Section 5.4.1 of the EIS, temperature coefficients for growth and for senescence mortality have been incorporated into the vegetation parameters for the Delf3D Basinwide Model. Water temperature is simulated within the model; based on the results of the modeling analysis, and as described in Chapter 4, Section 4.5.5.2 in Surface Water and Sediment Quality of the EIS, temperature trends projected for the proposed Project would follow the same seasonal patterns as the No Action Alternative, though there would be a minor temperature decrease (up to 5°F or 3°C) at

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assessed locations following operation of the diversion structure above base flow. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 64195**

**Vegetation is fragile but is resilient. Seedlings could be introduced in the sediment flow as topsoil crusting occurs, or could be introduced years later at additional cost.**

**Response ID: 16071**

Comment noted. The Project, as proposed, does not include planting of wetland vegetation; rather, the diversion of fresh water and sediments would alter the abiotic conditions in the Barataria Basin to allow for establishment of marsh species via natural recruitment and spread. No related edits to the Final EIS have been made.

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**Correspondence ID:40174**

David Muth

Good morning, everyone. My name is David Muth. I live in New Orleans. I'm the Director of the Gulf Program for the National Wildlife Federation. The National Wildlife Federation will be Providing detailed written comments. On behalf of NWF and our over 6 million members and supporters, I want to say that NWF considers this project to be one of our highest national priorities for restoration. We consider the restoration of the Mississippi River Delta to be on a par with restoration efforts elsewhere in the country often better known, including those in the Everglades, the Great Lakes, and Chesapeake. No restoration effort now under way is more important for wildlife than this one, and no one single project will have greater positive impacts for wildlife, wildlife habitat, and ecosystems sustainability. NWF urges the Corps to issue permits for the Mid-Barataria Sediment Diversion and the preferred alternative, and we urge the Natural Resource Damage Trustees to fund the construction of the project, its operation and adaptive management, and the mitigation proposed in the trustees' Restoration Plan. We are fully cognizant of the fact that ecosystem change of the scale contemplated here will have impacts on people in communities and on some estuarine organisms. We commend the State and the Trustees for identifying those impacts and urge them to continue to work with affected individuals, families and communities to mitigate those impacts and to monitor and adaptively manage operations for effective wildlife and fisheries resources, guided by the ultimate critical purpose of the project.

And I want to take off my NWF hat and make the following personal comments. In my decades of reviewing NEPA documents and government plans, I have never seen a more comprehensive analysis, and I commend the team for their hard work. Of course, given the decades of in-depth scientific analyses that led to the discussion to build a diversion near this site, this is hardly surprising, but still commendable. About 40 years ago, like many citizens of Louisiana, I became aware of the dire straits and the dire rates of land loss that our coast was experiencing. Like many, I have watched the Barataria Basin dissolve before my eyes, and I have experienced the increasing ferocity of hurricanes hitting our coast. Like many, I lost a home in 2005. I had been waiting that 40 years for a project like this that is conceived and built at the scale necessary to begin to address the problem. The Mississippi River built the delta and only the river can rebuild it. Let's get started. Thank you very much.

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**Concern ID: 62331**

**The EIS is comprehensive and well-prepared, and used the best available information and data.**

**Response ID: 15782**

Acknowledged.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of

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wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive

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management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 61956**

**Commenters suggested [USACE and/or CPRA] carefully listen to those impacted by the diversion and have constructive dialogue between stakeholders and CPRA. They recommended to commit sufficient funding and resources necessary to those impacted to sustain their lives and livelihood throughout the diversion process.**

**Response ID: 15902**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. USACE and LA TIG each provided public outreach and comment opportunities

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throughout the development of the EIS and the LA TIG's Restoration Plan. Details on this outreach can be found in Chapter 7 Public Involvement in the Final EIS.

Since the release of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40175**

George Howard

Yes, sir. My name is George Howard and I am CEO of Restoration Systems, a mitigation banking firm headquartered in Raleigh, North Carolina, who was the sponsor of the Jesuit Bend Mitigation Bank, oh, about 10 miles north of you in a very similar landscape position as the planned project. I'd like to second Mr. Muth's comments, that it is an extraordinary document and an extraordinary undertaking you all have begun. Regardless of the diversion politics that surround it, you should be saluted for all the work that's gone into the permitting and planning thus far.

Obviously my concern, as a mitigation banker, is the opportunity to sell credits for the project, and we believe that the Jesuit Bend Mitigation Bank is actually an ideal offset for the particular project impacts. My curiosity - - and we can ask questions, correct? Is this purely comment or can you ask a question here or is that inappropriate?

MR. FRANKLIN: Just proceed as you feel free.

MR. GEORGE HOWARD: Yes. We feel comfortable - - the Corps of Engineers developed very, very similar levee plans to build the New Orleans to Venice levee, and in 2018, they determined that their impacts to wet pasture would need to be mitigated with credits, fresh to intermediate salinity credits, and made a fairly large purchase from the Jesuit Bend Mitigation Bank from exactly the same type soils. After that, a large LNG firm, Venture Global, developed in those same soils again and they were allowed to mitigate with bottomland hardwoods. We are curious whether the 404 process will be consistent with the Corps' own determination that wet pasture be mitigated with fresh to intermediate marsh, because that's what Jesuit Bend has.

It's an honor to follow Mr. Muth. He has been out to our project and counted many, many birds out there. We have been totally transparent about what we've done at Jesuit Bend. But if you're not aware of it, we moved 1.3 million yards of sand off of about a half-square-mile box in the river, at Mile 69, pumped it five miles, pumped it up and over the federal levee, dug a tunnel underneath Highway 23 and the New Orleans to Venice Railroad, up through a neighborhood, and then put it behind the Ollie pump station and created the newest 300 acres of land in Louisiana. We'd like that investment respected and hope that you all will seek pricing and availability from us as soon as possible, and we promise to be very fair in the pricing. But we're very curious, again, whether wet pasture will be mitigated as the Corps has mitigated in the past, with fresh to intermediate marsh.

Again, thank you very much, and I look forward to participating entirely through the process, and plan to have extensive and perhaps expensive comments by May 5th. Thank you very much.

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**Concern ID: 62189**

**Jesuit Bend Mitigation Bank would provide an offset for Project impacts, particularly if wet pasture impacts are offset with fresh to intermediate marsh as it has been for previous USACE projects.**

**Response ID: 16402**

The direct wetland impacts associated with the proposed Project are discussed in the EIS at Chapter 4, Section 4.6.4.1 Wetland Resources and Waters of the U.S., Construction Impacts,

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Wetland Types and Extent. USACE will evaluate impacts and consider any necessary compensatory mitigation consistent with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance in its permitting decision. If compensatory mitigation were required, options consistent with Part 332 would be considered, including banks within the appropriate watershed with available credits. Any potential compensatory mitigation requirements would be discussed in the ROD.

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**Correspondence ID:40176**

Mark Rees

Thank you. So I appreciate the opportunity to comment on the Draft Environmental Impact Statement. I understand the purpose and the need for the Mid-Barataria Sediment Diversion, and I want to say I'm supportive of it, and specifically, I'm concerned with the potential for impacts to cultural resources.

I should pause and add that I'm speaking as an individual, as a resident of Louisiana, but I am also employed by the University of Louisiana, at Lafayette, and I am with the Louisiana Public Archeology Lab. I'm not speaking on behalf of the university, however. Again, I'm particularly concerned with the specific impacts to cultural resources and the mitigation of those adverse effects. So I've paid specific attention to those portions of the Draft Environmental Impact Statement, as someone had mentioned. I've gone through specifically those sections. To summarize, first, in case I don't get to everything, I'm specifically concerned that alternative mitigation and monitoring of the resources in the DEIS are not sufficient response, are not sufficient response to the ongoing impact and the potential adverse effects of the Mid-Barataria Sediment Diversion. Specifically, the information that might be provided by archeological sites, including National Register of Historic Places, eligible historic properties, but also a regional programmatic analysis of sites.

I'll just say a few words about the sections that deal with cultural resources. Chapter 3 specifically deals with or takes into account potential effects on historic properties, which are defined by the National Register of Historic Places. Typically, archeological sites are found to be eligible, based on the information they can provide. That's important. Also important is archeological integrity, that the sites are not entirely redeposited or that they have integrity of location to be able to provide that information. The DEIS recognizes the difficulty of distinguishing the potential effects of the proposed undertaking from all of the ongoing impacts that have been going on for well over a century.

I see my time's running out, so I'm going to drop down to some comments. I'm concerned that the undetermined National Register eligibility of some sites, that is, their undetermined eligibility, is being equated with ineligibility. For example, 21 of the 31 sites, or 2/3, are presumed to be inundated or destroyed and are consequently ineligible. I'm also concerned that the lack of archeological integrity makes individual sites ineligible, but overlooks the fact that sites regarded as ineligible together might contribute information from a regional programmatic approach.

I see my time is up. Can I have another 60 seconds?

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**Concern ID: 62494**

**The commenter expressed concern that the undetermined National Register of Historic Places (NRHP) eligibility of some sites in the Project area is being equated with ineligibility. For example, 21 of the 31 sites, or 2/3, are presumed to be inundated or destroyed and are consequently ineligible.**

**Response ID: 16452**

As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, the National Register eligibility of all identified historic properties within the Operational Area of Potential Effects (APE) was considered by the USACE with comments from the LA SHPO. The USACE determined that the intensity and duration of potential Project-induced impacts on

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submerged archaeological sites in the Operational Impacts APE cannot be separated from ongoing sea-level rise, subsidence, and other processes not caused by the proposed Project. The USACE, LA SHPO, ACHP, CPRA, and other consulting parties have developed a Programmatic Agreement (PA) for the long-term monitoring and management of cultural resources in the Operational Impacts APE. The PA is available in Appendix K Cultural Resources Information of the Draft EIS.

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**Concern ID: 62495**

**The commenter expressed concern that the lack of archaeological integrity makes individual sites ineligible, but overlooks the fact that sites regarded as ineligible together might contribute information from a regional programmatic approach. The piecemeal approach used is not the right way to approach a regional-scale project.**

**Response ID: 16453**

As indicated in Section 4.24 Cultural Resources of the Draft EIS, all archival research regarding potential sites containing historic properties and completed field surveys were reviewed by the Section 106 Consulting Parties. To address the potential for adverse effects of the proposed Project on cultural resources, including archaeological sites, within the Operational Impacts APE, the USACE, LA SHPO, and other consulting parties developed an alternative mitigation plan for the proposed Project that includes an ethnohistoric overview regarding Tribal Nations in the Barataria Basin and larger Mississippi River Delta region.

In addition, unrelated to the proposed Project, the National Park Service's Mississippi River Delta Archaeological Mitigation Project (MRDAM) is collecting data from archaeological sites in the Mississippi River Delta region, including the Barataria Basin and birdfoot delta, to develop a database of sites under threat from sea-level rise and subsidence in Louisiana's coastal zone.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40177**

Mary Tucker

Hi. Good afternoon. My name is Mary Tucker and I am a resident in Myrtle Grove, and I am not speaking on behalf of the association. I am speaking for myself and my family. And while I agree with Mr. Muth, from the National Wildlife and Fisheries, the first man, we do need to rebuild our marsh; however, that being said, not at the expense of my little community. I spoke yesterday, so I am not in favor of the diversion. The reason being, we will have water on our property more days than not when the diversion is operating. When I bought and built in Myrtle Grove, everything was built to code. It was a way of life.

The man before me spoke about artifacts and culture. Well, what about the culture of the Louisiana way of life? I've raised my children. I'm now raising the next generation of my family. I chose to invest money outside of the levee protection, so I accepted that responsibility, for storms, but not man-made damage. Kids can ride bikes in the street. They can play on the land. We drive up to our camps. They fish off the dock, catch crabs off the dock, and shrimp.

When this diversion is operational, that will affect the fish. Again, my land will probably be inundated with water, so raising the road, hey, that will help me get there, but once I get there, it's covered in water.

Yesterday when I spoke, I was directed to go to, I think it was 4.27, Mitigation, and where I uncovered that Wilkinson Canal will probably be affected and they might have to redirect how watercraft will operate in the area. Again, that will take away my waterfront community. Also, I'm a little disappointed that there's 33 million for shrimp and oysters, approximately 20 million for dolphins, but nowhere is it mentioned the amount of money for mitigation to property owners who have invested blood, sweat, tears and money into property.

Thank you. I do think the marsh does need to be rebuilt, but we have to look at other ways. And that's all I have to say. I appreciate and I respect the time that I was given. Thank you very much.

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**Concern ID: 62287****Individuals who chose to invest money outside of the levee protection did so accepting responsibility for impacts from storms, but not man-made damage.****Response ID: 15809**

The USACE acknowledges the commenter's concern regarding increased flooding from the proposed Project. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

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In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process. A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63102**

**Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.**

**Response ID: 16640**

The commenters' concern regarding the adequacy of the funding for mitigation measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts of the Project on surrounding communities outside levee protection, including potential mitigation measures to address increased water levels due to the Project. In response to comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate

those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section



10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40178**

Katharine Pool

Hi, I'm Katharine Poole. I'm a climate scientist, who works at Columbia, but I do not represent them; I represent myself.

If your EIS states that black and low-income communities will be highly and disproportionately impacted by a project, that is where exploration should end, full stop. If your EIS states that dolphins will be harmed via this project, more than were killed in the oil spill that it was designed to rectify, that is where it should end. If your EIS states that flooding will increase in areas that are already highly vulnerable and underserved as a result, that is where it should end. If your EIS states that wildlife will have their habitats destroyed on an expedited timeline, hurting not only the animals, but the ecosystems and people who depend on them for their livelihood, that is where it should end. If your EIS doesn't properly address the implications of diverting one of the most toxic and polluted rivers in the world into another ecosystem, that is where exploration should end. If your EIS doesn't properly address the fact that Louisiana is in the crosshairs of hurricanes multiple times of the year, potentially delaying the timeline of this project, that's where it should end. If you don't address that these jobs are temporary and dangerous, due to geographic vulnerability and heat concerns during the summer months, that's where it should end. If your EIS doesn't properly address that this project will be spending \$2 billion just to be fully under water by the end of the century, if not sooner, that is where it should end.

We need to stop pretending that we have any meaningful control over what is about to happen to our coast through gray and green infrastructure. We must stop working against climate change, which is a losing battle, and start working with it.

Use 2 billion to move people out of harm's way, not line the pockets of contractors; full stop. And please stop with the propaganda in media outlets, because it's very transparent.

This project is a direct threat to environmental justice. Why would we ever trust the Army Corps when they have shamelessly lied to the public for decades and are a large reason we are in the mess we're in because of their infrastructure failures. Why trust CPRA, when their board doesn't represent or look like the people it is supposed to serve? And I really hope you take those comments to heart, because it is terrible that you think that black and brown communities are expendable, because they are not; that you think wildlife is expendable, because it is not.

You know, you need to think more into this. It's really a matter of life and death, not only for animals, but for the livelihood of people.

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the

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segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites. As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 61898**

**Consider using the funds to move people out of the area instead of implementing the proposed MBSD Project.**

**Response ID: 15992**

This suggested alternative would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. It would not reestablish sustainable deltaic processes and help restore habitat and ecosystem services injured by the DWH oil spill. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 61930**

**The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers. Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the "greater good", particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans. Both the Draft EIS and the LA TIG's Draft Restoration Plan would benefit from additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic**

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**inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.****Response ID: 16281**

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and

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stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62289****Hurricanes could potentially delay the timeline of the Project.****Response ID: 15799**

It is not clear whether the commenter is referring to a delay in the timeline for construction of the Project or in the rate of land building over 50 years, so this response addresses both. As for construction, there are contingencies built into the Project schedule to account for weather delays. In regard to the rate of land building over 50 years, the Delft3D Basinwide Model projections do not account for wetland erosion from hurricanes. However, it should be noted that if one or more hurricanes were to cause wetland loss during the 50-year analysis period, land building from the proposed Project would still result in a greater acreage of remaining wetlands than under the No Action Alternative. Additional analysis regarding the potential impact of hurricanes and saltwater inundation on the extent of wetlands in the Project area has been added to Chapter 4, Section 4.6.5.1 Wetland Types and Extent of the Final EIS.

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**Concern ID: 62986**

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**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational

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users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included



in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64089**

**Commenters asked that the jobs that are created by construction of the proposed Project spur inclusive and equitable economic development. The Louisiana State and local economic development authorities should focus efforts through communication, recruitment, and training activities, into creating jobs for local residents, including minority residents. The same type of focused workforce development effort is likely necessary in order for these local jobs to translate into longer term economic benefits for affected communities. Work with the community to identify future needs of this workforce, including: providing adequate emergency and routine medical care for workers, facilitating the start and growth of small business to provide services to this workforce, and educating skilled workers who can later pivot to other jobs along our coast long after construction is complete.**

**Response ID: 16234**

With respect to the award of contracts, CPRA is required to follow the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 (Public Contracts). CPRA has sought and regularly seeks engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS.

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**Correspondence ID:40179**

Mark Rees

So thank you for being given a chance to speak a little bit more, to talk about the cultural resources and the expected impacts. The Draft Environmental Impact Statement indicates there are no expected impacts on cultural resources within the APE for construction. That is because there are no historic properties that have been determined eligible for listing on the National Register. One of the key points I want to make is that information could also be obtained from sites in a regional approach rather than a piecemeal approach of site by site. Regarding the operational impact APE, the larger area, there are numerous sites, and I had mentioned 21 previously recorded sites could not be relocated and are presumed inundated or presumed destroyed. They automatically become ineligible and are not considered. The adverse effects within the operational APE are considered for only five historic properties, which are regarded as eligible for listing on the National Register. I'm concerned that their undetermined eligibility is being equated with ineligibility, and that inundated and inaccessible sites are presumed to be ineligible merely because they are submerged and then inaccessible. Lack of integrity makes individual sites ineligible for National Registry. This sort of piecemeal approach, I don't think, is the right way to approach a regional scale project. After all, the APE are defined as geographic regions.

To get to the Draft Programmatic Agreement regarding those five historic properties, the programmatic agreement indicates, on consultations and public involvement, that the public has an interest. Members of the public and stakeholders should be considered. Well, the public, at large, has an interest in and can benefit from public education. I think public education is largely left out, which is ironic, because it is the information potential of those sites that is deemed making them important, or eligible for the National Register. Yet, when it comes to public education, it's nearly absent, again, information from individual sites, as well as from a regional programmatic approach to cultural resources. Other consulting parties that could be added? Public university archeology programs that have an interest, a public interest in education; the Louisiana Archeological Society, as related to public interest in Louisiana's heritage; the Louisiana Archaeological Survey and Antiquities Commission, which advises the Secretary of the Department of Culture, Recreation and Tourism.

I will try to finish up here this last time. So I was talking specifically about the Draft Programmatic Agreement, in Appendix K of the Draft Environmental Impact Statement. And so I wanted to note that the public, at large, has an interest in public education, obviously, which I think is lacking from it. Other consulting parties I mentioned that should be added, I think that would be - - that would strengthen the public education component.

Also, on the assessment of effects, or the resolution, excuse me, of adverse effects, there are three sort of legs to the resolution of adverse effects, which make up an alternative mitigation plan, the peer-reviewed publication of ethnohistoric overview on tribes of the Barataria Basin. Well, ethnohistory involves archeology, as well as oral and archival sources, so it would make sense that an overview should draw on information from archeology, and that could include a regional analysis.

This does not appear to be included in the alternative mitigation plan; rather, it would be sort of a summary of existing literature. The lack of such information in such an overview might

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raise questions from any peer-reviewed scholarship, which would cause problems for the mitigation plan.

Secondly, compilation of information for tribes, on their history, for future consultation. Again, it's unclear if such a database would include any new information on the sites, including the eligible sites that are going to be affected.

Public information is the third part of the alternative mitigation, and a website is suggested, or other accessible information or materials. Websites are great, but may have a limited effectiveness in public education. Again, I think support for public education, including Louisiana's universities that are teaching archeology, recommended - - I would recommend support for the Louisiana Archeology Month. This is the Louisiana Department of Culture, Recreation and Tourism's main means of educating the public on Louisiana's heritage. I recommend support for public archeology outreach initiatives that are absent. I would recommend support for public archeology in K12 and higher education.

Overall, I would recommend an alternative mitigation plan that includes site monitoring and involves both APE, construction and operations, in a programmatic approach to regional analysis, such as a systematic archeological sampling, including historic properties of undetermined eligibility, as well as those determined to be eligible for the National Register.

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**Concern ID: 62494**

**The commenter expressed concern that the undetermined National Register of Historic Places (NRHP) eligibility of some sites in the Project area is being equated with ineligibility. For example, 21 of the 31 sites, or 2/3, are presumed to be inundated or destroyed and are consequently ineligible.**

**Response ID: 16452**

As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, the National Register eligibility of all identified historic properties within the Operational Area of Potential Effects (APE) was considered by the USACE with comments from the LA SHPO. The USACE determined that the intensity and duration of potential Project-induced impacts on submerged archaeological sites in the Operational Impacts APE cannot be separated from ongoing sea-level rise, subsidence, and other processes not caused by the proposed Project. The USACE, LA SHPO, ACHP, CPRA, and other consulting parties have developed a Programmatic Agreement (PA) for the long-term monitoring and management of cultural resources in the Operational Impacts APE. The PA is available in Appendix K Cultural Resources Information of the Draft EIS.

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**Concern ID: 62495**

**The commenter expressed concern that the lack of archaeological integrity makes individual sites ineligible, but overlooks the fact that sites regarded as ineligible together might contribute information from a regional programmatic approach. The piecemeal approach used is not the right way to approach a regional-scale project.**

**Response ID: 16453**

As indicated in Section 4.24 Cultural Resources of the Draft EIS, all archival research regarding potential sites containing historic properties and completed field surveys were reviewed by the Section 106 Consulting Parties. To address the potential for adverse effects of the proposed Project on cultural resources, including archaeological sites, within the

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Operational Impacts APE, the USACE, LA SHPO, and other consulting parties developed an alternative mitigation plan for the proposed Project that includes an ethnohistoric overview regarding Tribal Nations in the Barataria Basin and larger Mississippi River Delta region.

In addition, unrelated to the proposed Project, the National Park Service's Mississippi River Delta Archaeological Mitigation Project (MRDAM) is collecting data from archaeological sites in the Mississippi River Delta region, including the Barataria Basin and birdfoot delta, to develop a database of sites under threat from sea-level rise and subsidence in Louisiana's coastal zone.

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**Concern ID: 62935**

**The cultural resources mitigation plan in the Draft Programmatic Agreement (Appendix K to the Draft EIS) includes a public education component (website or other materials). The commenter suggested that the public education component should include information about individual cultural resource sites as well as regional information. Also, the commenter suggested that the following entities should be consulted in developing the public education component: public university archeology programs that have an interest, the Louisiana Archeological Society, and the Louisiana Archaeological Survey and Antiquities Commission. Additionally, the public education component should include support for public archeology instruction in kindergarten through high school and for Louisiana's universities that teach archeology and support for the Louisiana Archeology Month, which is the Louisiana Department of Culture, Recreation and Tourism's means of educating the public about Louisiana's heritage.**

**Response ID: 16654**

The public education component of the Alternative Mitigation Plan appended to the Programmatic Agreement in Appendix K Cultural Resources Information of the EIS is intended to inform the public about the regional history of Native Americans between 1500 and 1900 AD in Southeastern Louisiana. As stated in the Alternative Mitigation Plan, to achieve this objective, the plan proposes to examine the archaeological record and cultural history of the region. While information gleaned from individual sites is invaluable, they often provide limited information at a local level and do not generally provide much information about the larger geographic region. In addition to incorporating ethnographic interviews, the parties participating in the National Historic Preservation Act (NHPA) Section 106 consultation have agreed on the minimum types of source materials that would be reviewed to develop the public education component of the plan, all of which may be derived from a variety of community programs and organizations, likely including those recommended by the commenter. A qualified professional consultant would complete the public education component. As stated in Part VI.B.2 of the Programmatic Agreement in the EIS Appendix K Cultural Resources Information, draft versions of all products would be provided to the NHPA Section 106 Consulting Parties for a 60-day review period to ensure that the final product is suitable for public education and includes a robust collection of the available materials from a diverse group of sources.

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**Concern ID: 63899**

**The commenter expressed concern that the ethnohistoric overview component of the cultural resources alternative mitigation plan should draw on archeology, which could**

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**include a regional analysis, as well as oral and archival sources. The commenter expressed concern that the alternative mitigation plan would merely be a summary of existing literature.**

**Response ID: 16656**

The issue raised by the commenter was addressed in the Programmatic Agreement developed concurrent with the Draft EIS, which sets forth the alternative mitigation to be implemented by CPRA as part of implementing the Project (see the Programmatic Agreement in Appendix K Cultural Resources Information of the EIS). The Alternative Mitigation Plan, developed by the Section 106 Consulting Parties, including federally recognized Tribes, includes a regional ethnohistory of Native American settlement in the southeastern coastal Louisiana region (Barataria Basin, Breton Sound Basin, and Pontchartrain Basin). The analysis conducted as part of the Alternative Mitigation Plan would include an examination of the archaeological record at the regional level as well as oral and archival sources. The Consulting Parties have agreed that the region is considered understudied and that the general public is currently without a synthesis of the extant archaeological and historical literature, particularly one augmented with regionally relevant Native American oral accounts. The products that the study proposes to provide are not merely a summary of the existing literature. Rather, the plan would: (1) mitigate for the lack of cohesion among the archaeological record, scholarly literature on Native American history, and the available vital/archival records; and (2) make the existing literature and Tribal knowledge available to the public online and in the classroom.

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**Concern ID: 63900**

**The cultural resources Alternative Mitigation Plan should compile information about the history of Tribes and specific cultural sites for use in consultations.**

**Response ID: 16657**

The issue raised by the commenter was addressed in the Programmatic Agreement developed for the Draft EIS, which sets forth the Alternative Mitigation Plan to be implemented by CPRA as part of implementing the Project (see the Programmatic Agreement In Appendix K of the EIS). The Alternative Mitigation Plan, developed by the NHPA Section 106 Consulting Parties, including federally recognized Tribes, includes a regional ethnohistory of Native American settlement in the southeastern coastal Louisiana region (Barataria Basin, Breton Sound Basin, and Pontchartrain Basin). The Alternative Mitigation Plan does not include the investigation of archaeological sites. Instead, the objective of the Alternative Mitigation Plan is to develop a comprehensive ethnohistoric overview of Native American history in southeastern coastal Louisiana (Barataria Basin, Breton Sound Basin, and Pontchartrain Basin). One of the proposed products to be developed through the Alternative Mitigation Plan is information, documents, and/or maps to improve NHPA Section 106 consultation with federal agencies by clarifying for each participating Tribe which projects they wish to consult on.

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**Correspondence ID:40180**

Cindy Kuehne

Hi. My name is Cindy Kuehne. I am a resident in Myrtle Grove, and I am against the diversion, but not against saving our wetlands. I don't understand why this location is the only location for the project, when there is several acres of vacant land very near by the project on Highway 23 that would have a lot less impact on the, you know, parish, you know, people that live there.

And, also, I see in the EIS about assisting property owners to elevate homes and other structures. So if they're going to run the diversion, what is it, approximately half the time of the year, what about the other half of the year? How are we going to access our boats when you all raise our homes and boathouses, so they're so high in the sky that we won't be able to access our boats because they're so far down? I mean, I'm not sure, you know, what the solution is to remedy the problem, but, I mean, you know, we're hoping to get answers, which we haven't gotten any so far.

And, I mean, when I built down here, I knew we were outside of the levee system and could accept that, if we had natural disasters. But I can't accept that my investment and my way of life will be totally altered for a man-made project.

I hope you all take all these comments into consideration, and we are looking forward to having a meeting next week with the CPRA that maybe they can give us some more information on it.

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**Concern ID: 61865**

**Commenters asked why the location was chosen as the site for the proposed MBSD Project, since it so close to and impacts the Myrtle Grove Subdivision.**

**Response ID: 15936**

Chapter 2, Section 2.4.1 Evaluation of Location Alternatives under Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow in the Draft EIS, detailed the evaluation of alternatives based on geographic location and the reasoning for selecting the proposed location for the MBSD Project. Consideration for the location of the proposed MBSD Project took into account the proximity of the diversion intake to a point bar in the Mississippi River that could serve as a continuous, long-term sediment source for the diversion in combination with the outfall location and receiving basin being well suited to gain benefits from a sediment diversion, the potential for accretion of sediment in the Barataria Basin, and the creation, maintenance, and sustainability of existing and future wetlands and marshes. In addition, previous studies have considered several general locations for a sediment diversion from the Mississippi River into the Barataria Basin, including the upper, middle and lower parts of the basin and were used in the evaluation in the EIS. The impacts of the proposed MBSD Project and its alternatives, particularly on Myrtle Grove, can be found in Chapter 4 Environmental Consequences under each of the Project's resources.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40183**

Lou Sadler

1. To what degree will your project impact the entire Mississippi Sound and its aquatic life?
  2. With the more frequent openings of the Bonne Carre Spillway and their devastating affect on the Mississippi Sound aquatic life and the coastal Mississippi economy, to what degree will your project add to these problems caused by the Bonnet Carre Spillway openings?
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**Concern ID: 61849**

**The commenter questioned to what degree the proposed MBSD Project would adversely impact Mississippi Sound aquatic life and commercial fisheries. The commenter expressed concern that these resources are already adversely impacted by Bonnet Carré Spillway openings.**

**Response ID: 16463**

The commenter's concerns about freshwater impacts on Mississippi Sound aquatic life and fisheries are acknowledged. However, the proposed Project is not anticipated to have more than negligible impacts on aquatic life outside of the proposed Project area, particularly in the Barataria Basin and the Mississippi River birdfoot delta, as defined in Chapter 3, Section 3.1.1 (Project Area) of the EIS; therefore, negligible to no impacts on aquatic life in the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project.

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**Concern ID: 62729**

**The commenter questioned to what degree the proposed Project would impact the Mississippi Sound and its aquatic life.**

**Response ID: 16107**

The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which includes the Barataria Basin and the Mississippi River birdfoot delta (particularly for biological resources), as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS; therefore, negligible to no impacts on aquatic life in the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Correspondence ID:40185**

Lucas Ragusa

I want to send this letter in support of all diversion projects now and in the future.

I am a New Orleans businessman raised on the waters of the Atchafalaya Basin. I am also a professional Bass Fisherman. Over the 35 years, I have fished in the Atchafalaya I have watched it filling in. That process has proven to me over the last 20 years that diversions are 100% worth wild investment into the future security of our state. The very product that I believe will fix our coastal zones is changing our landscape in the basin daily further illustrating why this process which was natural IS THE SOLUTION!

Please, for the love of the future generations of our precious state install these diversions and LET THE RIVER RUN! Even if the compromise is to ONLY flow the water at periods of high water as was the natural process for thousands of years it needs to be done.

Lucas J Ragusa

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**Concern ID: 63334****The proposed MBSD Project would maintain and restore coastal lands and should move forward.****Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40188**

Larry Helmer, Jr.

My name is Larry Helmer, Jr. and I have been a commercial fisherman since the age of 15. Once the Mid-Barataria Sediment Diversion project starts, it will affect my business. I want assistance in obtaining the vessel refrigeration that you have proposed to us fisherman. Thank you vey much.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A

summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40189**

Larry Helmer, Sr.

I have been a fisherman all my life. I will not do any other job because I love what I do. With my age, I cannot get another job. This will affect everybody. When you love your job, it's so much easier on your life. It's in my blood. That's why I never retired yet because I love to fish. I would love it that you do not run the freshwater because it would hurt us. It would flood our home because the water level will come up. You can buy me out. Buy my boat and my home for \$1,000,000 or \$500,000.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:40190**

National Audubon Society

Ryan Chauvin

Dear U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group,

I would like to provide comments to the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group on the Draft Environmental Impact Statement (DEIS) and Phase 2 Restoration Plan #3.2 for the Mid-Barataria Sediment Diversion.

I fully support the identified preferred alternative in the DEIS for the Mid-Barataria Sediment Diversion, and funding the project using Deepwater Horizon settlement dollars as outlined in the restoration plan.

Six months ago, I purchased my first home in New Orleans. Knowing the risks and uncertain future in southern Louisiana, I wish to raise my children here. As the Digital Communications Manager for the National Audubon Society, I am intimately familiar with the state of our coastal crisis and the options we have available to address it. Big problems require bold solutions and I believe that sediment diversions provide our coast with the best chance at a sustainable future.

This diversion is a game-changing coastal restoration project that uses the power of the river to build and maintain land. This project will build thousands of acres that will help protect my home from dangerous storm surge and provide habitat for some of our state's most iconic wildlife. Now is not the time for inaction. If we do nothing, communities will see increased vulnerability to floods, continued loss of wetlands, and a collapse of key fisheries.

As the project advances, I urge federal and state decision-makers to keep engaging with impacted communities in planned mitigation and stewardship efforts. We must together develop and implement ideas and proposals for adaptation and mitigation over the life of the project. Finally, I ask for the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and also considers input from key stakeholders.

Again, I am strongly in support of the implementation of the Mid-Barataria Sediment Diversion and urge the swift implementation of the project so that we may have the best chance to restore our coast.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter,

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including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project

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alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40192**

Brooke Gershman

It is important to me that we direct Deepwater Horizon funding to restore the Mississippi Delta. I support selecting the preferred alternative for the Draft Environmental Impact Statement for the Mid-

Barataria Sediment Diversion.

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**Concern ID: 63337**

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**Correspondence ID:40193**

Mike Stewart

We are living in an time with unique opportunities to right many wrongs that we have done in the past. Our loss of critical wetlands in Louisiana not only affects our state but the entire country thru so many avenues that to not act now should be criminal. Mitigating losses to our amazing marshes as well as protecting the citizens and infrastructure of Louisiana are only parts of what an amazing project like this diversion could accomplish.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40194**

Orleans Audubon Society

Jennifer Coulson

June 1, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group (LATIG)

Subject: DEIS for the Mid-Barataria Sediment Diversion (MBSD)

Dear Mr. Brad Laborde (Corps) and Mr. Mel Landry (NOAA, on behalf of LATIG):

On behalf of the 1,052 members of Orleans Audubon Society (OAS) living in eleven parishes in southeast Louisiana, please accept these comments on the proposed MBSD.

We urge adoption of Alternative 5, Variable Flow up to 150,000 CFS, rather than the applicant's preferred alternative, Alternative 1, Variable Flow up to 75,000 CFS.

We urge adoption of Alternative 5 not only for the benefit of wildlife in southeast Louisiana, but also to promote the continued viability of the communities in which our members live. Without the wholesale re-ordering of the management of the Lower Mississippi River, of which this project is just one incremental step as laid out in the Coastal Master Plan, southeast Louisiana will cease to be inhabitable in the coming decades.

We reach our conclusion to support a larger diversion because the analysis for the DEIS finds substantially greater benefits for the higher flow, with concomitantly only marginally increased adverse effects, most of which will be mitigated by the measures being proposed for the 75,000 cfs Preferred Alternative.

We have also concluded that the DEIS both over-estimates adverse effects and underestimates positive effects.

Importantly, in our analysis, we believe the DEIS underestimates likely benefits, including:

- The total amount of land to be built. Conservative projections of land built are used, along with high projections of relative sea level rise. While this is an acceptable modelling strategy, it nevertheless very likely underestimates net land to be built.
- Total sediment added to the basin and availability for transport and marsh nourishment. There is little acknowledgment of the amount of sediment that will be contributed to the entire basin, exclusive of that which will build new land or be captured by existing vegetation. But a vast amount of sediment will end up deposited beneath the water's surface, changing bathymetry, and making these sediments available for resuspension and deposition on marsh surfaces far from the diversion. Because the MBSD is so far inland, little sediment is likely to escape to the open Gulf. And yet even in systems where high amounts of sediment escape to the Gulf, as in Atchafalaya Bay, area marshes and swamps benefit from resuspension during frontal passages and tropical storms, so much so that the area has seen

virtually no retreat over the last decades, in marked contrast to the Barataria, Terrebonne and Breton basins.

- Far field effects on marsh soil bulk density and marshes sustained against climate change and rising seas. Related to the total sediment phenomenon, existing models underestimate capture of fines carried in suspension by diverted waters far from the diversion, and modelling underestimates the effect of this capture on renewed marsh vigor and organic soil formation, largely because while the effect is obvious, the specifics are difficult to capture numerically.
- Effects on wildlife and habitat are underestimated in the extreme. Decades of field experience in Louisiana indicate that areas receiving annual inputs of Mississippi or Atchafalaya river water are vastly more productive and show greater wildlife diversity and abundance than comparable areas of fresh and brackish marsh with no riverine input. A few select instances where this is apparent include:
  - o waterfowl and wading bird abundance;
  - o foraging habitat for migratory shorebirds and neotropical migrants;
  - o nesting habitat for marsh birds;
  - o prey availability for predators, including, to name only a small sample, game fish, frogs, snakes, turtles, alligators, terns, gulls, cormorants, pelicans, ducks, falcons, eagles, ospreys, rails, marsh rice rats, muskrats, mink, otters and dolphins;
  - o net benthic and fisheries productivity;
  - o growth rates and density for submerged aquatic vegetation;
  - o the revival of woody vegetation, important for local songbirds, neotropical migrants and wintering birds-
    - pioneer species like black willow (which is exploding in the Davis Pond, Caernarvon and Mardi Gras Pass outfall areas);
    - baldcypress retention and recruitment in areas formerly too saline or submerged;
    - and survival and recruitment of live oaks and other maritime forest vegetation on natural levees and cheniers where saline soils have inhibited their growth, recruitment and survival for decades.

All of these benefits are ignored or downplayed in the DEIS. Obviously, all of these complex benefits are difficult to quantify and model, but they are apparent at each outlet of the Mississippi and Atchafalaya rivers.

Operation of such a transformative project will require a robust program of monitoring, which will also allow for a more detailed analysis to be incorporated in evaluations of future diversions, diversions that are anticipated in the Coastal Master Plan and plan process, and that will be absolutely necessary for the continued viability of coastal southeast Louisiana and adjacent Mississippi.

Doubling the land to be built will only marginally affect salinity changes. The analysis indicates that the 150,000 cfs alternative roughly doubles the net amount of land which could be built over fifty years. At the same time, the adverse effects-most conjectural-would increase only marginally, especially compared to the Future Without Action. In other words, the 150,000 cfs

alternative roughly doubles the benefits in terms of wetlands created, but nowhere near doubles adverse impacts like near-term salinity decreases and induced flooding.

Given this reality, the diversion structure should be designed and constructed to maximize the ability to capture sediment at the highest possible flow rates. Mitigation measures will be roughly the same whether the diversion is run at 75,000 cfs or 150,000 cfs. If Barataria Bay is fresh for a few weeks, then it can't be freshened more, and, in any case, no amount of water through the diversion can increase what is already entering the Gulf. A change in the outlet can only freshen a few localities around the edges, while increasing the salinity elsewhere (by, for instance, reduced discharge on the east bank and in the Birdsfoot); the net effect is the same, though the system will be more naturally balanced.

Simply having the capacity to flow at 150,000 cfs during peak river floods does not require that such flows be utilized in every case, but it gives operational flexibility and a greater capacity for adaptive management, especially as conditions change in the basin in response to climate change.

Similarly, mitigation measures adopted for communities that might experience increased localized flooding for a few weeks will work whether the flooding is for a few inches or for twice that much, and whether an event lasts for a week or two weeks. Once you are raised and armored against one flood, you are raised and armored against any comparable food. Because of subsidence and sea level rise, such increased flooding is coming in any case. Using mitigation dollars available for this project will prepare communities now for the inevitable, and obviate the need for such expenditures in the future, when funds cannot be guaranteed.

We are well aware of the concerns raised by commercial seafood harvesters, and we support measures to minimize and mitigate these effects, as long as the project purpose, which is to re-establish the deltaic cycle and build and sustain wetlands, is not compromised. As a matter of simple biophysics, we know that the Barataria Estuary will be more productive as a result of the increased input of carbon and the vital building blocks of life, which will mean opportunities for increased seafood harvest.

The DEIS and supporting studies make a potentially dire forecast about near-term effects on dolphin populations in parts of Barataria Bay. We note that these forecasts depend upon a number of unproven assumptions about dolphin adaptability and tolerance for living in the delta, assumptions which seem improbable given the nature of the delta landscape that now supports them. In any case, what is abundantly clear is that the continued collapse of the marsh platform in the Barataria Basin will eventually reach a tipping point and the prey base of dolphins in the bay, and indeed beyond into northern Gulf, will begin to shrink and could eventually collapse, to the detriment of dolphins and countless other estuarine dependent organisms. That would be an unacceptable outcome. For the long-term health of dolphins in the northern Gulf of Mexico, reconnecting the river to the delta and re-establishing the deltaic cycle at sufficient scale is absolutely essential.

The DEIS notes minor acceleration of land-loss in the Birdsfoot Delta, which will have impacts on public lands important to birds, wildlife and our members. Of course, all models suggest the Birdsfoot is unsustainable, given its high rate of subsidence, and accelerating sea level rise. Obviously, each upstream diversion will hasten its demise, though any losses will be more than offset by land building on more stable upstream platforms. However, the loss of



public lands will be an issue, and OAS recommends creating state and federal public lands in the diversion outfall area to fill the need for public lands in an active delta that will be lost at Delta NWR and Pass a Loutre WMA.

Given the massive investment of public funds and potential for misunderstanding and controversy, public access and provisioning for recreational and educational opportunities should be a priority. The diversion structure should be designed with ample opportunities for the public to witness and learn from the operation of the diversion. Just as importantly, the new delta lobe that forms as a result of public investment should not be closed to public access and enjoyment.

In conclusion, we urge the adoption of Alternative 5. In the event Alternative 5 is not adopted, our second choice would be Alternative 1, the Preferred Alternative.

Thank you for the opportunity to comment.

Sincerely,

Jennifer O. Coulson, Ph.D.

President

Orleans Audubon Society

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**Concern ID: 61842**

**Commenter is concerned about the accuracy of the sea-level rise projections used in the Delft3D Basinwide Model to predict land changes. In particular, the commenter suggests that if updated sea-level rise rates (as provided in Sweet et al. 2017 and Church et al. 2014) were applied, the modeling would project no land-gain benefits from the diversion.**

**Response ID: 16480**

Large variability in projected relative sea-level rise does introduce corresponding uncertainty into land-loss and land-gain projections. The literature provided by the commenters has been reviewed. Measured and projected relative sea-level rise rates vary substantially by location, and using projections at a station in Florida, such as Cedar Key, are not useful for projections in the central Gulf Coast. Citing the USACE and NOAA sea-level projection tool (USACE 2019d), the MBSD Project Modeling Work Group chose a sea-level rise scenario based on the 2017 Coastal Master Plan “moderate” scenario, which is slightly higher than the USACE’s “Intermediate” rate for the Barataria Basin water level station at Grand Isle, LA, as shown in Chapter 4, Figure 4.1.3 of the Draft EIS. The USACE rate reflects sea-level rise data collected at Grand Isle over the period 1947 to 2007. The MBSD Project Modeling Work Group determined that the use of that 2017 Coastal Master Plan Intermediate Sea-Level Rise curve was an appropriate choice at the time the modeling was conducted in 2019.

The sea-level rise value used in the Delft3D Basinwide Model simulation for the Draft EIS considered “intermediate” at the time of the modeling, is close to the low projection (0.3 m Global Mean Sea Level) given by Sweet et al. (2017) for Grande Isle. The commenter’s suggestion of the Church et al. 2014 reference, which provides useful information, has been added as a reference in the Final EIS in Chapter 4, Section 4.1.3.2 Sea-Level Rise. Use of a different sea-level rise rate would affect the impact projections of all the alternatives considered in the EIS, including the No Action Alternative. If the relative sea-level rise rate used in the model is an underestimate, the effect on model results was mitigated, but not

eliminated, by the use of a “No Action Alternative compared to Action Alternatives” comparison method. (In other words, if sea-level rise was underestimated, it was underestimated for all alternatives, including No Action Alternative. The impacts of the proposed Project presented in the Draft EIS are the net difference in impact magnitude between the No Action Alternative and the proposed Action Alternatives). Chapter 4, Section 4.1.3.2 Sea-level Rise states that higher sea-level rise rates would reduce anticipated land creation. However, in light of the commenters’ concern, the USACE has amended the last sentence of the next to last paragraph of that section in the Final EIS to say, “If actual sea-level rise is higher (as is predicted by Sweet et al. 2017) than the value used in the Delft3D Basinwide Model, water levels would be higher and loss rates and land gains would be different than what the Delft3D Basinwide Model projects.”

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant’s Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant’s Preferred Alternative). The EIS evaluates the Applicant’s Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE’s permit and permission decisions and the LA TIG’s NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG’s Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG’s Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG’s Restoration Plan explaining the LA TIG’s evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant’s Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61909**

**The MBSD diversion structure and any newly built land should be open to the public for access and enjoyment.**

**Response ID: 16239**

According to CPRA, due to concerns about safety of the public and security for the Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA is, however, planning to provide signage and other public space near the Project to educate the public regarding the purpose and functioning of the Project. CPRA also states that ownership of any lands created by operation of the Project will be determined in accord with current state law, including mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E) and that pursuant to La. R.S. 49:214.5.5(B), the Project will not create any rights to the public in or on private property.

Chapter 4, Section 4.16.5.2 in the EIS describes how an increase in wetland habitat from the MBSD relative to the No Action Alternative may result in increased opportunities for bird nesting and bird watching in some areas of the Barataria Basin. However, the MBSD Project would accelerate wetland loss in other areas such as the birdfoot delta.

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**Concern ID: 62209**

**There is little discussion in the Draft EIS about the amount of sediment that would be deposited beneath the water's surface by the diversion, changing bathymetry and**

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**making sediment available for resuspension and deposition on marsh surfaces far from the diversion.**

**Response ID: 16421**

The Draft EIS includes consideration and discussion of the benefits of the sediment that would be deposited below the Barataria Basin's water surface. Sediment deposited below the water surface can contribute in one of two ways - by being resuspended and transported elsewhere for deposition, as the commenter suggests, and by forming a base layer upon which future pulses of sediment can form marsh or land. These benefits are discussed in Chapter 4, Section 4.2.3.2 in Geology in Soils, Section 4.4.4 Hydrology and Hydrodynamics, and in Section 4.6 Wetland Resources and Waters of the U.S. They are part of the model computations described in Appendix E Delft3D Modeling and are fully incorporated in the results and conclusions of the Draft EIS. No related edits have been made to the Final EIS.

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**Concern ID: 62707**

**The EIS does not acknowledge, or underestimates, the beneficial impacts of river water on the growth rates and density of SAV in coastal Louisiana.**

**Response ID: 16085**

Chapter 4, Section 4.10.4.1 in Aquatic Resources of the EIS discusses the impacts of the proposed Project on SAV, including the overall beneficial impact of freshwater input on SAV biomass. Because this issue was addressed in the Draft EIS, no related edits were made to the Final EIS.

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**Concern ID: 62710**

**The Draft EIS may underestimate likely increases in net primary productivity for aquatic estuarine organisms, which would translate into more biomass in both the proposed Project area and into the northern Gulf of Mexico.**

**Response ID: 16088**

Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS identifies the overall effects of increased nutrients to the Barataria Basin as minor to moderate and beneficial based on benefits to the food web, and Section 4.10.4.5 accounts for these food web benefits in the individual determinations for each key species. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS. The potential for nearshore and offshore ecosystem benefits are also described in Chapter 3, Section 3.2.16 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan.

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**Concern ID: 62889**

**The Draft EIS ignores or underestimates likely positive impacts to upland wildlife (deer, hogs, furbearers, nutria), wetland wildlife (waterfowl, wading birds, colonial nesting birds), and wildlife with lower salinity tolerances (alligators), as well as foraging habitat (migratory shorebirds and neotropical migrants), nesting habitat (marsh birds) and prey availability for a variety of species.**

**Response ID: 16189**

The Draft EIS evaluated the effects of the proposed Project on terrestrial resources. The impacts of the proposed Project on upland species are discussed in Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the EIS, but are generally anticipated to be minor and adverse. Conversely, the effects of the proposed Project on wetland wildlife, wildlife with

lower salinity tolerances, foraging/nesting habitat, and prey availability in the Barataria Basin are generally anticipated to be beneficial, as discussed throughout Section 4.9 Terrestrial Wildlife and Habitat.

In addition, the potential benefits of the proposed Project to multiple resources in the Gulf are described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 62957**

**Commenter expressed support for implementation and recognizes the cross benefit of mitigation measures to address increased localized flooding. The commenter noted that once in place those measures would result in protection to the communities from both localized flooding associated with the Project as well as from increased flooding associated with subsidence and sea-level rise.**

**Response ID: 16614**

The LA TIG acknowledges the commenter's support of the Project and agrees that the mitigation and stewardship measures would address some Project impacts, as well as flooding from sea-level rise and subsidence.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63019**

**The Draft EIS likely underestimated the benefits of far field effects on marsh soil bulk density and marshes sustained against climate change and rising seas. Related to the**

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**total sediment phenomenon, existing models underestimate capture of fines carried in suspension by diverted waters far from the diversion, and modeling underestimates the effect of this capture on renewed marsh vigor and organic soil formation, largely because while the effect is obvious, the specifics are difficult to capture numerically.**

**Response ID: 16031**

As described in Appendix E Delft 3D Modeling of the EIS, to account for the complexity of fine-sediment transport patterns, a hysteresis curve has been developed and incorporated into the sediment transport module of the Delft3D Basinwide Model. Therefore, while the model results must be interpreted in light of the uncertainties involved, hysteresis sediment rating curves have been used to project fine-sediment transport in a way that simulates observed transport to the extent practicable in the modeling analysis. Where feasible, uncertainties have been examined through sensitivity tests and model-to-model comparisons and incorporated in the conclusions (see Chapter Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences and Appendix E Delft 3D Modeling, Section 8). Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 63051**

**The Draft EIS underestimated the following beneficial impacts of the proposed Project:**

- **pioneer species like black willow (which is exploding in the Davis Pond, Caernarvon and Mardi Gras Pass outfall areas);**
- **bald cypress retention and recruitment in areas formerly too saline or submerged; and**
- **survival and recruitment of live oaks and other maritime forest vegetation on natural levees and cheniers where saline soils have inhibited their growth, recruitment, and survival for decades.**

**Response ID: 16057**

While forested wetlands (including cypress swamps) are present in the northern portions of the Barataria Basin, as depicted in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S., Figure 3.6-1 of the EIS, land gains associated with the proposed Project would primarily be in the outfall area where marsh vegetation predominates (see Chapter 4, Section 4.2 Geology and Soils, Figures 4.2-2 through 4.2-4 of the EIS). Therefore, the establishment or spread of forest species as a result of the proposed Project is not anticipated. However, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes observed changes in vegetation growth from other diversions, is available in Appendix U of the Final EIS.

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**Concern ID: 63071**

**The dire forecasts about the near-term effects on dolphin populations in parts of Barataria Bay depend upon a number of unproven and improbable assumptions about dolphin adaptability and tolerance for living in the delta (Garrison et al., 2020). Conversely, the continued collapse of the marsh platform in the Barataria Basin will eventually reach a tipping point at which the prey base of dolphins in the bay would shrink and could eventually collapse. The long-term health of dolphins in the northern**

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**Gulf of Mexico depends on reconnecting the river to the delta and reestablishing the deltaic cycle.**

**Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p.**

**Response ID: 16594**

The Draft EIS recognized that the loss of wetlands under the No Action Alternative would result in a gradually increasing, from negligible to moderate, adverse impact on dolphins (see Chapter 4, Section 4.11.5.1 [Operational Impacts]). The impacts on bottlenose dolphins from freshwater exposure have been well documented, including observations and data collected in association with the release of fresh water in Louisiana (see Chapter 4, Section 4.11 [Marine Mammals] of the EIS for more details). Most recently, a freshening event in 2019 resulted in the declaration of an unusual mortality event (UME) in the northern Gulf of Mexico. Existing data on low-salinity exposure were used to develop a dose-response model that formed the basis for the evaluation of impacts in the Draft EIS (see Chapter 4, Section 4.11.3 [Overview of Impact Analysis Approach]). The dose-response model was coupled with an updated population model to evaluate potential changes in survival rates with in BBES. These potential decreases in survival rates caused by the diversion were compared to future conditions without the diversion (the No Action Alternative). The analysis contained in the Draft EIS determined that there would be a major, adverse, long-term impact on the BBES Stock. That conclusion is also supported by Thomas et al. (2021), which built on earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. 2021 further concluded that after 10 the planned 50 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the remaining Island stratum being severely reduced relative to the No Action Alternative (that is, the median predicted population size of the Island stratum would be 85 percent lower [95 percent CI 28-99] under the Applicant's Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock would be 96 percent smaller (95 percent CI 80-100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al (2021). The impacts of Project-induced wetland changes on dolphins is discussed in Chapter 4, Section 4.11.5 Operational Impacts of the EIS.

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**Concern ID: 63133**

**Commenters support the proposed mitigation measures for the commercial fishing industry.**

**Response ID: 16517**

The comments received in support of the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63184**

**Commenter concerned about public land loss at birdfoot delta and recommends creating state and federal public lands in the diversion outfall area.**

**Response ID: 16561**

The Draft EIS considered impacts to public lands in Chapter 4, Section 4.17.4 (Public Lands - Operational Impacts). Ownership of newly created land from Project operations would be determined in accordance with state law. Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights to the public in or on private property. It is expected that land loss in the birdfoot delta within the National Wildlife Refuge (NWR) and Wildlife Management Area WMAWMA would be offset by creation of land built in the area in water bottoms owned by the State of Louisiana. At the recommendation of USFWS, within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the Pass A Loutre (PAL) WMA to offset modeled acres of indirect wetland losses in those areas (See Appendix R1 Mitigation Plan, Section 4.6 Fish and Wildlife Coordination Act).

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**Correspondence ID:40196**

Rebecah Lloyd

Mr. Laborde and Mr. Landry:

I write today in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

Thank you for the opportunity to comment.

Sincerely,

Rebecah W. Lloyd

New Orleans, LA

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40197**

Patrick Martinez

Living on the MS Gulf Coast and experiencing the effects of the Bonne Carrie Spillway opening in 2019 I must speak against this project. The Mid Barataria project and the Mid-Breton project will devastate and destroy the water quality for residents living in the affected areas. The fisheries will be affected and impacts on our investments in beaches, tourism, businesses and our personal property will be negatively affected. Dredge the River, barge and deposit the spoils into the desired areas to build the marsh.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

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Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in

the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:40198**

Alex DeGiulio

The diversions are necessary. Without sediment diversions Louisiana will continue to lose its land and resources. The marsh will be rejuvenated by these projects and our state cannot be held hostage by a few vocal opponents. Anyone who speaks against this project does not have the interests of Louisiana in mind.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40199**

Maclyn Hickey

June 2, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group

National Oceanic and Atmospheric Administration

Subject: The Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Mr. Laborde and Mr. Landry:

I write today in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

Thank you for the opportunity to comment.

Sincerely,

NAME

- -

Audubon Yoga Studio

New Orleans, LA

<http://www.AudubonYoga.com>

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40200**

Audubon Yoga Studio

Rebecah Lloyd

June 1, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group

National Oceanic and Atmospheric Administration

Subject: The Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Mr. Laborde and Mr. Landry:

I apologize for submitting 2 forms. I hit "submit" on my last entry before finishing my comments.

I write today in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

This project is vital to the health of our state by slowing down land loss and actually building up some areas of land that are essential for the prosperity and quality of life of our communities. The more land we lose, the more vulnerable we are to the strong storms and hurricanes that we experience every year- several times a year. The more vulnerable we are, the less likely businesses and citizens will want to move to or stay in Louisiana. Our state is beautiful with a rich diversity of wildlife and cultures. Let's do all that we can to maintain our precious state.

Thank you for the opportunity to comment.

Sincerely,

Rebecah W. Lloyd

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area,

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community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40202**

Cynthia &amp; Gregory Kuehne

We are a full time resident in the Myrtle Grove Subdivision. My husband and I completed construction in 2019 on what we thought would be our retirement home. When we decided to invest in Myrtle Grove we were aware of the Diversion Project but had no idea what the affects would be until the DEIS was published. I cannot understand how this COSTLY project is the only option to restore the wetlands and take over 50 years to restore ONLY 24 sq. miles of sand while destroying our fishing, seafood industries and several communities along with depleting the dolphin population. Also the DEIS shows and increase of 119 days of more tidal flooding. That would result in about 1/3 of the year our property would experience flooding and have no access to. Who knows if this timeframe is accurate or will be EXTENDED based on the river water levels to continue running the diversion for a longer period of time. Also was noted in the DEIS that Wilkinson Canal will be filled with silt making it impossible for us to leave Myrtle Grove by Boat. We purchased water front property to access the waterways from our backyard not to trailer to a public launch. This is not acceptable. As far as mitigation options this was vaguely presented in the DEIS and at the CPRA meetings held. I believe elevating homes, structures, and infrastructure will take longer to complete than building the diversion and do not see this form of mitigation as an option. In conclusion, I truly believe the CPRA is condemning Myrtle Grove and other communities outside the levee protection for the benefit of the State of Louisiana. Our preferred method of mitigation if this project is permitted and moves forward would be a "Buy-out". We would expect to be fully compensated to replace the cost of our current home, other structures, other property, plus any other cost that will be incurred during this process. Our way of life should not be altered as a result of this man-made project. Nothing less will be accepted.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation),

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(3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62665**

**Commenters suggested that the proposed Project would achieve some benefits relative to the No Action Alternative, but that even if the modeling is correct (which it probably is not), the projected benefits provided by the Project would be very small compared to amount of habitat that is expected to be lost in the Barataria Basin over 50 years. If the models used for the EIS turn out to be accurate, more than 43 percent of the land in the Barataria Basin will have disappeared even with the Project in 30 years. During that time, 105,000 acres of land will be lost, with the Project sustaining only 17,300 more acres than the No Action Alternative (5 percent of the basin's current land area). Because of this background of large land loss, the proposed Project could only be considered a stop-gap measure. Further, commenters cited sources indicating ongoing debate about the effectiveness of large-scale sediment diversions as a land-building strategy and recommended those uncertainties be addressed in the Draft EIS (Blaskey, 2020; Blum and Roberts, 2009; Chamberlain et al., 2018; DeLaune et al., 2013; Suir et al., 2014; Turner et al., 2019).**

**Blaskey, D. 2020. Modeling of distributary channels formed by a large sediment diversion in broken marshland. Dissertation, University of New Orleans, Louisiana. 112 pages.**

**Blum, M.D., and H.H. Roberts. 2009. Drowning of the Mississippi Delta due to insufficient sediment supply and global sea-level rise. Nature Geoscience Letters 2:488-491.**

**Chamberlain, E.L., T.E. Törnqvist, Z. Shen, B. Mauz, and J. Wallinga. 2018. Anatomy of Mississippi Delta growth and its implications for coastal restoration. Science Advances 4:eaar4740.**

**DeLaune, R.D., M. Kongchum, J.R. White, and A. Jugsujinda. 2013. Freshwater diversions as an ecosystem management tool for maintaining soil organic matter accretion in coastal marshes. Catena 107:139-144.**

**Suir, G.M., W.R. Jones, A.L. Garber, and J.A. Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. U.S. Army Corps of Engineers Mississippi River Geomorphology & Potamology Program, Report No. 2. 37 pages.**

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**Turner R.E., M. Layne, Y. Mo, and E.M. Swenson. 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. Restoration Ecology 27(6):1231-1240.**

**Response ID: 16624**

The issues raised by the commenters were considered in the Draft EIS. For example, the proposed Project's long-term influence on land building and wetland creation has been modeled extensively through engineering and design and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS. With regard to modeling conducted to determine impacts of the proposed Project, the Delft3D Basinwide Model projections of Project impacts include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainty in model results is recognized in Table 4.2-4 found in Section 4.2.3.2.2.1 Geology, which indicates that land areas are considered accurate within +/- 200 acres and that the error in land gains is +/-300 acres.

As part of developing the EIS, the USACE, together with members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. The cited studies were reviewed and included in relevant analyses in the Draft EIS.

The LA TIG acknowledges the commenters' concerns. As described in the LA TIG's Draft Restoration Plan, the Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The LA TIG agrees that, with or without the Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts. All citations referenced by the commenters were included in the Final EIS and thus were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62783**

**Commenters noted that the cost of designing and building the proposed MBSD Project is too high for the small amount of land anticipated to be built.**

**Response ID: 16365**

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The commenter's opposition to the cost of the proposed Project is noted. Under NEPA, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that the permit applicant has conducted its own economic evaluation of a proposed project. Consequently, a cost-benefit analysis is not relevant to USACE's permitting decisions. As part of evaluating the proposed Project, the LA TIG considered the costs associated with developing, constructing, and managing the Applicant's Preferred Alternative consistent with the Restoration Plan alternatives evaluation criteria in 15 CFR §990.54. This discussion is in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40204**

Ed Cambias

I AM IN FAVOR OF THE MID BARATARIA SEDIMENT DIVERSION. SINCE THE 1930'S LOUISIANA HAS LOST 1900 SQUARE MILES OF COASTAL LAND. THE RIVER CREATED THE DELTA THAT CAME TO BE KNOWN AS THE SPORTSMAN'S PARADISE BUT SINCE BEING CUT OFF FROM DEPOSTING SEDIMENT THE ESTUARY IS BEING LOST. THE RIVER BUILT THE DELTA AND THE RIVER CAN RESTORE THE DELTA. THIS IS A LONG TERM SOLUTION AND WILL BENEFIT FUTURE GENERATIONS.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40206**

Mark M

Mr. Laborde and Mr. Landry:

I write today in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2. I'm both an avid fisherman and a conservationist. I realize that many sacrifices will have to be made in the coming years, but without action our future in South East Louisiana is certainly doomed. I support this for the future of our region and generations to come. I pray that we can right some of our wrongs and salvage what we can of our remaining coast.

Thank you for the opportunity to comment.

Sincerely, Mark

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40207**

Brett Davis

I write today in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

Please think of the future and safety OF ALL OF OUR HOMES instead of the short term gain of a single industry. Thank you for the opportunity to comment.

Sincerely,

Brett Davis

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40210**

New Orleans A La Carde

Pamela Pipes

I own 4 tourism businesses in New Orleans. I also own property in Lafitte where I keep my boat and fish there weekly. The Mid-Barataria sediment diversion will destroy our area and impact the livelihood of every inhabitant in Lafitte, Barataria and surrounding areas. The entire seafood industry along with every restaurant in Louisiana will be destroyed. What are you thinking? Katrina was a man made disaster which the Corps of Engineering created due to your incompetence. Think long and hard before you destroy the lives of people for generations. Feel free to be in touch if you need more clarification. I know what I am talking about and have spent days and nights supporting this authentic fishing area and booking groups into restaurants, swamp tours, and fishing trips into this area.

Until,

Pamela Pipes

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**Concern ID: 61908**

**Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana's attractiveness as a fishing area and place for swamp tours and authentic seafood.**

**Response ID: 16238**

EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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**Correspondence ID:40212**

Brian Willis

As a property owner and recreational fisherman I am opposed to the proposed Barataria diversion project. This project will have devastating impacts on the fisheries as we know them today. This 2 billion dollar project is only projected to create 27 square miles of wetlands over 29 years while disrupting the seafood industry in our state and more importantly the lives of residents. There are many other options to building wetlands other than diverting polluted water from the Mississippi River. This diversion will increase water levels in the Myrtle Grove Estates subdivision by several feet restricting the ability to access our homes by automobile. Property owners have invested millions of dollars in their homes which will be severely depreciated if this project should move forward. My question to you is, is it really worth 2 billion dollars, a huge impact to our seafood industry, a huge impact to our state tourism and the disruption of lives to add 27 square miles of wetlands??

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix

R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures

contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

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are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62796**

**Commenters questioned whether, based on limited scale of wetlands proposed to be constructed, the Project is worth the economic impacts on the communities, industry, and tourism.**

**Response ID: 16495**

The economic impacts that the commenter highlighted were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, Section 4.14 Commercial Fisheries, Section 4.15 Environmental Justice, Section 4.16 Recreation and Tourism, and 4.20 Public Health and Safety. No related edits were made to these sections in response to the commenter's concern.

As part of its Section 10/404 permitting decision-making process, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

CPRA has updated its Mitigation and Stewardship Plan in response to public comments to expand support for job training and alternate business ventures, boat and facility improvements, marketing, and mitigation and stewardship measures (see Appendix R1 to the Final EIS).

These issues were also considered in the LA TIG's Draft Restoration Plan in Sections 3.2.1.5 (Avoids Collateral Injury) and 3.2.1.7 (Public Health and Safety). While these sections were not revised based on this comment, Section 3.2.1.1.5 (Alternative 1 Description - Associated Stewardship Measures) of the Final Restoration Plan has been revised to reflect the updates to the Mitigation and Stewardship Plan noted above.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in



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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40213**

Amanda Moore

June 1, 2021

U.S. Army Corps of Engineers, New Orleans District

Colonel Stephen F. Murphy, District Commander

7400 Leake Avenue

New Orleans, Louisiana 70118

Attn: CEMVN-ODR-E, MVN-2021-2806-EOO

Via Email: CEMVN-Midbarataria@usace.army.mil

Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Mr. Laborde and Mr. Landry,

I come from a long line of oystermen and crabbers and I bring that heritage to this very issue: building a large river diversion. Truth be told, I am more comfortable with people who work the water than the scientists and other advanced degree folks I normally find myself around nowadays. I feel for the people who fear the inevitable change before them. The fishery is what they know. It's what they pride themselves on. It's how they afford to take care of their loved ones.

I also understand that change is coming, no matter what. You can either let the current system fade away, or intervene and innovate. Intervening means more radical change in the near-term, but it is also the best chance there is at sustaining the deltaic system in the long-term. The uncertainty ahead understandably provokes fear in many who depend on the estuary for their livelihoods. But we cannot operate based out of fear. If we do, we all lose.

If there were ever a restoration project that has been studied and modeled to reduce uncertainties, Mid-Barataria is the project. For decades, scientists and engineers have worked to get to this very project proposed today. CPRA has impressively committed to the best available science to plan and design the project. They've also committed to careful adaptive management once the project is constructed and funding for mitigation measures to aide in the transition for the most impacted stakeholders. The key to success right now is a constructive dialogue between stakeholders and CPRA. Responsibility for that dialogue lies on both parties.

Will the sediment diversion restore the coast? Will it build new wetlands and sustain existing marsh? That's the easy part. We know it will work. We see it all over the delta where the river is connected to its wetlands. One of the coolest places I've ever been on the planet is the Wax Lake Delta. The river builds land. That is unquestionable. It can sustain a healthy, flourishing, vibrant and protective landscape. From rural communities to the City of New Orleans, it is truly our best hope for the future.

Louisiana is on the frontlines of climate change and is leading the way in coastal adaptation and resilience. Mid-Barataria is a keystone project for the future delta and we must keep pushing to lead with innovation, have the hard conversations, and make the best choices for our future. I support the preferred alternative (Alternative 1). I also spent the aftermath of Deepwater Horizon on the ground, many times in Barataria Bay, helping the world understand

what was happening as oil washed into the marshes. Mid-Barataria Sediment Diversion is an ideal way to restore the ecosystem impacted by the oil spill.

Thank you for your work and your consideration,

Amanda Moore

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**Concern ID: 61956**

**Commenters suggested [USACE and/or CPRA] carefully listen to those impacted by the diversion and have constructive dialogue between stakeholders and CPRA. They recommended to commit sufficient funding and resources necessary to those impacted to sustain their lives and livelihood throughout the diversion process.**

**Response ID: 15902**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. USACE and LA TIG each provided public outreach and comment opportunities throughout the development of the EIS and the LA TIG's Restoration Plan. Details on this outreach can be found in Chapter 7 Public Involvement in the Final EIS.

Since the release of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would

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be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62685**

**Commenters reflected on their own experience with the DWH oil spill and the aftermath in Barataria Bay and expressed support for the diversion as a way to restore the ecosystem impacted by the spill.**

**Response ID: 16502**

The LA TIG acknowledges the support for the Project from commenters who were active in the response to the DWH oil spill and continue to be concerned with the long-term health of the ecosystem. The LA TIG agrees that the Project would provide a critical element for comprehensive, integrated ecosystem restoration to address the injuries from the DWH spill.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63368**

**CPRA has used the best available information and data to plan and design the proposed Project, and has committed to careful adaptive management and funding for mitigation to aide in the transition for the most impacted stakeholders.**

**Response ID: 16330**

The commenter's support for the proposed Project is noted, including support for the analysis that has been undertaken to understand the potential impacts of the Project. Appendix R1 (Mitigation and Stewardship Plan) of the EIS describes CPRA's mitigation and stewardship measures and Appendix R2 (Monitoring and Adaptive Management [MAM] Plan), describes

CPRA's proposed monitoring metrics to adaptively manage operations to meet Project objectives; both of these documents have been revised for the Final EIS in response to public comments.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40215****CAPT PETESOYSTERS**

Peter Vujnovich

To: U.S. Corps of Engineers

In regards to the EIS for Mid Barataria Sediment Diversion (MBSD)

I believe the EIS description of the negative impacts to commercial industries to be very vague, lacking necessary information and or any acceptable plan to mitigate, relocate or adequately compensate the user groups in the effected area.

Most of CPRAs proposed projects to enhance oyster production are pretty much a cosmetic fix and appear to be mostly for public perception. Although well intended they lack sufficient industry enhancement.

The CPRA seems to encourage and highlight its effort to provide incentives to Alternative Oyster Culture (AOC) neglecting the fact that the operation of the MBSD will have a severe negative impact on AOC farms within the Barataria estuary. In 2018 and 2019 most AOC farms lost 80-90% of their product to low salinity caused by natural high river. Moderate river levels combined with proposed MBSD operation guideline would not only threaten the continued existence of the promoted AOC farms but would also negate any legal claim to reimbursement from crop insurance do to man made causes of mortality.

It should be very obvious not to mention unacceptable as to what will happen to the existing oyster industry within the Barataria basin, based on whats currently happening on the east side of the river. The over freshening of the Breton Sound estuary has destroyed a once prolific oyster producing habitat. Hundreds of square miles have been rendered unproductive for not only oysters but other economically important species, which has directly caused the economic collapse of surrounding communities which were dependent upon these resources.

The MBSD operational plan based on river levels for the goal of delivering as much sediment as possible. Totally neglects the concerns, needs, cultural and economic significance of the communities which have successfully maintained a way of life for generations. The proposed plan recognizes but Blatantly Disregards the significance of this fact as a necessary consequence.

A successful restoration plan should not jeopardize the existence of established economic and cultural communities, its goals and objectives should be to protect and enhance such activities.

The EIS states that significant negative impacts will occur to the brown shrimp and oyster industry within the Barataria estuary. Surely there will be many more negative impacts which are currently not recognized within the EIS, nor does it contain any Avenue or resources to address the unexpected negative impacts.

I believe the bigger question is not if the present or future EIS is adequate ,

But does this proposed project and proposed operation meet the criteria establish for use of monies dedicated to restore and or rehabilitate environmental damages caused by the Deep Water Horizon oil spill.

The project and its operational plan will inflict severe continuous damages to industries which were heavily damaged by the influx of oil, the use of dispersants and also by the operation of Existing Freshwater Diversions.

It seems counter productive to use restoration monies to continually re-enact one of the major contributors to the environmental and economic disruptions caused by the use of existing diversions in an attempt to minimize the effects of the oil spill.

In other terms are the people and industries within the basin expected to Re-Live the same negative consequences of the spill year after year.

Sincerely

Capt Pete

Vujnovich

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**Concern ID: 62103**

**The Draft EIS does not fully address the anticipated destruction of multiple components of the commercial oyster fishery, including oyster habitat, off-bottom oyster farms, and the oyster hatchery at Grand Isle resulting from impacts to water quality and changes in salinity.**

**Response ID: 16258**

Impacts of the proposed Project on eastern oysters are discussed in the Aquatic Resources section of the EIS in Chapter 4, Section 4.10.4.5, Key Species. The section identifies that most adverse impacts on oysters are anticipated at mid-basin locations, while some beneficial impacts may occur in the lower basin, including the Grand Isle area. The off-bottom and hatchery components of the oyster fishery would not be affected by the Project, or may benefit from it. Specifically, the only significant off-bottom oyster fisheries in Barataria Basin occurs in the lower basin. As indicated in Chapter 3, Section 3.14.6, Aquaculture, the Mike Voisin Oyster Hatchery in Grand Isle is the only commercially available source of oyster larvae and seed. These areas could benefit from the Project. Final EIS Chapter 4, Section 4.14 Commercial Fishing has been revised to discuss these effects.

CPRA's Mitigation and Stewardship Plan includes measures to increase funding for the development of broodstock reefs, enhancing public and private oyster areas, creating a new public oyster seed ground and to further develop alternative oyster culture methods, including off-bottom oyster culture. See the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62733**

**The impacts on oysters and the oyster industry from the over-freshening of Breton Sound should be considered in the development of the proposed MBSD Project.**

**Response ID: 16111**

The impacts on oysters and the oyster industry from fresh water delivered through the proposed MBSD Project are discussed in Chapter 4, Sections 4.10.4.5 in Aquatic Resources and 4.14.4.2 in Commercial Fisheries of the EIS, respectively. As noted in those discussions, the proposed Project is anticipated to have major, permanent adverse impacts on eastern oysters in the Barataria Basin. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

To address Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan in Appendix R1 of the Final EIS). Mitigation and stewardship measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture. Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

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Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62797**

**Commenters questioned the goals and objectives for this Project. They noted that, given the potential for environmental and economic impacts on other resources from this Project, whether the MBSD meets the NRDA criteria to restore for damages caused by the DWH oil spill. They also questioned whether the proposed Project would be appropriate, given that the main driver of wetland loss is historical coastal oil and gas development, not the oil spill. They noted that 80 percent of the acreage projected to be reclaimed or built through the MBSD is privately owned by oil and gas companies.**

**Response ID: 16606**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes, or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats. The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of

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collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species that occur in Barataria Basin.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of mitigation and stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The LA TIG acknowledges the concern regarding wetland loss drivers related to oil and gas activity, as well as the concern over the private ownership of the lands upon which wetlands would be created by the proposed Project. Regardless of the historic drivers of wetland loss, as explained in the Strategic Restoration Plan for Barataria Basin, because the Barataria Basin received the heaviest oiling from the DWH oil spill, the LA TIG believes that restoration activities in that basin are imperative.

With regard to the land ownership issue, the LA TIG's Restoration Plan details the reasoning supporting the location of the proposed Project, which is based on optimizing land building within the basin, regardless of ownership of the underlying land (see Section 2.3.3 [Restoration Planning Process – Proposed MBSD Project Location Alternatives] in the Restoration Plan). Private lands in the outfall area would be subject to the regular permitting processes required to conduct activities in the coastal zone. Activities on private lands would need to be in conformity with the Louisiana Coastal Zone Management Program, La. R.S. 49:214.21 and would be required to comply with the permitting requirements under the program. All coastal use permitting under the program must be consistent with the CPRA Master Plan projects. Additionally, private landowners would be required to comply with any other permitting requirements applicable to the area, including Department of the Army (DA) CWA Section 404 permits.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the DA Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63726**

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**Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.**

**Response ID: 16702**

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated

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Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63961**

**The EIS' description of the negative impacts to commercial industries is very vague, lacking necessary information and any acceptable plan to mitigate, relocate, or adequately compensate affected individuals.**

**Response ID: 16540**

The Draft EIS contains a detailed analysis on Project impacts to commercial fishing resources in Chapter 4, Sections 4.10 (Aquatic Resources) and 4.14 (Commercial Fisheries). The commenter has not identified which commercial industries he believes were not sufficiently evaluated or otherwise indicated any specific information or analysis missing from the Draft EIS; accordingly, no changes to this analysis were made in the Final EIS.

CPRA's mitigation strategies focus on establishing sustainable fisheries, particularly oysters and shrimp, rather than on compensating individual fishers for their particularized economic losses. In response to comments, CPRA has expanded and refined the Mitigation and Stewardship Plan since publication of the Draft EIS and LA TIG's Draft Restoration Plan. These additions, including a \$54 million funding allocation, can be found in the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive

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management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40216**

Joseph Muth

June, 2, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group

National Oceanic and Atmospheric Administration

Subject: The Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Mr. Laborde and Mr. Landry:

I write today in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

Thank you for the opportunity to comment.

Sincerely,

Joseph Muth

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40218**

ISeeChange

Julia Drapkin

ISeeChange is climate dialogue and data platform. We have been tracking community climate impacts in Louisiana since 2016 - watching, listening, and measuring the impacts of climate change on our community and on our culture. The Mid-Barataria Sediment Diversion presents the best chance we have with the best possible science backing it - specifically the preferred alternative in the Draft Environmental Impact Statement. However, there is no such thing as a perfect model and even in the easiest to measure hydrological systems, models are the first point of failure and mistakes get made. We urge you to put the communities who have the deepest levels of experience - the people who live close to the diversion- at the center of the planning process and to involve them directly in the co-design, measuring, monitoring, evaluation, and stewardship of these projects. There is no such thing as solving climate change - it is a constantly evolving baseline moving faster than we can anticipate. Adaptive management is essential and communities on the coast need to be involved. Finally the project should be funded using Deepwater Horizon settlement dollars as originally planned.

Sincerely, Julia Kumari Drapkin

CEO and Founder, ISeeChange

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**Concern ID: 61959**

**State government, elected officials, CPRA and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the proposed MBSD Project. This would open the door to creating a truly equitable restoration landscape; one where those impacted by the proposed MBSD Project and future coastal restoration projects are proactively engaged and consulted as restoration projects are planned, designed, and implemented.**

**Response ID: 15905**

Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to their concerns regarding proposed MBSD Project. More recently, CPRA has engaged the public through meetings with the communities impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities including fishers. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings and additional outreach can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that CPRA states it would implement as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures



(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA

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had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63369**

**The commenter indicates that the Mid-Barataria Sediment Diversion presents the best chance to combat the impacts of climate change on Louisiana's communities and culture, with the best possible information and data backing it. However, the commenter notes that there is no such thing as a perfect model and even in the easiest to measure hydrological systems, models are the first point of failure and mistakes get made. Therefore, the commenter urges that the planning process involve the communities who have the deepest levels of experience, including the people who live close to the diversion, directly in the design, measuring, monitoring, evaluation, and stewardship of the proposed Project.**

**Response ID: 16332**

The commenter's support for the proposed Project is noted, including the substantial analysis that has been undertaken regarding the Project. CPRA's coordination with the affected communities and industries is described in Chapter 7 Public Involvement and Appendix R1 (Mitigation and Stewardship Plan), which have been revised for the Final EIS in response to public comments.

The Delft3D Basinwide Model projections of future conditions include uncertainties, as detailed in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties of the Draft EIS. As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan of the Final EIS includes details regarding operational and adaptive management governance for the proposed Project. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40219**

Catherine McGrath

Please build this diversion. I understand that there will be communities impacted negatively, but the issue is bigger than that. Our biodiversity is at stake. More communities will benefit. I absolutely support this project and think that the sooner the better for building.

Let me know what I can do to help.

Catherine McGrath

New Orleans

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**Concern ID: 63333****Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.****Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40220**

Timbalier Resources, Inc.

Mark Falgout

In spite of short sighted opposition, it is imperative that this project moves forward to completion. I sympathize with those that fear how this may impact the seafood industry, but the people of South Louisiana are resilient and will adapt to whatever changes this project brings. We need to not be selfish by only thinking of our own pockets. Instead, we need to look to the future and make sure that we have a home to come to. We must also not forget that Mother Nature is resilient as well, and she will adapt to whatever changes come too.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40222**

NetWork Volunteers

Theodore Nathan

I support the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion

Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan

Center community needs in planned mitigation and stewardship efforts

Commit to developing a robust adaptive management program

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

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implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40223**

Troy Terrebonne

We are not in a good situation either way. I think we can't just wait and do nothing

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**Concern ID: 63370**

**The commenter indicated that, with or without the diversion, the coastal situation is not encouraging, and action must be taken.**

**Response ID: 16333**

The commenter's input is noted. The impacts of both the action alternatives and the No Action Alternative were discussed throughout Chapter 4 Environmental Consequences of the Draft EIS.

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**Correspondence ID:40224**

Christopher Pulaski

Mother nature knows best and a sediment diversion is one of the best solutions for mimicking the natural processes and once complete, nature does the rest. For thousands of years, the Miss River would overflow and deposit sediment across SE Louisiana. While the levees protected farmland and homes and businesses, they also cut off the sediment which along with subsidence, oil and gas exploration, salt water intrusion and many other impacts (natural and man made) have resulted in huge losses. I realize that there will be some negative impacts to certain species that we have become accustomed to having in the region, but some are only here because of the impacts mentioned above so in the natural setting they wouldn't be here. However, some of the impacts (in particular to oysters) can be minimized with proper management of the diversion.

It is a sediment diversion and therefore should only be operated when sediment content is high in the River and in the water column which just happens to be in the springtime when the water temps are low and oysters can handle the increase in the freshwater.

I support the project. I only wish we were closer to it so that my area could also see its benefits.

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations "trigger to open the diversion for flow (above the base

flow)". Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63343**

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**The diversion would result in a return to a more natural state in which a delta existed in the Barataria Basin and the saltier waters required by many important fishery species were naturally further south.**

**Response ID: 16304**

The concerns raised by the commenter related to the proposed Project's role in connecting the Barataria Basin to the Mississippi River were considered in the Draft EIS. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources, the proposed Project would impact salinity in the Barataria Basin, with salinity impacts benefiting some fishery species, such as bass and Gulf menhaden, and adversely impacting others, such as oysters and brown shrimp. Section 4.2 in Geology and Soils of the Draft EIS discussed the proposed Project's impacts on creating a delta in the basin. As identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification. In addition, Chapter 3, Sections 3.1.4.2 and 3.2.1.1 Historical Content, have been supplemented in the Final EIS to further discuss historic conditions and the role that the diversion may play in the Mississippi River Delta cycle.

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**Concern ID: 63371**

**Some of the proposed Project impacts (in particular to oysters) could be minimized with proper management of the diversion. It is a sediment diversion and therefore should only be operated when sediment content is high in the river and in the water column, which just happens to be in the springtime when the water temperatures are low and oysters can handle the increase in the fresh water.**

**Response ID: 16334**

As discussed in Chapter 2, Sections 2.2.1 Define Project Objectives and 2.4.3.2 Application of Additional Considerations to Capacity Alternatives of the EIS, the intake channel was modeled and designed to divert a relatively high sediment-to-water ratio (SWR) (greater than 1.0 on average) to be as efficient as possible in transporting sediment to reestablish deltaic processes; an SWR greater than 1.0 indicates that the proposed Project would divert more sediment per unit volume of diverted fresh water than concentrations in the Mississippi River. As identified in Chapter 4, Table 4.1-3, intermediate to maximum flows through the diversion structure are projected to occur predominantly in winter, spring, and early summer months. However, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Species of the EIS, operation of the proposed Project would result in a permanent, major adverse impact on oysters, due in large part to decreases in salinity.

CPRP plans to operate the proposed MBSD Project in accordance with the Operations Plan which can be found in Appendix F (MBSD Design and Operations Information) of the EIS. CPRP would adaptively manage the diversion for performance (see Monitoring and Adaptive Management [MAM] Plan in EIS, Appendix R2), if the Project is approved and funded. The MAM Plan does not currently include a requirement to adjust operations based on SWR; however, it does include the parameters that will be monitored to evaluate Project objectives,

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including SWR, observations that will trigger consideration of adaptive management, and examples of potential adaptive management actions related to SWR (see Section 4.1.1 and Table 4.1-1). Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40227**

Peter Yaukey

Hello:

I am writing to express my support for the Mid-Barataria Sediment Diversion.

I am an academic from New Orleans, where I have been both a Professor of Geography and a Professor of Biology at two local universities during my 30 years living in the area. I have spent extensive time in the coastal wetlands of our state, including while conducting academic research that has been published in scholarly journals. In 2018 I published the article "Bird distribution among marsh types on the northern Gulf of Mexico," in the academic outlet Journal of Coastal Research (vol. 34 (5):1060-1086). In this paper I presented the results of bird counts at 100 locations in the marsh, tracked for several years starting in 2010. I have a strong familiarity with the birds found in different types of wetland communities along the salinity gradient.

The loss of coastal wetland habitat in southeast Louisiana has been catastrophic. We cannot wait around and do nothing- the rate of land loss is too fast, it is disappearing before our eyes.

I fully expect that, in areas of the coastal zone of south Louisiana that turn into open water, most of our marsh birds will plummet in numbers or disappear entirely. Most wetland bird species need habitats with emergent vegetation, not just plain open water.

Please support the Diversion to return needed sediment to the marshes- we are in an urgent position.

Peter Yaukey, Ph.D.

Peter H. Yaukey, Ph.D.

Departmental Chair and Professor of Biology

Department of Biological and Physical Sciences

University of Holy Cross

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[REDACTED]  
[REDACTED]  
[REDACTED]

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**Concern ID: 62892**

**The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.**

**Response ID: 16191**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

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The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 62898**

**The 2018 publication “Bird distribution among marsh types on the northern Gulf of Mexico” in the Journal of Coastal Research (vol. 34 (5):1060-1086) presents the results of bird counts at 100 locations in the marsh, tracked for several years starting in 2010.**

**Response ID: 16196**

The literature cited by the commenter (Yaukey 2018) has been reviewed and incorporated into Chapter 4, Section 4.9.4.2.2.3 Wetlands (Wet Pasture/Marsh/Bottomland Hardwoods) of the Final EIS.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40228**

Pat Fitzpatrick

\*\*\* referenced plot in email is attached to this comment in Word document

To whom it may concern regarding the proposed MBSD project,

Many comments have certainly expressed concern about the cost-benefits analysis of a \$2 billion diversion, the minimal possible land growth over a 30- to 50-year-period, and the environmental impact of high-nutrient water on the ecosystem and its wetland roots. However, I'd like to address an aspect that has been overlooked - - the lack of a comprehensive plan for triggering the opening and closing of the diversion.

Currently, the diversion opening is based on a single metric - a threshold value of 450,000 cfs. There are many problems with this trigger point. For starters, this guarantees the diversion will be open 6-9 months in most years - not short-term "concentrated sediment water" as the proponents have promised. Below is a ten-year plot of the Belle Chasse river gauge. Indeed, the true intention is to run the diversion as much as possible, and certainly without any concern for the environment. One has to question the validity of the trigger point based on this plot.

However, this is representative of a larger issue - the lack of a comprehensive plan for running the diversion. Certainly such a consequential structure's implementation should be based on multiple, layered metrics for openings and closings, and the fact this has not been done should - by itself - result in the USACE rejecting the permit. A comprehensive plan should include triggers for closing based on:

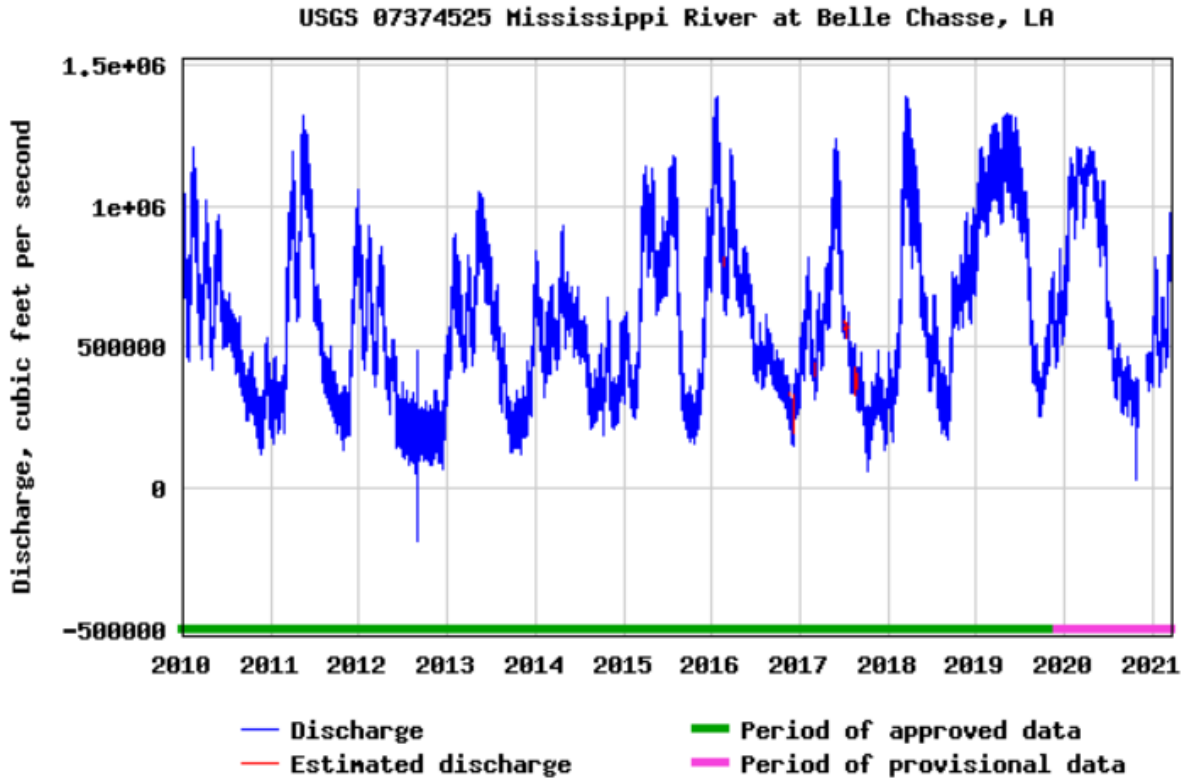
- 1) Barataria Bay water levels (i.e., storm surge events)
- 2) A monitoring system of animal impact and water pollution
- 3) Threshold closures for nitrates, ammoniums, and any hypoxia-related chemicals
- 4) Fish kills
- 5) Salinity thresholds
- 6) Hypoxia events
- 7) Marsh root impact (making wetlands susceptible to land loss by wave action, storm surge, or just inundation)

The fact that none of these are considered...except in a haphazard, general way with promises of monitoring in the future.... should raise alarm bells. The truth is they don't want such a monitoring system or to draw attention to these impacts. Nevertheless, should the diversion be approved, these facets must be considered in a detailed, tangible plan full of flow charts and a state-of-the-art monitoring system.

Best regards,

Dr. Pat Fitzpatrick

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**Concern ID: 64020**

**A comprehensive plan for operating the diversion is lacking. Diversion operations should not be based solely on when flows in the Mississippi River exceed 450,000 cfs or only operate at maximum capacity when Mississippi River flows reach 1,000,000 cfs, but instead should rely on multiple factors for determining when to operate the diversion. The comprehensive plan should also include some flexibility in operations including triggers for water releases and for closing the diversion. The design should be modified to allow continued use after significant sea-level rise.**

**Response ID: 16012**

CPRA would operate the proposed MBSD Project in accordance with the Operations Plan which can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. Chapter 2, Section 2.4.2 in Step 2: Evaluation of Operational Alternatives – Location, Operational Trigger, Capacity, and Base Flow of the Draft EIS described the evaluation of various operational triggers during the alternatives analysis. It was determined that the 450,000 cfs operational trigger would best meet the purpose and need and would be the standard operations trigger (see Chapter 2, Section 2.4.2.1 Application of Additional Considerations to On/Off Trigger Scenarios). Additionally as stated in Chapter 2, Section 2.4.3.2 Application of Additional Considerations to Capacity Alternatives, flow in a sediment diversion is variable. When the diversion is operating, the flow rate through a diversion is controlled by the difference in water surface elevation between the Mississippi River and the Barataria Basin (the head differential). When the Mississippi River flow and stage are high, this high head differential would push a higher volume of water and sediment through the diversion into the Barataria Basin. When the Mississippi River flow and stage are low, there would be less energy to push water and sediment through the diversion. Thus, depending upon the flow rate in the Mississippi River and the head differential, flow in the diversion would be variable, up to a defined maximum capacity.

The diversion is designed for passive operation rather than active operation. Once opened, the head differential determines the flow rather than pumps or another active feature.

Full operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occurs in the river).

Triggers for closing the structure when river discharge is above 450,000 cfs include spills and other hazardous discharges, navigation impediments, climatic conditions such as tropical depressions or named storms, diversion structure damage or emergency, and public safety.

As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Section 4.4 in Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending

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on flow rates in the river and the corresponding variation of diversion operations. The operation plan allows for diversion operations that capture the high sediment loads associated with rapidly rising river discharges and effectively addresses relative sea-level rise.

If the proposed Project is implemented and once operational, CPRA would consider potential ways to optimize diversion operations based on Project performance and success as part of the adaptive management and monitoring process. Refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

The Project MAM Plan in the Final EIS Appendix R2 provides examples of possible outfall management actions, such as spoil bank gapping or construction of water-directing features, that CPRA may consider in the future as potential adaptive management actions aimed at improving Project effectiveness and limiting ecological and/or human impacts when possible. This will be based on assessment of Project performance and monitoring data and recommendations of the CPRA's Project Adaptive Management Team to CPRA's Project Operations Management Team.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40229**

Jesse Shaw

Dear Army Corps of Engineers,

Louisiana's coastline is a vital place in our history, our culture, and our economy.

Now that there's an opportunity to protect this important part of our country using Deepwater Horizon settlement dollars, I request that you work to advance the Mid-Barataria Sediment Diversion by selecting the preferred alternative in the Draft Environmental Impact Statement for the project. The funding usage is outlined in the draft Restoration Plan.

The inevitability of climate change makes the need to find actual mitigation technologies essential, and the restoration of the Louisiana delta is one of our most promising projects to do so.

Sincerely,

Jesse Shaw

Washington, D.C.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40230**

Jaime

Dear Army Corps,

New Orleans is a city of with a vibrant history and culture, home to some of my loved ones, and at the very least, it is a US city deserving of preservation and protection.

Given that, I request that you work to advance the Mid-Barataria Sediment Diversion by selecting the preferred alternative in the Draft Environmental Impact Statement for the project and by funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Without this project, the Greater New Orleans region does not stand a chance against sea level rise and stronger hurricanes.

New Orleans and Louisiana are high in the list of at-risk cities/states and indeed New Orleans has already seen too much devastation. We must act now and do everything we can to protect our country and citizens.

Sincerely,

Jaime

Minnesota

Sent from my iPhone

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**Concern ID: 63372**

**New Orleans and Louisiana are high in the list of at-risk cities/states for sea-level rise and hurricanes, and New Orleans has already seen too much devastation. The commenter urged for quick action to protect the country and its citizens.**

**Response ID: 16335**

The commenter's support for the proposed Project is noted. The impacts of climate change and sea-level rise in Louisiana were discussed in Chapter 3, Sections 3.1.3 in Introduction and 3.4.1.1 in Surface Water and Coastal Processes of the Draft EIS.

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**Correspondence ID:40231**

Charmaine Kathmann

To: U.S. Army Corps of Engineers

New Orleans District:

There is much concern and recent negative news coverage about the dolphins in the Mid Barataria Diversion project area. It is highly predicted that the dolphins will die after exposure to the sediment diversion materials that have a different concentration of fresh and salt water than the dolphins swim in now.

Grand Isle, Louisiana has abundant dolphin populations that survived the BP Oil Spill. These resilient marine animals will surely welcome the dolphins from the Mid Barataria region, despite being a different species. There are plethora types of fish to feed off of in the Gulf of Mexico and in the Caminada Bay area.

Could the Mid Barataria dolphins be transported to Grand Isle? Is the Army Corps of Engineers looking at this alternative to save the dolphins?

Thank you for your time and attention.

Sincerely,

Charmaine Kathmann

[REDACTED]

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**Concern ID: 62918**

**A suggestion was submitted that Barataria Basin dolphins will thrive in the Grand Isle area and request for the Army Corps to consider transporting Mid-Barataria dolphins to Grand Isle.**

**Response ID: 16704**

The dolphins within the Barataria Basin, including those that inhabit the waters near Grand Isle, are all bottlenose dolphins (*Tursiops truncatus*) and are part of a single population stock, however studies indicate that many of these dolphins live and feed over much more localized areas within the bay. This population (including the dolphins around Grand Isle) was severely compromised by the DWH oil spill and, as described in Chapter 3, Section 3.11.3.2 in Marine Mammals of the EIS, continue to demonstrate health impacts (for example, reproductive failure, lung and heart disease, etc.) as a result of the spill and have not yet started a population trajectory to recovery. As noted in Chapter 4, Section 4.11 Marine Mammals of the Draft EIS, once diversion operations begin, the dolphin survival rate (that is, the number of dolphins that survives from year to year) will decline. After the planned 50 years of operation, dolphins in three of the four strata (as described in Thomas et al., 2021) are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the dolphins in the remaining Island stratum (which includes the Grand Isle area) being severely reduced relative

to the No Action Alternative (the median predicted abundance in the Island stratum is 85 percent lower [95 percent CI: 28-99 percent] under the Applicant's Preferred Alternative than under the No Action Alternative). Section 4.11 of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

In recognition of the potential collateral injury to bottlenose dolphins and in response to public comments on this issue, the LA TIG has developed a Marine Mammal Intervention Plan since the release of the Draft EIS (see Appendix R5 to the Final EIS). The Plan indicates that any animals impacted by the diversion that are captured and/or rehabilitated would be released in locations suitable for health and survival, which may include, but is not limited to, the areas near Grand Isle. However, it would be logistically impossible to translocate all dolphins compromised by the proposed Project to the waters around Grand Isle. In addition, given that BBES dolphins demonstrate high site fidelity within Barataria Basin and are not anticipated to leave unsuitable habitats resulting from Project operations, as described in Chapter 4, Section 4.11.5.1 in Marine Mammals of the EIS, it is unknown if dolphins that are relocated to waters near Grand Isle would stay near Grand Isle. Moreover, to compress the entire population (currently estimated at approximately 2,000 dolphins) to the waters of Grand Isle would likely result in increased competition and reduced prey resources, and the population would not be sustainable.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:40232**

Gus Flair

I am an avid outdoorsman who was raised hunting and fishing down in lower Lafitte, south east and west sides of Plaquemines Parish, as well as East bank side of the river. I am one of many who believe that letting the river run wild on the west side of Plaquemines Parish would be detrimental to thousands of residents, hundreds of businesses, and most importantly our wildlife and fisheries. My parents raised me to respect our outdoors as I did with my two children. It is only common sense that this will devastate our beautiful resource from wildlife habitat to fisheries habitat. We are truly blessed to have along our coastlines such a vibrant breeding area for all our wildlife and fisheries, and with this sentiment running wild, it will kill everything it covers. It will take many years for anything to come back. Many of us feel the best way to maintain what we have would be to rock the Louisiana coastline and keep our major passes open. Then we can use dredging to build up specific areas inland! It is only common sense and it has been proven to work!

I am totally against the Mid Barataria Sediment Diversion Program!!!

Sincerely, Gus Flair

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**Concern ID: 61973**

**Consider dredging the passes (south pass and south east pass) to relieve pressure on rising rivers and let the natural process of building the river there, along with rock jetties along the Louisiana coastline, support growth and protect from oncoming storms. Then use dredging to build up specific areas inland.**

**Response ID: 15974**

This alternative as presented, specifically dredging the passes and building rock jetties to create marsh, would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives in the EIS. Similar to marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long-term would require repeated lifts and maintenance through placement of additional dredged material. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result

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in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

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The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions,

would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40234**

Andrea Chen

From Steve Cochrane:

"The project will also bring desperately needed jobs and economic growth. It would spur \$1.4 billion in regional investment through funds allocated by the Deepwater Horizon oil spill. With that investment, Plaquemines Parish, where the project would be constructed, and the surrounding region - including Orleans and Jefferson parishes - would expect to see a significant economic boost. Overall household earnings in our region could increase by as much as \$648 million annually, supporting 12,400 additional local jobs and boosting sales to regional businesses by nearly \$1.5 billion."

Let's make sure that the jobs that are created spur inclusive and equitable economic development.

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**Concern ID: 62022**

**The Draft EIS lays out how many jobs would be created through construction and the proposed Project would also bring desperately needed jobs and economic growth. Plaquemines Parish, where the proposed Project would be constructed, and the surrounding region - including Orleans and Jefferson Parishes - would expect to see a significant economic boost.**

**Response ID: 16218**

The EIS describes the jobs impact from the construction of the diversion in Chapter 4, Section 4.13.4.2 in Socioeconomics. The EIS finds that moderate to major, temporary economic benefits are anticipated from proposed Project construction.

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**Correspondence ID:40238**

Episcopal Diocese of Louisiana

Morris Thompson

If there's anything we've learned as a society from scientific studies, to faith based response to life on this planet, and our own sense of presence as humanity has slowly evolved in the last 200,000 years it is this: "We are woven into the universe". From this earth, our island home which came into existence some four and one half billion years ago, out of a universe which we believe to have come into existence over seventeen billion years ago everything and everyone of us has been woven into this universe to live "one with" each other and with all of creation.

Our very life along coastal Louisiana is witness to the weaving process of the earth as the Mississippi River weaves its way down to the Gulf, bringing life to the region as the sediment it carries weaves threads of life which create and sustain our coastal marsh. This natural process carried on for millions of years until being interrupted by a series of interventions which have caused mass coastal erosion which now threaten the very life nature has woven for us.

The mid Barataria sediment diversion seems to be a thoughtful human response to restore the natural process which has sustained life in coastal Louisiana. The people within the Episcopal Diocese of Louisiana have a long history of coming along side and standing with the people, the wildlife and the land of coastal Louisiana. We have heard the concerns of the people who will be adversely effected when this diversion proceeds. This diversion will cause much suffering and hardship to many residents (human and wildlife) as this needed response of restoring the natural process to the region is implemented. Our diocese is committed to standing with those in need throughout the diversion process. We implore the CPRA to listen closely to the voices of those who will be impacted and to commit the funding and support necessary to sustain them throughout the entire diversion process.

In thanksgiving to God for the gift of life, for weaving us into the universe to be one with all of creation, and for our call and humanity's gift to be stewards of creation, I remain,

The Rt. Rev. Morris K Thompson, Jr.

Bishop of the Episcopal Diocese of Louisiana

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**Concern ID: 61737**

**The construction of levees along the Mississippi River precluded land-building sediments from entering Louisiana estuaries, which has caused a loss of Louisiana's coastal wetlands and other problems, such as making properties more vulnerable to hurricane damage and decreasing property values.**

**Response ID: 16024**

The impacts raised by the commenters were considered in the Draft EIS. Information about historic causes of land loss can be found in Chapter 3, Section 3.1.4 Overview and History of the Project Area and Section 3.6.2 in Wetland Resources and Waters of the U.S. The importance of maintaining wetlands for the protection of coastlines, coastal communities, and wildlife resources is discussed in Sections 3.6 Wetland Resources and Waters of the U.S. and 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the

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Applicant's Preferred Alternative is to implement a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40239**

Helen Patterson

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)  
Mr. Laborde and Mr. Landry:

I support the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion- I write today to urge adoption of the Preferred Alternative in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

It is clear to me that the benefits of this project far outweigh any of the expected negative consequences. Louisianans have long lived in a degrading ecosystem, caused in large part by the leveeing of the Mississippi River, which has starved our estuary of the sediment and freshwater needed to maintain a healthy gradient that supports a robust array of fish and wildlife. While dredging sediment to build marsh, restoring ridges, and rebuilding barrier islands are essential tools in the restoration toolkit, only sediment diversions address the underlying cause of our land loss.

Additionally, I am hopeful about the ability of sediment diversions to build resilient marsh in the face of rising sea levels. Our basins will be healthier and more productive in the long term, and to me, that's what really matters.

I also want to commend the setting aside of funds for mitigation to support communities and industries that will be negatively impacted by this project. I encourage the decision makers to seek the assistance of mediators who can help to rebuild the trust that has been lost over the last several decades. I believe that this will be important to making sure that the most marginalized voices are well-represented in the process of deciding how to spend those dollars. To this end, I hope that environmental justice communities will be centered in mitigation and in job creation to support this project. It is essential that this unprecedented funding be spent in ways that address historic injustices.

Finally, I am a firm believer in the power of adaptive management and look forward to seeing the development and implementation of a robust and inclusive adaptive management plan. Done well, a plan of this nature will build trust, and allow us to learn as much as possible so that we can share this innovative technology with deltas all over the world.

Please issue the permits and fund this project. I hope that it will be the first of many successful sediment diversions.

Helen Rose Patterson

New Orleans, LA

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the

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Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63383**

**The commenter is a firm believer in the power of adaptive management and looks forward to seeing the development and implementation of a robust and inclusive adaptive management plan. Done well, the commenter notes that a plan of this nature would build trust and gain knowledge to share this innovative technology with deltas all over the world.**

**Response ID: 16345**

The commenter's input is noted. Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) of the EIS reflects CPRA's proposed adaptive management strategies, which were refined for the Final EIS based on public input received during the Draft EIS comment period. The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40240**

LA 1 Coalition

Henri Boulet

The Louisiana Highway 1 Coalition, an organization whose mission is to complete the Louisiana Highway 1 Improvement Project in Lafourche, Louisiana, would like to respectfully submit the following comments of support on the U.S. Army Corps of Engineer's Draft Environmental Impact Statement for the Proposed Mid-Barataria Sediment Diversion Project, as well as the Louisiana Trustee Implementation Group's (LA TIG) Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion.

LA 1 Highway 1 (LA 1) in southern Lafourche Parish is America's access to the vast energy resources in the U.S. Gulf of Mexico. This critical, two-lane highway is the only roadway supporting Port Fourchon - America's busiest intermodal energy port, the Louisiana Offshore Oil Port (LOOP,) and Grand Isle. Combined, these locations service over 16 percent of America's domestic crude oil production and 4 percent of natural gas production. The highway also supports 20 percent of this nation's seafood production and eco-tourism destinations like Grand Isle, Louisiana's only inhabited barrier island. The highway also provides access to coastal marshes for restoration and protection projects and serves as the sole evacuation route for Port Fourchon and residents of Grand Isle and lower Lafourche Parish.

We believe the proposed alternative in draft environmental impacts statement for the Mid Barataria Sediment diversion will help deliver the sediment and freshwater to protect our basin, furthering the protection of remaining community access point such as "old" Louisiana Highway 1 in Leeville. We also believe the preferred alternative will provide additional storm surge protection and combat saltwater intrusion for the residents who live in the working coast communities which traverse LA 1 daily for work or for recreation. Finally, LA 1 was a critical response route for oil spill recovery and for existing and future coastal restoration projects, so we also believe this is a good use and wise investment of post-spill dollars allocated to the Louisiana Trustee Implementation Group.

It is for these reasons the LA 1 Coalition supports the adoption of the Preferred Alternative in the U.S. Army Corps of Engineers' Draft EIS and Alternative 1 in the Louisiana TIG's Draft Phase II Restoration Plan #3.2.

Henri Boulet

Executive Director

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**Concern ID: 63386**

**LA Highway 1 (LA 1) is the only roadway supporting Port Fourchon and the significant industry that it supports, and is the sole evacuation route for area residents. The highway also provides access to seafood production areas, eco-tourism destinations, coastal marshes for restoration and protection projects, and a critical route for oil spill response. The proposed Project would help deliver the sediment and fresh water to protect our basin, furthering the protection of LA 1, and those who travel on it, from storms.**

**Response ID: 16348**

The commenter's support for the proposed Project is noted. The effects of the proposed Project on weather and storm surge events, including the areas in which the impacts of storm

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events are projected to decrease, were discussed in Chapter 4, Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS. As discussed, storm surge in the western and middle basin would increase up to 0.2 feet by 2040 under the Applicant's Preferred Alternative. Although the wetlands projected to be created or maintained by the proposed Project would not directly benefit LA 1, the cumulative impacts of the proposed Project and other restoration projects, as discussed in Chapter 4, Section 4.25.6.4 in Cumulative Impacts, would allow for substantial interim (before 2070) benefits of these other past, present, and reasonably foreseeable restoration projects in the Barataria Basin, including those related to storm surge risk.

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**Correspondence ID:40241**

Tyler Antrup

I urge you to select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40242**

Cory Sparks

I'm Reverend Cory Sparks and I'm representing the Commission on the Stewardship of the Environment of the Louisiana Interchurch Conference. We've worked since the 1980s to protect the coast, and have been involved in public hearings like this one because we feel there is a moral call to protect what's left of Louisiana wetlands. In Psalm 24, we hear, "The earth is the Lord's, and all that's in it." I want to say that we strongly support the Mid-Barataria Diversion. We've followed the progress closely since 2017, and see it as an opportunity to correct a mistake that we made back in 1927, when we levied the river and disrupted deltaic processes. We can correct that mistake now. We have the way forward and, of course, we understand that mitigation needs to be taken in order to support those who will be affected, including fishers and oystermen. I'll just yield the balance of my time. Thank you very much.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40243**

Barbara Comeaux

Yeah, we're just going to comment, my husband and I. We have a home in Lake Hermitage and we're very concerned about the rising water due to the diversion project and, you know, there's just a lot down here as far as the water rising over our docks, the water coming in through the back yard, into the boat shed. It's just - - it's a constant, you know, and so we're really concerned about the additional water that's going to come in, and also whether we'll be able to get to our home, that's a concern. That's where we stand right now. We're very concerned about the rising water.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40244**

Kimberly Reyher

Hi, my name is Kimberly Reyher. I'm a resident of Louisiana. I'm raising three little girls here, and I want them to have the opportunity to live here safely into the future. I hope they will grow to enjoy the traditions and the bounty of Louisiana. I'm hoping they will all become skilled fishermen, but we'll see about that.

I'm also the Executive Director of a group called the Coalition to Restore Coastal Louisiana, or CRCL. CRCL is the first coastal advocacy organization in the state, and the organization came together in the eighties when we were all together realizing the challenges around coastal land loss. And some of our earliest reports concluded that sediment diversions were the best solution and perhaps the only long-term sustainable solution for reversing our land loss. Organizations have advocated for sediment diversions for decades, since the 1980s. We are pleased and actually relieved, in a lot of ways, to finally be at what we hope is the finish line for moving forward with these projects, for the first large-scale sediment diversion in the state. We recognize that there's still questions about how we do this, but we think it's time that we do it, and we very much appreciate the thought and diligence that's gone into the analysis of what we could do and what it means for all of us, in terms of the benefits and also the challenges.

We believe the sediment diversions will be the most impactful projects among those proposed in the Coastal Master Plan, that they are needed for rebuilding our coast. We support the general approach of using the power of the river to sustain the delta, and also the specific approach of the proposed diversion. In short, we support the preferred alternative, and we support the use of Deepwater Horizon funding to fund the project.

I want to take the opportunity to congratulate the Corps and all of those involved on creating the ambitious and extensive report. We recognize a lot of work has gone into it, and as the project proceeds, we want to urge the Corps and CPRA and all those involved to continue in efforts to center community members and community member concerns in developing the mitigation stewardship plans. Although these projects will have wide beneficial economic impacts, we recognize they will provide or result in negative impacts to some communities, as we've been hearing, and we think it's really important that we recognize this and grapple with it. We really appreciate just how clear and thorough the analysis has been in considering these challenges. We envision safe communities, thriving fisheries, as part of what we're all working to achieve, and we know all of you do, too.

We really appreciate the efforts and we appreciate the opportunity to talk tonight. We'll provide extensive detailed comments that are much more technical, but for now, I just want to thank everyone who has taken the time to comment on this, and those presenting and all the teams they represent, for working so hard to get us to this stage and advancing our understanding about the challenges we face and what we can do. So thank you for the option to comment.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-

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making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40245**

Rosina Philippe

My name is Rosina Philippe and I'm an Elder with the Grand Bayou Village, Atakapa-Ishak/Chawasha people, and my question, every day Louisiana loses about an estimated 25 acres of wetlands, and I'm concerned about how does this number, within the same time frame, compare to the amount of land proposed to be built by the Mid-Barataria Diversion?

What is the projected amount of land estimated to be lost before balance is achieved, once the - - or if, and once the Mid-Barataria Diversion comes online?

And I know there has been some talk about mitigation efforts for communities during some of the negative impacts, and I would like to know, will there be proactive measures to this mitigation, ahead of the implementation of Mid-Barataria, and what does that time frame look like?

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**Concern ID: 62162**

**The commenter stated that every day Louisiana loses an estimated 725 acres of wetlands, and the commenter is concerned about how this number, within the same time frame, compares to the amount of land proposed to be built by the Mid-Barataria Sediment Diversion Project. The commenter asked what the projected amount of land loss is estimated to be before balance is achieved once the Mid-Barataria Diversion operations begin.**

**Response ID: 16183**

The commenter's questions regarding the rates of land loss and land projected to be built during diversion operation were considered in the Draft EIS. The rate of land loss in Louisiana is discussed in the Draft EIS Chapter 3, Section 3.1.4. To clarify, a discussion has been added to further explain currently ongoing and future projected land loss without the proposed Project and the amount of land that would be created, sustained, or lost due to proposed Project diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 63056**

**Louisiana loses an estimated 25 acres of wetlands each day; compare this daily loss to the daily wetland creation projected by the proposed Project.**

**Response ID: 16062**

Reference to the loss of 25 acres of wetlands per day is assumed to be based on the estimate by Couvillon et al. (2017) that, between 1985 and 2010, an estimated 16.6 square miles of wetlands was lost across the state of Louisiana annually. While wetland losses cannot be assessed on a daily basis, this estimate equates to about 29 acres of wetland loss per day.

By comparison, in 2060 (when wetland gains under the Applicant's Preferred Alternative are greatest when compared with the No Action Alternative), the proposed Project would result in a 17,100-acre wetland increase over the No Action Alternative in the Barataria Basin (see Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-4). This area equates to about 428 acres (0.7 square mile) if it is averaged annually over the 40-year period between 2020 and 2060.

By 2070, the proposed Project is anticipated to create 12,700 acres in the Barataria Basin (approximately 19.8 square miles, see Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S., Table 4.6-4). While wetland gains cannot be assessed on a daily basis, this projection would equate to about 254 acres per year or 0.7 acre per day.

Because the projected wetland increase over time was represented in the Draft EIS, no edits to the Final EIS have been made.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63933**

**Commenters asked if there will be mitigation efforts done prior to the implementation of the diversion and when will those measures occur?**

**Response ID: 16580**

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on mitigation, including mitigation that would be undertaken before the Project becomes operational. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including providing additional detail on several mitigation efforts that would be undertaken before the Project becomes operational, including funding for public and private oyster seed ground enhancement, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence fishing access (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such

measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40246**

Ruth Falgout

I have been studying and learning about Louisiana's coastal land loss since my now 42 year old sons did their 4th grade social studies project "Louisiana's Coast, Can It Be Saved?" This is the biggest project that can truly answer their question. I urge you to go forward with the project to protect our way of life for generations to come.

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**Concern ID: 63339**

**The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.**

**Response ID: 16297**

The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.

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**Correspondence ID:40247**

Stephen Beaudet

I wish to express my concerns about this initiative. We have seen the very negative impact of this type of effort (intentionally and naturally) in the recent past. The MS sound and Biloxi marsh have been significantly altered recently and has had a very negative impact on our recreation, tourism, seafood (sport and economy) and our daily lives. Pls don't intentionally make things worse for us. Thank you

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**Concern ID: 62786**

**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:40248**

Valerie Ramirez

Hello, my name is Valerie Ramirez. I'm originally not a native to Louisiana. This is honestly the first time I've heard about what was going on with the situation. So my question is, what are the number - - what is the statistics of Louisiana citizens that are aware of this project, if there are any? And I've been reading a couple of articles and there isn't really one number that is consistent on the amount that is being spent on the project, along with the time frame.

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**Concern ID: 61955**

**Commenters are concerned that all those that are impacted may not be aware of the proposed Project, its impacts, or potential mitigation. There are many people that may not have the knowledge, time, or resources to be deeply involved in these issues, but who also have a stake in what is happening. Consider the needs of these people in making a decision about moving this proposed Project forward. If this proposed MBSD Project and similar projects move forward consider opportunities to better engage people across Louisiana's coast in the value of projects like these and why they are crucial to the future of our region.**

**Response ID: 15900**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and the LA TIG conducted public outreach and provided public comment opportunities throughout the development of the Draft EIS and the LA TIG Draft Restoration Plan. Details on USACE's and the LA TIG's outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public

meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. Throughout the public comment period and concurrent with the preparation of the Final EIS and LA TIG's Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups.

This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented.

Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not

know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40250**

Brian Moore

Hi, good evening. Thanks for having me. Thanks for doing all you're doing. And really, thanks to everyone on the panel for all you've done to move the ball forward with the Mid-Barataria Sediment Diversion. It's important to me and it's important to the organization I represent, which is the National Audubon Society, and our over 2 million members nationally, and also important to us is 26,000 acres that we own and manage and operate in Louisiana that we've had for nearly a hundred years. So we feel like we have a pretty big stake in what's happening to the Louisiana coast, but for lots of reasons, and we would like to stand in support of the Mid-Barataria Sediment Diversion.

It's important for a whole lot of reasons. One reason for us, as the National Audubon Society, our focus is on wildlife and habitat, and particularly birds, and 40 percent of birds that migrate through the U.S., the United States, at some point in time in their migration or other habits, stop on the coast of Louisiana, so there could not be a more important place for habitat for birds and other wildlife, and this Mid-Barataria Sediment Diversion has a real chance to help bring back some of the wetlands that birds and other wildlife find important.

I think, also important is what the Mid-Barataria Sediment Diversion will do to help stabilize the whole ecosystem and also help provide some protection for people and communities, and, of course, for the economy in coastal Louisiana, which are all important to us.

And, finally, I'd like to say I'm glad to see that there is a significant amount of funding in the proposal to work with potentially impacted communities. We think that the trustees and everyone involved should really work as closely and collaboratively with the potentially affected communities as possible, and do that in a transparent way so that, you know, we can all be a part of the process.

And that is it for me. Thank you very much and have a great evening.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting**

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**coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40251**

Dian Campbell

Hi, my name is Dian Campbell. I'm a resident of the Lake Hermitage area and I had a couple of questions and I also have a comment. I, too, living in the Lake Hermitage area, can see a need for us to take some type of action for the coastal erosion. Actually, you can tell within the last 10 years how massive it's become. But part of my question has to do with the type of diversion that we're speaking of. If it's - - if I'm understanding correctly, you're going to transport the sediment by moving water, and I'm just wondering why is that favorable to actually - - I know when we had now Lieutenant Governor Billy Nungesser as Parish President, he had proposed doing dredges and moving the fill in that manner, to be successful.

That was one of my questions.

And the other part that I'm questioning is, by pumping in all of this water from the river, we all know that the river is not free of any type of hazards or chemicals. We just recently had where millions or billions of tiny pellets were discharged and no one took claim to that being a hazardous material, and they're still sitting out there, so you're going to have that type of contamination introduced into the bayous. What are you doing for protecting fish from that?

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the**

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**Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred

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Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 63202**

**There needs to be a plan to protect the basin from pollution introduced from the Mississippi River into the Barataria Basin.**

**Response ID: 16570**

Chapter 3, Section 3.5.1.1 Water Quality Standards and Dedicated Uses - Mississippi River of the Draft EIS considered the commenter's concern regarding the potential for the Project to introduce pollution from the Mississippi River into the basin and explains that the Mississippi River fully supports designated uses for the river established by the Environmental Protection Agency and the Louisiana Department of Environmental Quality. However, the designated uses for the Mississippi River may be different from the designated uses for other waterbodies in the Barataria Basin. The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS) includes monitoring of a variety of water quality related parameters, which would start prior to construction and continue throughout the Project's implementation.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40253**

Steve Dillard

I thank you all for your patience. My IT neighbor just showed up and pressed the right button, so - - I thank you all. Thank you, James. All right, guys. Look, I appreciate it. Thank you for your patience. I know I only have three minutes and it took 45 to connect, so here we go.

My name is Steve Dillard. I live at [REDACTED] commonly known as Happy Jack, down in Port Sulphur. I've been a resident down there a long time, been in and out. It's a great place. I want to see it stay. I appreciate and love the coastal restoration that you all are doing. I'm all for it, for coastal restoration. I don't know if your approach is correct, but this is not the time or place to go into that. It's too detailed and I only have three minutes. My immediate concern is the flooding of the road on Happy Jack. If you all are going to raise this water to the levels you all are talking about, we already can't get in and out of the road, to begin with. You all are going to have to significantly raise and modify this road. This is nothing but a little bitty shell gravel road, that's all we got, and it floods out right now beaucoup times a year. So that's issue one.

Secondly, my dock, at present, goes under water, so if you're going to add more water to it, I'm not going to be able to use the underside of my house. If I can't use the underside of my house, you're going to say, okay, we'll mitigate and raise your dock. There you go, I like that, go ahead and raise my dock. But now you've got to turn around and you've got to raise my camp, because now I can't get underneath my house. So I've got some issues.

And the only other comment I got out there - - and I appreciate all the translators that's on there - - but how come we ain't got no cajun translator? And that's just a joke, but I love you all. So that's what I've got.

And the other thing in your presentation, Brad, that you had ongoing, I believe, you all talked about you don't have any present - - you all did a bunch of computer models, and this, that and the other, that you all created to speculate what may happen with this river diversion and so on. Well, you got a great model right across the street, Mardi Gras Pass. What has Mardi Gras pass done for us? Has it been positive? Has it been negative?

And I'll go ahead and leave all my comments there, and I hope someone circles back, and please don't cite chapters of books for me to read. I love you, Brad, thank you, but no. I want to know specifically, are you all going to take care of the road, the docks, the houses. What are you all going to do to mitigate the increased water? And I thank you all for your patience.

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the**

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**Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case



of the West Bay Mississippi River Diversion, Estuarine, Coastal and Shelf Science, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina

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Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure

that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40254**

Natalie Snider

I am the Senior Director of Coastal Resilience at the Environmental Defense Fund, and a few things I would like to compliment the team on is, No. 1, as in my previous life, working on a lot of EIS's and tracking those, it's a very complete and amazing document that you've put together.

No. 2, having the translation here on the webinar, it's unfortunate it hasn't been used as much as we would have hoped, but for all the translators that are here, we appreciate you being here and spending your time here, because it's important to at least have that inclusion and that availability of inclusion in these, in this work. And we know, in coastal Louisiana, we are diverse and that's what makes us the gumbo, right? And I do look forward to the cajun translating on this project, so I'm looking forward to that coming.

You know, Brad, you mentioned the operations and adaptive management, and I think that's where I want to focus my comment is, you know, making sure that people understand, and being more clear about how this is not a project that is put in place and you walk away from. It is operated every day, every year, multiple years, and there's a lot of decisions that have to be made on a daily and annual basis about how operations occur, when it's open, when it's not. So I commend CPRA for putting in the monitoring, putting in substantial money for the monitoring to make sure that we understand what the response is of this ecosystem and these communities to this project, which is fundamentally important. I request that the adaptive management be expanded, the governance be more inclusive of not only the natural resource users, but the communities that are being impacted should be part of that conversation and that adaptive management program.

But all in all, great job to all you guys in doing a very robust scientific analysis, and we look forward to working with you, as the Adaptive Management Program evolves over time. Thank you.

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**Concern ID: 62331**

**The EIS is comprehensive and well-prepared, and used the best available information and data.**

**Response ID: 15782**

Acknowledged.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to

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them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40255**

Office of Louisiana Lt. Governor

William Nungesser

I'm writing today to express my concern over the expediting of the environmental permitting process for the planned river sediment diversion project in Plaquemines Parish at Mississippi River mile 60.7. I am strongly opposed to cutting any corners, changing any laws or rules for any project where we have not fully determined the environmental or economic impact. The thought that we would divert up to 75,000 cubic feet per second of polluted freshwater into the estuary without looking at every aspect of the potential environmental impact to the wildlife and to the seafood industry is deeply concerning.

In addition to the polluted river water that will be diverted into the Mid-Barataria Basin, I am also concerned with the known impacts of low salinity levels within the estuary that give life to benthic and marine mammal species. The size and effects of the dead zone in the Gulf of Mexico has been chronicled over the years and I cant help but think of the potential negative consequences of the toxic water from the proposed river diversions settling in the marsh. This will be nothing short of catastrophic to both our seafood industry and the hospitality industries in Louisiana.

The National Oceanic and Atmospheric Association has concluded that two proposed population stocks of dolphins might be negatively affected by the proposed sediment diversions. NOAA has also concluded that the existing dolphin population will face irreparable harm when exposed to prolonged periods of freshwater exposure and that comparing the Lake Pontchartrain dolphin stock with the dolphin stocks in Mid-Barataria and Mid-Breton is an inappropriate physical and ecological comparison. This analysis was followed by a commissioned study requested by the Marine Mammal Commission to further analyze the impacts this project would inflict upon our coastal communities. The University of St. Andrews in Scotland concluded that the negative impacts to the bottlenose dolphin population would be far higher than the NOAA study and further damage our fragile eco-system with an estimated mortality rate of 60% to 70%.

Furthermore, the timeline of this project shows that it will not have an immediate impact on flood protection or marsh creation in the basin and assumes that the long term benefits will outweigh the short term costs. Shortening the (EIS) process doesnt may any sense to me or the stakeholders that stand to lose their way of life. A fully implemented environmental study is critical to the future safety and viability of our most vulnerable communities. This process has been deeply concerning, and unfortunately, many leaders will not speak up on this matter for fear of losing funding for coastal restoration projects within their parishes, a well-known silencing tactic used even when I was Parish President.

The federal permitting process for the diversion projects has not given me the confidence to provide my support for their implementation at this time. I still have questions surrounding the issuance of the Marine Mammal Protection Act (MMPA) waiver approved by Congress under the 2018 Congressional Budget Act that has led to the fast tracking of the (EIS) timeline by three years in the name of coastal restoration.

I have said many times, we have enough money from the BP oil spill to substantially protect t our coast. God help us if we waste it, we wont get this chance again.

Sincerely,

Billy Nungesser  
Lieutenant Governor

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**Concern ID: 62185**

**The commenter is concerned with the expedited permitting process and is opposed to cutting corners and changing rules or laws without fully determining the environmental or economic impact.**

**Response ID: 15738**

While the Mid-Barataria Sediment Diversion Project permitting process is being conducted utilizing the Fixing America's Transportation Act (FAST-41) process, the process was not expedited. The intent of FAST-41 is enhanced coordination, transparency, predictability, and accountability in federal environmental reviews and authorizations. It does not modify any underlying statutes, regulations, or mandatory reviews. The environmental review and permitting processes has not cut corners, and through the EIS, USACE has analyzed and disclosed the environmental and economic impacts of the proposed Project. CPRA filed its DA permit application for the proposed Project in 2016 (revised in 2018). USACE expects a decision on CPRA's application in December 2022.

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**Concern ID: 62708**

**The release of polluted river water into the Barataria Basin would create harmful algal blooms and/or large areas of low dissolved oxygen that could negatively affect aquatic fauna including mortality of adults and juveniles that may not be able to escape impacted areas.**

**Response ID: 16086**

As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, the input of nutrients from the Mississippi River is generally anticipated to be beneficial to the food web, although there is an acknowledged potential for harmful algal blooms. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and well-mixed by wind and tidal action, such that it is not typically prone to stratification that promotes hypoxic (dissolved oxygen of less than 2 to 3 mg/L) conditions. Further, as discussed in Section 4.10.4.4 in Aquatic Resources, the Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below 5 mg/L on an average monthly basis; therefore, although sporadic and limited areas of low dissolved oxygen may occur, mainly in the summer months, no large or prolonged periods/layers of low dissolved oxygen are projected by the Delft3D Basinwide Model, nor anticipated based on the Barataria Basin's identification as a largely well-mixed estuary. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to Project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2), which has been updated for the Final EIS in response to public comments, includes CPRA's plan to implement a monitoring program for phytoplankton species composition, including harmful cyanobacterial/algal bloom species (and associated toxins) (see Sections 3.7.3.10 and 3.7.3.11 of Appendix R2 of the Final EIS).

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The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54

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and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider

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public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62788**

**The proposed Project would result in quick or immediate adverse impacts on resources in order to produce potential benefits in the future.**

**Response ID: 16369**

As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would cause both beneficial and adverse impacts on the assessed resources upon commencement of operation, as well as both beneficial and adverse impacts on the assessed resources in the future. For example, the decrease in salinity that would occur upon initial operation of the proposed Project would result in major adverse impacts on various species (oysters, brown shrimp, bottlenose dolphins) over a relatively short period of time; however, the accumulating fresh water and sediments would create or maintain wetlands over long term or permanent basis, (that is, extending through the remainder of the 50-year period of analysis) which would benefit other commercially or recreationally important aquatic species, such as white shrimp, blue crab, and Gulf menhaden, and would increase storm protection for communities north of the immediate outfall area the Delft3D Basinwide Model projects these benefits to increase over time and to be greatest in the 2060s (see Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S., 4.10.4.5 in Aquatic Resources, 4.11.5.2 in Marine Mammals, and 4.20.4.2 in Public Health and Safety, Including

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Flood and Storm Hazard Risk Reduction). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62880**

**A fully implemented environmental study is critical to the future safety and viability of our most vulnerable communities. The federal permitting process for the diversion projects has not given the commenter the confidence to provide support for their implementation at this time. The commenter has questions surrounding the issuance of the Marine Mammal Protection Act (MMPA) waiver approved by Congress under the 2018 Congressional Budget Act that has led to the fast tracking of the (EIS) timeline by 3 years in the name of coastal restoration.**

**Response ID: 15740**

While the Mid-Barataria Sediment Diversion Project permitting is being conducted utilizing the Fixing America's Transportation Act (FAST-41) process, the process was not expedited. The intent of FAST-41 is enhanced coordination, transparency, predictability, and accountability in federal environmental reviews and authorizations. It does not modify any underlying statutes, regulations, or mandatory reviews. Similarly, the MMPA waiver does not alter USACE's or the LA TIG's NEPA responsibility to evaluate anticipated impacts of the proposed Project on marine mammals. The EIS analyzes and discloses the environmental and economic impacts of the proposed Project, including anticipated effects on marine mammals (see Chapter 4, Section 4.11 Marine Mammals). The NEPA process was not abbreviated to expedite review. All steps in the NEPA process have been followed to allow for public participation and transparency, including scoping, public review and comment periods. In recognition of the potential for collateral injuries from the proposed Project, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of mitigation and stewardship measures. See Section 3.2.1.1.5 of the LA TIG's Final Restoration Plan and Appendix R to the Final EIS. The LA TIG is also committed to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill. Section 20201(b) of the Bipartisan Budget Act of 2018 also requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project, to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021)**

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**building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins

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(95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than the No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Correspondence ID:40256**

Cathleen Berthelot

June 2, 2021

U.S. Army Corps of Engineers New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Mr. Laborde and Mr. Landry,

As a resident of Louisiana and mother to three young children, I am writing to express my strong support for the Mid-Barataria Sediment Diversion, and specifically, the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid- Barataria Sediment Diversion.

I firmly believe that the Mid-Barataria Sediment Diversion is a crucial first step to ensuring the long-term health of Louisiana's coastal communities, ecosystems and wildlife in the face of rising sea levels, increasing storm intensity, and continued land loss.

This project allows us to harness the power of the "Muddy Mississippi" and use it to rebuild wetlands and habitat, provide a line of defense to storms and sea level rise, and ensure sustainability for communities including the bayou communities and New Orleans.

However, changing the ecosystem to a more natural state will mean unfortunate impacts to some resources that have benefited from the artificially created estuary over the past decades, such as oysters, brown shrimp and dolphins. But by not reconnecting the Mississippi River, these precious resources may suffer even greater impacts in the future, along with the ecology, economy, communities and culture. Restoring a more natural state to the Louisiana delta will not be easy but is fundamentally essential if future generations want to enjoy the bounty and culture of the region. So while I appreciate your efforts to address those impacts with important stewardship measures and substantial funding, I encourage you to continue to take a holistic approach to address citizen concerns.

We have no time to lose to reconnect the sediment, nutrients and freshwater of the Mississippi River to its wetlands and start to rebuild our coast. The future of New Orleans, the bayou communities, the fisheries and wildlife and Louisiana's amazing culture desperately depend on it.

I truly appreciate your tireless efforts on this important matter, both for our generation and for future generations.

Sincerely,

Cathleen Berthelot

New Orleans, LA

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**Concern ID: 63179**

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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40257**

National Audubon Society

Brent Newman

June 2, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Re: Draft Restoration Plan and Environmental Impact Statement: Mid-Barataria Sediment Diversion

Dear U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

The National Audubon Society (Audubon) is a nonprofit conservation organization whose mission is to protect birds and the places they need, today and tomorrow, throughout the Americas. Audubon has had a presence on the Gulf Coast for nearly a century and is invested thoroughly in the region. Audubon staff are working to advance habitat restoration, conservation, and stewardship with the goal of having healthy and resilient coastal and marine ecosystems that support populations of birds, fish, wildlife, and people throughout the Gulf's five coastal states.

On behalf of our 1.8 million members, Audubon would like to provide comments to the U.S. Army Corps of Engineers, other cooperating agencies, and the Louisiana Trustee Implementation Group on the Draft Environmental Impact Statement (DEIS) and Phase 2 Restoration Plan #3.2 for the Mid-Barataria Sediment Diversion. Audubon would like to express our full support for the identified preferred alternative in the Draft EIS for the project, and the proposed use of funds from the Deepwater Horizon Oil Spill to implement the project.

The Mid-Barataria Sediment Diversion provides a path forward for a more sustainable Louisiana coast, grounded in the best available science, to provide economic opportunity, adapt to climate threats, and restore vital wetland habitat. By harnessing the Mississippi River's sediment, this diversion will restore the natural processes that created the Louisiana coast that we all know, enjoy, and rely on by building and maintaining thousands of acres of vital wetlands that provide bird habitat and protect communities from more intense hurricanes and sea-level rise. This project and other efforts intended to work cooperatively for long-term restoration and protection in the Barataria Basin are priority projects for the Restore the Mississippi River Delta coalition, of which Audubon is a member. Additionally, the Mid-Barataria Sediment Diversion is identified as a priority project in Audubon's Comprehensive Gulf Restoration Plan.

The impacts of the 2010 Deepwater Horizon oil disaster were devastating to birds, and Barataria Bay was among the most heavily and consistently oiled areas during the tragedy. This oiling accelerated long-term habitat loss and erosion, which threatens bird populations that depend on the wide variety of habitats this region provides. Shorebird populations have shown dramatic population declines with the loss of these coastal habitats. This project will provide critical nesting or foraging habitat for many of Audubon's conservation priority



species, such as Mottled Duck, Bald Eagle, Little Blue Heron, Western Sandpiper, and King Rail.

Audubon would like to commend the cooperating agencies on developing a science-based DEIS and Restoration Plan that provides a comprehensive outlook of the impacts anticipated from project construction and operation. The mitigation actions contemplated should ensure that the operation of the Mid-Barataria Sediment Diversion will achieve its purpose while minimizing impacts to communities, fish and wildlife, through in-depth analysis and robust adaptive management.

Below, Audubon has detailed a few specific recommendations for the project proponents and permitting agencies to consider, which we believe will foster greater public understanding of project impacts and ensure the sustainability of the basin's naturally diverse and crucial resources.

- **Operations and Monitoring Data Repository:** Audubon commends the Louisiana Coastal Protection and Restoration Authority (CPRA) for committing to the U.S. Fish and Wildlife Service's recommendation for a "basin-wide operations and basin monitoring data repository." To expand on this recommendation, CPRA should make this operations and monitoring data available in a user-friendly way to the public and stakeholders, to foster a greater understanding of the project operations and impacts to the basin. A "real-time information dashboard" model would be useful to the public and diversion operators by increasing transparency and general understanding of the on-the-ground impacts of the project operation. This resource would also be valuable for state agencies, researchers, stakeholders, and can serve as a model for the implementation of similar restoration projects along the Mississippi River, or in other locations worldwide.
- **Adaptive Management:** The importance of the Monitoring and Adaptive Management (MAM) Plan cannot be overstated. The Barataria Basin must be continually monitored due to the complexity of the natural ecosystem, so that the impacts from this project are fully understood. This provides an opportunity for CPRA to modify project operations, if needed, to maximize restoration benefits and minimize impacts to fish and wildlife. Although the USFWS recommendations suggest coordination among USFWS, NMFS, and other resource agencies, we would suggest expanding this coordination to other science, policy-based and community stakeholders, to ensure a broader discussion of management impacts and options. Many projects nationwide employ these broader workgroup perspectives, including dam operations and other water management strategies.
- **Adaptive and Transparent Mitigation for Communities:** The DEIS lays out impacts to several different communities that are integral to Louisiana's culture and lifestyle, including coastal fishing communities, historically disadvantaged communities including Black and indigenous groups, and members of the seafood industry. It is imperative that CPRA and the Corps ensure that all impacts to these communities are addressed and mitigated. As the diversion project begins operation, and the MAM plan is implemented, the impacts to these communities should also be monitored and the agencies must plan and budget for adaptive mitigation, depending on the evolving needs of these integral communities. It is difficult to wholly prepare for the impacts of an innovative project such as the Mid-Barataria Sediment Diversion, so the implementing agencies should anticipate evolving needs and mitigation strategies, which should be developed in partnership with the affected groups. This evolving nature of adaptive mitigation should include the modeled and anticipated effects of a warming

climate on project operations, and the effects to socially vulnerable populations and communities. CPRA has done a commendable job in outreach, and demonstrated a willingness to work with affected parties on appropriate mitigation strategies. That manner of outreach and engagement should continue through all aspects of construction and project operation.

- **Comprehensive Management of the Lower Mississippi River:** In recent federal legislation such as the Water Resources Development Act or the pending Mississippi River Restoration and Resilience Initiative, comprehensive and holistic management of the Lower Mississippi River is recognized as a useful and necessary collaborative effort. Other existing efforts such as the Gulf Hypoxia Task Force recognize the cumulative effects of water management throughout the entire Mississippi River Basin on the resources along the river and into the Gulf. Audubon encourages further discussion, study, and implementation of projects and processes that would maximize natural infrastructure and coordinated operations among existing projects and other water management efforts throughout the basin for the benefit of birds, wildlife, and people. The beneficial impacts of coordinated operations could include maximizing habitat protection and restoration, managing for high water events, and minimizing negative impacts to birds, wildlife, and people.
- **Coastal Mississippi Considerations:** The proposed project underscores the importance of CPRA, the Corps, and other coordinating natural resource agencies and stakeholders to continue working together with the regional scale in mind. In recognition that our natural resources do not follow political boundaries, southeast Louisiana's wetlands, waters, and living coastal and marine resources, play a vital role in the overall ecological health and community resiliency of the Gulf of Mexico, particularly for coastal Mississippi. A recent example of the significance of this vast interconnected ecosystem was demonstrated by the repeated openings of the Bonnet Carre' Spillway over the last several years, which resulted in dramatic impacts to the health and productivity of the Mississippi Sound estuary and its barrier islands.

Although the proposed diversion's receiving waters are mainly on the western side of the Mississippi River, we encourage CPRA and the Corps to prioritize meaningful opportunities to disseminate information and provide for public engagement throughout the decision-making process, including outreach to coastal Mississippi communities and other interested stakeholders, and establishing a regular dialogue with Mississippi natural resource agencies and coastal leaders.

- **Consistent and Comprehensive Outreach and Education:** Given the proposed diversion's unprecedented scale and intended contribution to supporting a vibrant, sustainable Gulf ecosystem, inter-state and regional cooperation are essential to complement and maximize restoration at the landscape scale while identifying opportunities to develop public-private partnerships and leverage technical and scientific expertise. As the State of Louisiana's most consequential sediment diversion proposal to-date, transparent, timely, and inclusive communications are essential to its success.

To that end, we recommend that CPRA and the Corps employ a comprehensive suite of communications tools and engagement approaches to share announcements, educate and engage all interested interstate and regional stakeholders, and solicit broad public input in a coordinated, timely, and transparent manner. These tools could include, but should not be

limited to, public meetings and workshops (virtual/in-person as appropriate), webinars, open houses, electronic newsletters, text messages, and social media platforms.

Audubon appreciates the opportunity to provide comments on the Draft Environmental Impact Statement (DEIS) and Phase 2 Restoration Plan #3.2 for the Mid-Barataria Sediment Diversion, and recommends the approval of the identified preferred alternative, as well as the proposed use of funds from the Deepwater Horizon Oil Spill to implement the project and restoration plan. Without this project, the future of the Louisiana coast, communities, economy, and wildlife is dire. The importance of this project is apparent to our membership, with over 25,000 Audubon members regionally and nationally signaling their support for implementation through the comments portal.

Audubon strongly encourages the implementation of this project and Restoration Plan, ensuring future generations of people and birds can thrive and prosper on the unique and singular landscape of Louisiana's coast.

Sincerely,

Kara Fox

Director, Gulf Coast Restoration

National Audubon Society

Brian Moore

Vice President, Gulf Policy

National Audubon Society

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**Concern ID: 61953**

**The public participation process is flawed because the public participation for this proposed Project should extend beyond coastal Louisiana. Expanding certain public participation methods such as media events or environmental NGOs beyond coastal Louisiana would be productive for the proposed MBSD Project. This proposed Project is a great example of one option for restoration after an oil spill and there are likely people beyond Louisiana that have expertise in this field that could be helpful in the public participation process. Ensuring that the proposed Project is able to have the best possible commentary from experts in the field is essential to its success.**

**Response ID: 15897**

The public participation process has been and would continue to be open to all public, agency, and stakeholder input regardless of geographic residence. USACE has provided multiple means for the public to engage in the permit and environmental review processes including providing public notices for the permit application and the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and libraries. Materials and information related to the proposed Project are available on the USACE New Orleans District website, including the Draft EIS at <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>.

The virtual nature of the public meetings held for the Draft EIS and LA TIG's Draft Restoration Plan in April 2021 allowed participants from any geographic residence to participate in the meetings and provide

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verbal comments through a internet/web-based conferencing application or by telephone. Approximately 39,303 (out of 40,699) comments on the Draft EIS were received from outside the State of Louisiana.

CPRA and the LA TIG would continue to seek input from the public, agencies, and groups interested in and affected by coastal restoration, including the proposed Project if implemented, and other restoration efforts.

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**Concern ID: 61965**

**Commenter's recommend that CPRA and the USACE employ a comprehensive suite of communications tools and engagement approaches to share announcements, educate, and engage all interested interstate and regional stakeholders, and solicit broad public input in a coordinated, timely, and transparent manner. These tools could include, but should not be limited to, public meetings and workshops (virtual/in-person as appropriate), webinars, open houses, electronic newsletters, text messages, and social media platforms.**

**Response ID: 15910**

USACE and the LA TIG, including CPRA, acknowledge the suggestions to employ a comprehensive suite of communication tools and engagement approaches to engage all interested stakeholders and would take these suggestions into consideration for future engagement efforts for the proposed MBSD Project. USACE maintains Project materials, including the EIS, on its public website. USACE and LA TIG held virtual public meetings accessible by everyone with access to the internet or a telephone for the Draft EIS and the LA TIG's Draft Restoration Plan to comply with COVID-related restrictions in place at the time. These public meetings allowed verbal comments during the public comment portion in addition to providing multiple ways for a participant to comment. Spanish, Vietnamese, and Khmer translators interpreted the meeting and comments in real time. USACE has engaged with community groups to distribute information and materials about the proposed Project. CPRA has also engaged with communities that would be affected. See Final EIS Chapter 7 Public Involvement for a description of these efforts.

In addition, refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 for a description of the adaptive management, governance, and monitoring that CPRA has committed to along with stakeholder engagement during the adaptive management process if the proposed MBSD Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

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**Concern ID: 62801**

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**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62837**

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**Encouraging the comprehensive and holistic restoration of the Lower Mississippi River would benefit all restoration projects in the region. Coordinating the operation of the proposed Project to work well with other restoration and water management efforts would benefit birds, wildlife, and people.**

**Response ID: 16664**

The Project is part of several comprehensive, coordinated strategies for restoration of Barataria Basin and the surrounding region. First, the Project is contemplated in the PDARP/PEIS, which establishes a comprehensive framework for restoring the northern Gulf of Mexico from impacts from the DWH oil spill. Second, the Project is part of the LA TIG's Strategic Restoration Plan for Barataria Basin, which articulates a comprehensive Restoration Plan for restoring the Barataria Basin. The Project is also a cornerstone project of Louisiana's Coastal Master Plan, the 50 year, \$50 billion scientifically based strategy for restoring coastal Louisiana. Louisiana's Coastal Master Plan projects are selected with an eye toward complementing other restoration efforts, such as the Gulf of Mexico Hypoxia Task Force and the Lowermost Mississippi River Management Program.

The Draft EIS considered coordinating the Project with other restoration and management efforts—specifically CPRA's agreement to implement Conservation Recommendation 3 from the Fish and Wildlife Coordination Report to establish a basin-wide operation and monitoring data repository to ensure operators of other projects can coordinate in an effort to maximize restoration efforts in the basin (see Chapter 5, Section 5.3 [Fish and Wildlife Coordination Act Report Recommendations] of the EIS and Section 6.3 [Data Storage and Accessibility] of the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 to the EIS). These collaboration methods are also included in the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63336**

**This proposed Project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.**

**Response ID: 16292**

The commenter's support for the proposed Project is noted. The proposed Project, by reestablishing deltaic processes, is intended to build coastal resiliency and protection for the coastal communities behind Barataria Basin. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

See Sections 3.2.1.6 (Benefits Multiple Resources) and 3.2.1.7 (Public Health and Safety) of the LA TIG's Restoration Plan for a detailed discussion of the proposed Project's potential benefits and public health and safety impacts, respectively.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63777**

**CPRA should coordinate with not only USFWS, NMFS, and other resource agencies, but also other science, policy-based and community stakeholders, to ensure a broader discussion of management impacts and options.**

**Response ID: 16687**

CPRA and the LA TIG considered the commenters concern in developing the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the EIS). The MAM Plan includes input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]). The MAM Plan included in the Final EIS (Appendix R2) has been revised in response to public comments. In addition, in response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the

internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

With specific regard to the inclusion of scientific expertise, in addition to the expertise within CPRA, the governance provisions of the MAM Plan call for establishing a Technical Focus Group/Peer Review Group with subject matter expertise to provide technical support on long-term Project planning, assist in the evaluation and interpretation of monitoring data and evaluate the state of the science concerning adaptive management. See Section 2.2.2.3 (Technical Focus Group(s)/Peer Review) of the MAM Plan (Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63934**

**Implementing agencies should be adaptive and transparent in how they mitigate impacts to communities. CPRA has done a great job in outreach and the same level of outreach and engagement should continue through construction and Project operation.**

**Response ID: 16581**

CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA would continue outreach to help ensure that impacted communities become aware and take advantage of the mitigation measures that

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CPRA would offer if the Project is approved and funded. The MAM Plan also includes particular measures including engagement with stakeholder groups. See Section 2.2.2.2 (Stakeholder Review Panel) of the MAM Plan (Appendix R2 to the Final EIS).

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**Correspondence ID:40258**

CRCL, NRDC, Earth Justice, Sierra Club

Jay Eickenhorst

"Katy Bar the Door" best expresses my concern that the MBSD will NOT be the preferred alternative for the DEIS.

It is quite clear that hurricane frequency and intensity will increase for the foreseeable future and this project will help reverse the land loss, reinforce storm mitigation systems, restore vital ecosystems and invigorate the regional economy.

Drawing on the funds in the Deepwater Horizon Restoration Plan has already been outlined.

By embarking on this project, the United States will demonstrate to the world that we are committed to addressing the already catastrophic effects of global warming as well as provide a real-world laboratory and an unparalleled opportunity in which every concerned citizen of our planet can watch and participate.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40259**

Sustainable Energy Economy Solutions

Andy Kowalczyk

As someone who advocates for an efficient and reliable electricity system in the state of Louisiana. System resilience has become an increasingly important aspect of planning, which is recognized by the Regional Transmission Organization that Louisiana is situated in. Power outages and hurricanes go hand in hand - - for the first time in MISO history, the Hurricane Laura event triggered a capacity related load shed event. Increasing transmission capacity, and alternative flows of power throughout the state is critical, but the landscape this infrastructure is built on is equally important. A restored coast will help provide energy security through the protection it provides by creating a buffer for extreme weather events, and lowering storm surge. A more protected power grid also means reduced costs, which should translate to lower rates for consumers.

As NOAA cites in their "Billion-Dollar Weather and Climate Disasters" tracker, the state of Louisiana has spent over \$210 billion dollars in damages over 40 years, and the frequency of disasters have increased dramatically in recent years.

A crucial component to restoring the coast is reconnecting the Mississippi River to the surrounding marshes. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Centering community needs in planned mitigation and stewardship efforts should also be a priority. Plans to help communities deal with impacts of the projects should be clearly stated and fully funded. It should be recognized that building support with local communities and recognizing their needs should be foundational to any mitigation efforts. in the region.

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**Concern ID: 62024**

**Electricity system resilience has become an increasingly important aspect of planning, which is recognized by the Regional Transmission Organization that Louisiana is situated in. A restored coast would help provide energy security through the protection it provides by creating a buffer for extreme weather events, and lowering storm surge. A more protected power grid also means reduced costs, which should translate to lower rates for consumers.**

**Response ID: 16219**

The EIS considers impacts on Public Services and Utilities in Chapter 4, Section 4.13 Socioeconomics. As described, most public services and utilities infrastructure are located inside flood protection, though a few facilities are not. Beneficial impacts on public service infrastructure and utilities are expected in areas distant from the diversion and to the north associated with decreases in storm hazards with the proposed Project as compared to the No Action Alternative.

Additionally, the LA TIG finds that restoration of the coastal environment is intended to build resiliency, including security for infrastructure such as power providers.

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**Concern ID: 63179**

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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:40265**

Lisa Boswell

I have several concerns with this project. When the water rises, how will I be able to access, or depart from, my property. The road will need to be raised. This will cause the water to back up on my property. Will the state be paying to elevate my property. If the land is elevated, I will have less clearance under my house. Will the state be raising my house? If so, will they be paying for all related damages to sheetrock, etc.?

I have an 800 square foot dock with decking that runs under my house at the same level. I have spent thousands on this for my family's enjoyment and recreation. Will The state be raising this as well? What about the sewerage? Will our sinks and toilets back up? Will the state be raising the sewerage system?

I am concerned about the environmental impact from the polluted, "fresh", river water will have on the ecosystem. My wife's greatest joy is to interact with the Dolphins by splashing until they come close enough to pet. This too will be taken from us, as well as being able to catch crab, shrimp, Trout and Red fish from our dock. The main reason I bought the property was to be able to more fully enjoy our great Sportsman's Paradise. I spend a great deal of my annual salary to do so. I would hate to see the value of my investment deteriorate because of this destructive project. I would also hate to see this project destroy my dream. Will there be a buyout plan if my property no longer interests me when I can't do all the things I purchased it for? Will there be an appraisal done before the project starts for the sake of accuracy? I wholeheartedly believe that our coastline should be restored for the safety and enjoyment of our future generations, however, this is not the correct method of restoration. The \$2 billion price-tag is ludicrous! It seems to me that more studies need to be conducted. It seems that dredging/pumping sand in conjunction with rock jetties would be a cheaper, faster, and possible more lasting solution.

The whole design of this project seems to be flawed. There is no back gate to prevent the water from bottling up in the diversion and overtopping the levees when a hurricane comes from that direction. Since there has never been a diversion this size before, we do not even know if the sediment will settle or continue going right on out into the Gulf. The potential devastation to the environment is not worth the risk when there are other viable solutions.

Another monetary concern for myself it that this project jeopardises my 35 year career of seafood restaurant management in Plaquemines Parish. What am I to do if my job goes away due to this project? Will the state be paying my salary and bills? Please, I beg you, lets take a different approach!

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**Concern ID: 61973**

**Consider dredging the passes (south pass and south east pass) to relieve pressure on rising rivers and let the natural process of building the river there, along with rock jetties along the Louisiana coastline, support growth and protect from oncoming storms. Then use dredging to build up specific areas inland.**

**Response ID: 15974**

This alternative as presented, specifically dredging the passes and building rock jetties to create marsh, would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives in the EIS. Similar to marsh creation

alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long-term would require repeated lifts and maintenance through placement of additional dredged material. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of

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the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)



- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62225**

**Plaquemines Parish could experience flooding from the diversion similar to flooding due to the Mississippi River Gulf Outlet. Commenter asked if the diversion would be closed if it causes such flooding.**

**Response ID: 15758**

As described in Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction levees against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events. Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts potentially caused by the operation of the diversion.

CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures

contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern

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Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40267**

Carroll Erlinger

Its a proven fact, diversion projects we have right now arent working like they were proposed. The little sediment that is built up, one tropical storm or hurricane destroys any progress that was made. Until the coast is built back it will continue to be a losing battle. The only way to build back any land loss is with rocking the coast and dredging to pump sand. Commercial trawlers have been fighting for decades to maintain their livelihoods for years. First with TURTLE EXCLUDER DEVICES (TEDS) in the 80s, diversions and all the other regulations the state and federal government can dream up to put them out of business, this would be the last nail in the coffin for commercial fishermen in the Barataria basin. This is probably a waste of time anyway, once again its all about the money, too many pockets are going to get packed with money from this project, thats the bottom line. The question I have for anyone who will reply, the report says a estimated 30% of the dolphin population will be killed, what about the turtles, I havent heard anything about the turtle population, federal government sure worried about the turtles when it comes to commercial fishermen! Too conclude, I believe I speak for all the commercial fishermen that the affects from this diversion will be detrimental to their livelihoods.

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**Concern ID: 61973**

**Consider dredging the passes (south pass and south east pass) to relieve pressure on rising rivers and let the natural process of building the river there, along with rock jetties along the Louisiana coastline, support growth and protect from oncoming storms. Then use dredging to build up specific areas inland.**

**Response ID: 15974**

This alternative as presented, specifically dredging the passes and building rock jetties to create marsh, would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives in the EIS. Similar to marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long-term would require repeated lifts and maintenance through placement of additional dredged material. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on

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commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

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The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Concern ID: 63108**



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**Commenters questioned how many sea turtles would be killed by the proposed Project.****Response ID: 16409**

In compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. §§ 1531 et. seq.), the NMFS' Biological Opinion on the proposed Project (included in the Final EIS as Appendix O4) c

oncludes the proposed Project is not likely to jeopardize the continued existence of sea turtles and authorizes a "take" for the Project, which is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. In its Biological Opinion, the NMFS authorizes the incidental take of 783 sea turtles per year, including 370 Kemp's ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Over the 50-year Project life, this could equate to a take of 39,150 sea turtles (including up to 2,850 sea turtles mortalities).

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**Correspondence ID:40268**

Josie Lopez

Dear U.S. Army Corps of Engineers, New Orleans District,

Eleven years ago, the Deepwater Horizon exploded, killing 11 people and eventually spilling millions of gallons of oil into the Gulf of Mexico. It became the largest environmental disaster in U.S. history that resulted in the deaths of as many as one million birds.

The oil spill exacerbated a dire land-loss crisis. Since the 1930s, the Barataria Basin, an estuary in southeastern Louisiana near New Orleans, has lost nearly 295,000 acres of land, displacing communities, threatening critical infrastructure and jobs, and devastating habitat for birds and other wildlife. Forty percent of North America's migratory bird species depend on this disappearing habitat.

Barataria Basin was also ground zero for the oil spill, causing wetlands to disappear three times faster than the rest of the state. We now have an opportunity to restore some of the damaged habitat.

I strongly support the Mid-Barataria Sediment Diversion, the single-largest ecosystem restoration project in the history of the U.S.

Wildlife, fisheries, and beautiful natural places are at risk of complete collapse without large-scale natural infrastructure restoration projects like the Mid-Barataria Sediment Diversion. Natural infrastructure is engineering with nature-restoring and mimicking natural landscapes like wetlands to provide bird habitat, buffer coastal communities against flooding, and absorb carbon pollution—a win-win-win for birds and people.

This project will build more wetlands than any other individual restoration project in the world. By reconnecting the Mississippi River with its marshes, the sediment diversion will mimic the natural spring floods that once replenished the marshes, benefiting birds, wildlife, and fisheries.

This innovative project is a crucial first step in turning the tide on the state's land loss crisis and protecting vulnerable communities from hurricanes and sea-level rise, while also ensuring the long-term health of the ecosystem in the face of a changing climate and coast.

U.S. Army Corps of Engineers, I believe that there is overwhelming public support for restoration of Louisiana's Barataria Basin because Louisiana's coast is in crisis, putting birds and coastal communities at risk. More than 400 species of birds call coastal Louisiana home, and 40% of all migratory birds in North America spend a part of their life in coastal Louisiana. The Mid-Barataria Sediment Diversion is essential to rebuild vital habitats on which these birds depend.

I completely support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the proposal in the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

With that in mind, I ask the following of the U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

\*Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

\*Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

As the project advances, I urge federal and state decision-makers to consider the following:

\*Commit to developing a robust adaptive management program that incorporates knowledge gained from monitoring the project over time and also considers input from key stakeholders.

\*Work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation, and to be as detailed and transparent as possible throughout the mitigation planning process.

Thank you for considering my comments.

Sincerely,

josie Lopez

El Paso, TX 79912

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship

measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin**

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**where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

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Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and

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Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40269**

Valerie Palacios

Good evening,

I'm writing in support of the Mid-Barataria Sediment Diversion plan. Although I am not a resident of Louisiana, it is a state I have come to love over the past decade, and I often think about the potential of living here. In my many visits, I have come to especially love the bayou and coastal regions, and the knowledge of its disappearance is devastating. It is one of the most magical feeling places on earth, but how can I move there if its going to be gone in less than 20 years?

I know that this is an essential time to lead and show the world that a robust, adaptive management program is possible! And I hope that you will adopt measures that protect the land and the people I love who live there.

Thanks so much for taking the time to consider a healthy future!

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the

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Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40270**

Fay Malloy

Mr. Laborde and Mr. Landry:

I write today in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

Thank you for the opportunity to comment. I was born and raised in Metairie, Louisiana, and have been following this issue with concern. Thanks you for your consideration

Sincerely,

Fay Malloy

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40272**

Mississippi Aquarium

Holley Muraco

June 1, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Dear U.S. Army Corps of Engineers:

This letter has been prepared by the Mississippi Aquarium (MSAQ), a 501c3 organization with a dedicated interest in the conservation, research and management of marine mammals, sea turtles, fisheries, water quality, health and ecology of the Mississippi Sound and the Northern Gulf of Mexico. We have reviewed the Draft Environmental Impact Statement (EIS) that has been prepared to disclose and analyze all significant environmental impacts of the Proposed Action as required under the National Environmental Policy Act (NEPA) in accordance with the Council on Environmental Quality's (CEQ) regulations found in 40 CFR Parts 1500-1508. This EIS addresses the Public Interest Review requirements of 33 CFR Parts 320-332 including 33 CFR Part 325, Appendix B, 33 U.S.C. 408 and 40 CFR Part 230 (Section 404(b)(1) Guidelines), so that the EIS, when completed, will provide information required for an informed decision on the DA permit application and Section 408 permission request.

According to 40 CFR 1502.15: "The environmental impact statement shall succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration, including the reasonably foreseeable environmental trends and planned actions in the area(s). The environmental impact statement may combine the description with evaluation of the environmental consequences (§ 1502.16), and it shall be no longer than is necessary to understand the effects of the alternatives. Data and analyses in a statement shall be commensurate with the importance of the impact, with less important material summarized, consolidated, or simply referenced. Agencies shall avoid useless bulk in statements and shall concentrate effort and attention on important issues. Verbose descriptions of the affected environment are themselves no measure of the adequacy of an environmental impact statement ([www.govinfo.gov](http://www.govinfo.gov))."

In the Executive Summary (ES-5) of the Draft EIS, it was stated: "All areas of the human and natural environment that may be impacted by the proposed Project were considered, including geology and soils; groundwater resources; surface water and coastal processes; surface water and sediment quality; wetland resources and waters of the U.S.; air quality; noise; terrestrial wildlife and habitat; aquatic resources; marine mammals; threatened and endangered (T&E) species; socioeconomics; environmental justice; commercial fisheries; cultural resources; land use and land cover; recreation and tourism; public lands; aesthetic and visual resources; public health and safety, including flood risk reduction and shoreline protection; navigation; land-based transportation; and hazardous, toxic, and radioactive waste."

In the Executive Summary (ES-12) of the Draft EIS, Marine Mammals, it was stated that the only marine mammal stock likely to be impacted by the MBSD Project is the Barataria Bay Estuarine System (BBES) stock of bottlenose dolphins.

In Section 3.11, Marine Mammals, the EIS provided information about common bottlenose dolphin stocks that could be affected by the MBSD Project. This included science explaining why the stocks would or would not be affected. The stocks that were assessed in the EIS included: Barataria Bay Estuarine System (BBES), Terrebonne-Timbalier Estuarine System (TTES), Mississippi River Delta (MRD), and Northern and Western Coastal. The Atlantic spotted dolphin was also included as a potential impacted species.

According to Figure 3.11-1 Geographic Extent of the Northern Gulf of Mexico Stocks Considered in the Proposed Project EIS, page 3-142, a map is presented that shows the regional dolphin stocks. This map includes the Mississippi Sound dolphin stock. The Mississippi Sound BSE (MSS BSE) stock includes all of the Mississippi Sound, Lake Borgne and Bay Boudreau. However, despite showing the Mississippi Sound stock as part of the geographic extent of the EIS, this stock was not included in the EIS.

The latest Mississippi Sound stock assessment published by NOAA in 2017 states that there is insufficient data to determine population trends for the MSS BSE stock. Additionally, from January 11-13, 2021, MSAQ participated in a bottlenose dolphin workshop facilitated by the Marine Mammal Commission ([www.mmc.gov](http://www.mmc.gov)). The goals of the workshop was to enhance conservation of common bottlenose dolphins in Mississippi state waters by fostering collaborations and strengthening capacity for science, management, and marine mammal health. The workshop showed numerous data deficiencies for dolphins in Mississippi including but not limited to unknown trends in abundance, genetic connectivity to dolphins outside of the MS Sound region and biologically meaningful boundaries for demographically independent population of dolphins that utilize MS Sound waters. MSAQ believes that pursuant to 40 CFR 1502.15, the EIS should have included the MSS BSE stock to be potentially impacted and provide the associated necessary documentation as to why or why not this stock could be impacted by the MBSD project.

Although the EIS references studies that support high site fidelity in the Barataria Stock, no comprehensive or comparable studies on site fidelity have been conducted with adjacent stocks including MRD and MSS stocks. MSAQ believes that the MBSD Project should include routine, standardized, line transect, capture mark recapture surveys as well as genetic sampling and tagging efforts in Lake Borgne, Bay Boudreau and Bay Saint Louis regions as part of the stewardship measures. MSAQ also questions if the MSS BSE stocks could experience additional pressure due to displacement or change in prey or movement of dolphins from the MBSD project. Therefore, the MSS BSE stock need to be monitored before and after this project, particularly with a focus on Lake Borgne and Bay Boudreau Region dolphins.

MSAQ also supports the comments made by The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, on the Regionwide Trustee Implementation Group's (Regionwide TIG) Draft Restoration Plan/Environmental Assessment #1: Birds, Marine Mammals, Oysters, and Sea Turtles (draft RP/EA), as well as the comments provided regarding the draft EIS.

Sincerely,

Kurt Allen  
President & Chief Executive Officer  
Mississippi Aquarium

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**Concern ID: 62870**

**Although the EIS references studies that support high site fidelity in the Barataria Stock of bottlenose dolphins, no comprehensive or comparable studies on-site fidelity have been conducted with adjacent stocks including Mississippi River Delta and Mississippi Sound (MSS) stocks. The proposed Project should include routine, standardized, line transect, capture-mark-recapture surveys of bottlenose dolphins, as well as genetic sampling and tagging efforts, in Lake Borgne, Bay Boudreau and Bay Saint Louis regions. In addition, MSS stocks could experience additional pressure due to displacement or change in prey or movement of bottlenose dolphins from the proposed Project. Therefore, the MSS stock needs to be monitored before and after the Project, with a particular focus on Lake Borgne and Bay Boudreau Region dolphins.**

**Response ID: 16678**

The Draft EIS considered the issue raised by commenters in Chapter 4, Section 4.11.5.3 (Operational Impacts - Other Dolphin Stocks Considered), finding it is unlikely the Mississippi River Delta (MRD) stock would be impacted by the proposed Project, either directly from low salinity or other environmental effects (for example, temperature). Hence, the Project would not be expected to impact dolphins or their prey inhabiting those waters. It is not anticipated that dolphins in the Barataria Basin would relocate to the MRD stock area or beyond; therefore, no impact on other Louisiana stocks is anticipated. Therefore, no changes were made to the Final EIS on MRD stock monitoring.

Studies such as the ones suggested by the commenter, including aerial line transect surveys designed to better understand the population structure (for example, abundance, distribution, and density) of the Mississippi Sound, Lake Borgne, and Bay Boudreau dolphin stocks east of the Mississippi River, are being integrated into the permitting and environmental analysis efforts associated with CPRA's proposed Mid-Breton Sediment Diversion Project, currently under USACE permit review through a separate EIS process.

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**Concern ID: 63072**

**The EIS should include an analysis of the potential impacts of the proposed Project on bottlenose dolphins in the Mississippi Sound.**

**Response ID: 16595**

While Figure 3.11-1 of the Draft EIS showed the distribution of bottlenose dolphin stocks in southeast Louisiana, including the Mississippi Sound Stock, it was not meant to imply that all depicted stocks would be affected by the Project. The figure has been updated to clarify this point in the Final EIS. The Project would divert fresh water, sediment, and nutrients into the Barataria Basin on the western side of the Mississippi River. The Barataria Basin has no hydrological connection to Mississippi Sound, and the Mississippi Sound Stock does not extend into the Barataria Basin, or any other area that would be affected by the Project. Therefore, the Mississippi Sound Stock is not included in the analysis of the impacts of the Project.

**Correspondence ID:40273**

Earl Boswell

This is a very expensive unproven project. The destruction of the oysters, shrimp, speckled trout and dauphins is unacceptable. More land can be built by dredging and pumping sand in conjunction with building rock jetties. This process is much cheaper and faster and longer lasting than a fresh water diversion.

Past experience with fresh water being diverted from the Mississippi river has proven to be bad on the east bank of the river and surely will have a bad impact on Barataria Basin.

Consideration must be given to the lost way of life that will happen to the families that depend on the seafood industry for their lively hood. New Orleans restaurants depend on fresh seafood which could no longer be available at a reasonable price.

In closing please don't kill the bay.

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**Concern ID: 61973**

**Consider dredging the passes (south pass and south east pass) to relieve pressure on rising rivers and let the natural process of building the river there, along with rock jetties along the Louisiana coastline, support growth and protect from oncoming storms. Then use dredging to build up specific areas inland.**

**Response ID: 15974**

This alternative as presented, specifically dredging the passes and building rock jetties to create marsh, would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives in the EIS. Similar to marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long-term would require repeated lifts and maintenance through placement of additional dredged material. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD

Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in

the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS

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(Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
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CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 62789**

**The cost of designing and building the proposed MBSD Project is too high for a project that has undependable results.**

**Response ID: 16370**

The commenter's opposition to the proposed Project is noted. With respect to the dependability of the future benefits of the proposed Project, the Draft EIS acknowledged that the Delft3D Basinwide Model projections of future conditions includes uncertainties, which are incorporated into the EIS impact conclusions. These uncertainties are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties. However, in addition to the modeled data, Chapter 4 - Environmental Consequences -includes analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in preparing the EIS. As part of developing the EIS, the USACE, together with the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the

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Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the EIS impacts analysis of the alternatives.

Consistent with OPA regulations (15 CFR §990.54), the LA TIG's Restoration Plan evaluated multiple alternatives based on a number of criteria, including the cost of the alternative. For more information see Section 3 of the LA TIG's Final Restoration Plan. The costs associated with developing, constructing, and managing the Applicant's Preferred Alternative are discussed in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

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**Correspondence ID:40275**

Simone Maloz

I would like to express my personal support for the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. I also support the use of Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan to fund the project.

I grew up in the Barataria and Terrebonne Basins and now live in Jefferson Parish. My friends would hydraslide in the bayou after school, and we spent weekends at friends' fishing camps. Now, our young family has spent many weekends enjoying our Sportsman's Paradise from my son's first fishing trip to playing on the shores of Grand Isle. These wonderful opportunities and this way of life are at great risk if we do not take bold action now. I believe that bold action includes using the river to return our system to a more natural system which built our delta, but with the control afforded through an engineered diversion structure and operational regime as presented by Mid Barataria.

The Mid Barataria project will also provide critical storm surge protection to communities such as mine, but more importantly, to many more vulnerable communities such as Gretna, Harvey, Marrero, and Estelle. According to the CPRA Master Plan viewer social vulnerability map, which includes non-English speaking and natural resources dependent populations, there are a multitude of areas that are medium to high risk socially. We all need to work harder to protect those communities where retreat is not always an option, and by building the Mid Barataria Sediment Diversion, we can work towards those communities' long-term protection.

Working professionally in this space for 16 years, I am not blind to the fact that this project will have both positive and negative impacts for both the short and long term. I do not accept lightly the criticism that the state isn't trying hard enough-while I don't work for the state, I have worked along side them for all of those 16 years and they are taking the bold action needed to stem the devastating land loss this basin has been experiencing for decades. But the state cannot build a sustainable future for our coast alone -the coastal communities must step up to clearly express what their needs are and work towards solutions. Some, but not many, have been willing to have an open dialogue about their future, with or without the project. In the future, we need to find ways to build trust and have that critical dialogue about how we can work together to secure our future.

A critical factor and difference of this project is that mitigation and stewardship is to be funded through the project using post-oil spill dollars; it is not additional funding that needs to be authorized and appropriated. With funding for mitigation and stewardship built into the cost of the project, this is not like previous projects where folks were sold on the idea of something wonderful coming in the future, but the promises were never delivered. With the close of this DEIS comment period, our real-and hardest work- begins on identifying and implementing those mitigation solutions as early as we can. Even a series of pilot projects could go a long way to earn that trust back into the community.

Many people have found flaws in the mitigation proposed so far but the initial \$300 million commitment is TEN TIMES the annual overall budget of the entirety of Plaquemines Parish, not to mention how the DEIS lays out how many jobs will be created through construction. The payroll for those construction jobs, plus every trip to the gas station or sandwich bought

at a local restaurant, rolls over again and again in the community. Having worked on projects such as the \$400 million construction of elevating Louisiana Highway 1 in south Lafourche, I have seen where there can be an economic boom for the local community from everything to the post office to laundromats to housing and beyond. We should be working with the community to identify future needs of this workforce, including:

- providing adequate emergency and routine medical care for workers
- facilitating the start and growth of small business to provide services to this workforce
- educating skilled workers who can later pivot to other jobs along our coast long after construction is complete
- ensuring our transportation systems can handle a construction project of this magnitude (ie will the Belle Chasse bridge be constructed and how will this project impact traffic counts, tolling, etc.), and
- safeguarding our community resources like sewage, water, broadband etc. to make sure it can handle construction impacts in both the short and long term.

Finally, what is the future of our coastal communities without the project? The scenario laid out in the DEIS is dire, and in a future without action scenario, there is no guaranteed \$300 million to help the people of these communities. Dredging, while important in the short term, is terribly more expensive and does not provide sustainability. Even our most robust levee protection cannot take hit after hit from hurricanes or storms, like our previous record-setting hurricane season, and predictions are extreme weather will only increase in the future. How will our wildlife acclimate to these devastating storms, sea level rise and increased, intruding salinities? We simply do not have another decade to research suitable alternatives to replace the Mid Barataria, and even so, funding would in no way be guaranteed.

In summary, growing up in Louisiana and working professionally in this space for 16 years has also allowed me an extraordinary opportunity to understand how important-and vulnerable-the Barataria Basin is. I understand that for all the wonderful benefits this project provides, including a sustainable future, there will be negative impacts in both the short and long term to some. But I am willing to work the rest of my life to making sure that Louisiana remains a place where my children, and their children, can grow and thrive... and for me, that means, supporting the Mid Barataria Sediment Diversion and working towards its successful implementation.

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**Concern ID: 61931**

**Commenters noted that the proposed MBSD Project will provide critical storm surge protection to vulnerable communities such as Gretna, Harvey, Marrero, and Estelle. According to the CPRA Master Plan viewer social vulnerability map, which includes non-English speaking and natural resources dependent populations, there are a multitude of areas that are medium to high risk socially. These communities need to be protected where retreat is not always an option, and by building the Mid-Barataria Sediment Diversion, it can work towards those communities' long-term protection.**

**Response ID: 16284**

The commenter's support of the Project is acknowledged. The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that low-income and minority populations in

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communities north of the proposed diversion and inside of federal flood protection would experience some beneficial impacts related to additional protection from storm hazards as land building reduces storm surge and wave heights. Chapter 4, Section 4.20 Public Health and Safety provides additional information about storm hazard reduction afforded by creation and maintenance of wetland habitat within the diversion outfall area.

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**Concern ID: 61956**

**Commenters suggested [USACE and/or CPRA] carefully listen to those impacted by the diversion and have constructive dialogue between stakeholders and CPRA. They recommended to commit sufficient funding and resources necessary to those impacted to sustain their lives and livelihood throughout the diversion process.**

**Response ID: 15902**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. USACE and LA TIG each provided public outreach and comment opportunities throughout the development of the EIS and the LA TIG's Restoration Plan. Details on this outreach can be found in Chapter 7 Public Involvement in the Final EIS.

Since the release of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

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are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62022**

**The Draft EIS lays out how many jobs would be created through construction and the proposed Project would also bring desperately needed jobs and economic growth. Plaquemines Parish, where the proposed Project would be constructed, and the surrounding region - including Orleans and Jefferson Parishes - would expect to see a significant economic boost.**

**Response ID: 16218**

The EIS describes the jobs impact from the construction of the diversion in Chapter 4, Section 4.13.4.2 in Socioeconomics. The EIS finds that moderate to major, temporary economic benefits are anticipated from proposed Project construction.

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**Concern ID: 63188**

**One comment noted, in reference to the adequacy of the mitigation funds, that the initial amounts committed are 10 times the annual budget of Plaquemines Parish.**

**Response ID: 16563**

The Draft EIS contained a Mitigation and Stewardship Plan in Appendix R1. The Final Mitigation and Stewardship Plan is published as Appendix R1 to the Final EIS. CPRA expanded and refined the Final Mitigation and Stewardship Plan (Appendix R1) in response to community and resource agency input.

According to CPRA, its budget for mitigation and stewardship measures, to be potentially funded by the LA TIG, reflects the needs that were identified through the environmental review and many public meetings. See the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for additional information on mitigation funding allocations. The Plaquemines Parish budget was not considered by CPRA in determining the budget for the stewardship and mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in

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those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63194**

**The Draft EIS and Draft Restoration Plan seem to indicate CPRA and other entities will only begin performing mitigation when they have proof of impact. Instead, they should help communities begin to adapt throughout construction so adaptations will be in process as the MBSD operation begins.**

**Response ID: 16566**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on steps that would be taken before Project construction to protect fisheries. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including specifying mitigation and stewardship measures that would be undertaken before Project construction (see Appendix R1 to the Final EIS for additional details). For example, the Final Mitigation and Stewardship Plan outlines the structural mitigation and stewardship measures that CPRA plans to implement in the communities south of the diversion outside of levee protection (Myrtle Grove to Happy Jack/Grand Bayou) prior to beginning Project operations.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan were not included in CPRA's MBSD DA permit application and are not part of the currently-proposed MBSD Project. Many of these structural measures would require USACE and other permits prior to installation. No applications have been filed with USACE. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of

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potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 64089**

**Commenters asked that the jobs that are created by construction of the proposed Project spur inclusive and equitable economic development. The Louisiana State and local economic development authorities should focus efforts through communication, recruitment, and training activities, into creating jobs for local residents, including minority residents. The same type of focused workforce development effort is likely necessary in order for these local jobs to translate into longer term economic benefits for affected communities. Work with the community to identify future needs of this**

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**workforce, including: providing adequate emergency and routine medical care for workers, facilitating the start and growth of small business to provide services to this workforce, and educating skilled workers who can later pivot to other jobs along our coast long after construction is complete.**

**Response ID: 16234**

With respect to the award of contracts, CPRA is required to follow the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 (Public Contracts). CPRA has sought and regularly seeks engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS.

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**Concern ID: 64090**

**Commenters request assurance that their community resources like sewage, water, broadband etc. can handle construction impacts in both the short and long term.**

**Response ID: 16232**

The EIS considers impacts to local public services and utilities within the 10-parish Project area in Chapter 4, Section 4.13.5.5 Public Services and Utilities in Socioeconomics. As described, construction of the proposed Project would not affect electric power plants or water supply or treatment facilities, as none are located in the Project construction footprint. Beneficial impacts on public service infrastructure and utilities are expected in areas distant from the diversion and to the north associated with decreases in storm hazards with the proposed Project as compared to the No Action Alternative. Additionally, the LA TIG finds in its Restoration Plan that restoration of the coastal environment is intended to build resiliency including security for infrastructure.

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**Concern ID: 65169**

**The commenter expressed concern that construction of the proposed Project would impact the construction of the Belle Chasse Bridge. Commenter questioned whether and how the proposed MBSD Project would impact transportation systems, for example traffic counts, tolling, etc.**

**Response ID: 16493**

The impacts on area traffic from the proposed Project were considered in the Draft EIS. During the 5-year construction period of the Project, CPRA estimates that construction truck deliveries would generate up to 100,100 roundtrips to the diversion complex via LA 23 during the construction period, with the majority of truck deliveries (approximately 94,000) occurring during the first 42 months (3.5 years) of proposed Project construction. This equates to an estimated 515 truck deliveries per week over this duration, or about 103 roundtrips each day

based on a 5-day workweek. This would represent less than a 2 percent increase in the existing daily traffic of 9,300 vehicles. Much of the truck traffic may travel across the Belle Chasse Bridge en route to the proposed MBSD Project site on LA 23. Because proposed MBSD Project-induced increased traffic would only increase LA 23 traffic by 2 percent above existing traffic levels on LA 23, the proposed Project is not expected to cause more than a minor increase in traffic on the bridge, and therefore is not expected to impact the construction timeframe or future tolling system of the Belle Chasse Bridge. Chapter 4, Section 4.22 (Land-Based Transportation) and Section 4.25.22 Cumulative Impacts, Land-Based Transportation provide more details on traffic studies and traffic impact analyses conducted for the proposed MBSD Project.

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**Correspondence ID:40278**

Rebecca Davison

Please Restore The Mississippi River Delta and support the Mid-Barataria Sediment Diversion. This is the cornerstone project for Louisiana's Coastal Master Plan! We need to restore the natural process of delta building in the Barataria Basin. If we do not invest in our future now we will lose 400 square miles of wetlands over the next 50 years as sea levels rise.

This project will provide incredible habitat and storm surge protection for communities, including the West Bank of New Orleans. It will give us natural green infrastructure to help buffer the states failing levee systems.

We must not give in to commercial fisheries who thrive off of the collapsing ecosystem of Louisiana as saltwater creeps towards New Orleans. We must not allow short term profit to blind us from long term economic growth, which will come from the improved health of our wetlands. What happens in Louisiana affects the rest of the world. Our actions do not take place in a bubble.

Be a beacon of hope, a leader in protecting the Mississippi River Delta. Our lives and our land depend on you.

Thank you,

Rebecca Davison

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**Concern ID: 61870****If no action is taken, the resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture.****Response ID: 15941**

The concerns raised by the commenters were considered in the Draft EIS. The EIS evaluates anticipated conditions in the Barataria Basin if no action is taken. Within the EIS, the No Action Alternative enables a comparison of anticipated future conditions without the proposed Project to anticipated future conditions with the proposed Project and the alternatives. Refer to Chapter 4 Environmental Consequences of the EIS, for a description of anticipated conditions under the No Action Alternative for each of the resource areas evaluated. The Delft3D Basinwide Model was used to forecast conditions that would occur under the No Action Alternative which helped to inform the analysis in Chapter 4.

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**Concern ID: 62233****Restoration of coastal habitat and the delta would provide protection from storm damage.****Response ID: 15752**

While the intent of the proposed Project is to reestablish deltaic processes to restore resources injured by the DWH oil spill, the Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the ancillary benefit of storm damage risk reduction on communities north of the proposed diversion due to the creation and maintenance of wetland habitat and increases in topography and land acreage within the delta formation area. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up

to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height

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**Concern ID: 62399**

**Commenter asserts that short-term profit in the form of commercial fisheries that thrive off the collapsing ecosystem as saltwater moves north should not detract from long-term economic growth which will come from the improved health of our wetlands.**

**Response ID: 15923**

As part of its decision-making process for the DA Section 10/404 permits, the USACE will conduct a public interest review in which the probable harms of the proposed Project will be weighed against its prospective benefits. Also as part of that process, USACE will consider public comments on the Draft EIS.

With respect to its Restoration Plan, the LA TIG acknowledges the commenter's concern that potential impacts to commercial fisheries not override the benefits that would be provided by the Project. In selecting their Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54 of the NRDA regulations. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7, 3.2.1.5, 3.2.2.5 of the LA TIG's Final Restoration Plan. As suggested by the commenter, the LA TIG has found that a project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails Mississippi River flows that were cut off by construction of levees. The LA TIG recognize that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Final Restoration Plan.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40279**

Joshua Plourde

Please support support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

As the foundational project for Louisiana's Coastal Master Plan and of the Natural Resource Damage Trustees from the Deepwater Horizon oil spill this project will provide habitat and storm surge protection for communities, including the West Bank of New Orleans. Restoring the Barataria Basin gives a natural green infrastructure to help buffer and support an aging levee system, which needs all the help it can get!

This is the project that will restore the natural process of delta building in the Barataria Basin. The Barataria Basin has lost 425 square miles of wetlands since 1935, and will lose over 400 more square miles over the next 50 years due to sea water rise if action is not taken now!

Do Not pander to the commercial fisheries who want to profit off of the collapse of Louisiana's ecosystem, which is allowing oysters and brown shrimp to thrive in our salt polluted waters. DO Not let short term profit destroy the state's natural resources and hurricane buffer!

Sincerely,

Joshua Plourde

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40280**

Commenter

My family and I disapprove of the proposed injection of Mississippi River water into the barataria basin. The annual floods that built the area as you know subsided and the river water maintained its boundaries. I do not think the wildlife, plant life should be subjected to a constant supply of polluted fresh water. The diversion will only make the water unfishable to Comercial and recreational fisheries as well. If we can limit the flow and obtain direct injection of River bottom material like queen bess and others. Let's rebuild our islands first.... this will help restrict the salt intrusion.... please please reconsider this.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process,



USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public

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interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40281**

Midway Cattle Ranch, L.L.C.

Christopher Vance

On March 5, 2021, the United States Army Corps of Engineers published the draft Environmental Impact Statement for the Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana ("Draft EIS"). Midway Cattle Ranch, L.L.C. ("Midway") submits the following comments on the Draft EIS.

**Background**

Midway owns an approximately 569 acre tract of property at [REDACTED] in Plaquemines Parish. Located on the property is the Myrtle Grove Borrow Site, which has been in operation since 2011. Midway supplies borrow material from the site for public and private projects. Midway's property is located within the construction footprint of the proposed Project. As proposed in the Draft EIS, the conveyance channel would run directly through Midway's property. According to materials received from CPRA, approximately 146 acres of Midway's property would be impacted by excavation of the conveyance channel. The entirety of Midway's property would be impacted by increased water levels and flooding which would result from construction of the Project.

**Comments:**

CPRA's plan to excavate Midway's borrow material and use it for the Project

The Draft EIS makes clear that CPRA plans to use the material excavated for the conveyance channel to construct the diversion complex structures and conveyance channel levees. Draft EIS, Section 2.8.1.3, p. 2-62 ("Channel excavation would provide the volume necessary for embankment construction, such that outside sources of material would not need to be imported to the site for the embankments."); Draft EIS, Section 4.2.3, p. 4-16 ("Most of the material excavated or dredged for the conveyance channel and outfall transition feature would be used for fill associated with construction of the diversion complex structures and conveyance channel levees."). This means that CPRA is not simply acquiring a right of way for purposes of constructing and operating the Project. Instead, CPRA also plans to use Midway's borrow material to construct the Project, which will impact Midway's operations on the property by preventing Midway from excavating and selling the same borrow material, in a manner consistent with its current operations. Thus, when compensating Midway for the acquisition of Midway's property rights, CPRA must take into account the value of the borrow material. To the extent Midway's compensation does not reflect the value of the borrow material that will be excavated and used by CPRA, the Draft EIS underestimates the direct impact that the Project will have on Land Use and Socioeconomics.

Appendix H of the Draft EIS titled "Socioeconomics Technical Report" provides information relevant to the analysis of potential impacts to socioeconomic resources resulting from the Project. Appendix D to Appendix H, titled "Economic Impact of the Design and Construction of the Mid-Barataria Sediment Diversion Project" includes a breakdown of the cost estimates for the design and construction of the Project. This appendix does not clearly set forth the cost/value of the borrow material that CPRA will excavate from Midway's property and use for the Project. Without this information, the Draft EIS does not accurately analyze the impacts of the Project on socioeconomics.

#### Incorrect characterization of Midway's property

Chapter 4, Section 4.18 of the Draft EIS classifies Midway's property as a mix of "barren" and "pasture/hay." Draft EIS, Figure 4.18-1. This classification is incorrect. Midway is currently operating a borrow site on approximately 250 acres of the property. For the remaining acreage, Midway has an application pending with the Louisiana Department of Natural Resources, Office of Coastal Management for a coastal use permit to operate this acreage as a borrow site. The inaccurate classification of Midway's property in Section 4.18 is highlighted by the fact that, elsewhere in the document, the Draft EIS actually refers to Midway's borrow site by name. Draft EIS, Section 4.2.4.1 (discussing impacts on the transport of materials from the "Myrtle Grove USACE-approved borrow site" due to LA 23 modifications). Thus, Midway's property should be classified as "Developed" in Section 4.18. As such, any impacts to Midway's property should be based on this classification.

Chapter 4, Section 4.13 of the Draft EIS addresses the impacts of the Project on Socioeconomics. Section 4.13.4.2 addresses the impacts on agricultural lands within the construction footprint of the Project. Draft EIS, Section 4.13.4.2, p. 4-535. However, this section fails to address the impacts to Midway's property and its borrow material business as a result of the construction of the Project.

#### Impacts to Midway's property from increased water levels and storm surge

Even for the areas of Midway's property that will not be excavated to construct the Project, the Draft EIS makes clear that these areas will be impacted by increased water levels. Midway's property is located in the "immediate outfall area" in which area the Draft EIS states "[o]perational impacts on water levels...would be permanent, adverse, and range from major to minor, depending on the location in the basin, with maximum increases of 1.1 foot in the immediate outfall area." Draft EIS, Executive Summary, p. ES-8. The Draft EIS also states that the Project will impact storm surge. In particular, the Draft EIS states that increases in storm surge of up to 1.7 feet are expected near Myrtle Grove, which is located 0.5 miles south of the Project. Draft EIS, Executive Summary, p. ES-19. Further, the days per year of tidal flooding in the Myrtle Grove area are expected to increase from 62 to 181. Draft EIS, Section 4.20.4.2. The Draft EIS acknowledges that "[t]he greatest impacts on surge elevation and wave heights are projected to occur within the vicinity of the MBSD Project immediate outfall area," which is the precise location of Midway's property. Draft EIS, Executive Summary, p. ES-19. The Draft EIS does not specifically quantify the storm surge increase in this area and therefore does not adequately address the impacts of storm surge on Midway's property. However, it is clear that such impacts will be significant.

The property must be drained and dry in order for Midway to process and load borrow material. The increased water levels and tidal flooding caused by the Project will severely impact Midway's ability to continue to operate its property to harvest and sell borrow material. CPRA must compensate Midway for such impacts taking into account the reduction in property value from the reduced ability to continue to operate its property to harvest and sell borrow material. To the extent Midway's compensation does not reflect the reduction in property value from the reduced ability to sell borrow material, the Draft EIS underestimates the direct impact that the Project will have on Land Use and Socioeconomics.

#### Impacts to Midway's property from increased traffic on LA 23 and modifications to LA 23

Section 4.2.4.1 discusses the impacts that may occur as a result of increased construction traffic on LA 23 and modifications to LA 23. This section provides:

Similarly, temporary, minor, adverse indirect impacts on the transport of materials from the ConocoPhillips and Myrtle Grove USACE-approved borrow site locations for HSDRRS projects may occur due to LA 23 modifications. Any future use of channel bars in the Lower Mississippi River as borrow areas for coastal restoration projects in the vicinity of the intake channel, cofferdam, or gated control structure would be precluded during construction and operation of the Applicant's Preferred Alternative. However, because users could potentially use other borrow sources in the area, this would represent a temporary, minor, adverse impact.

Draft EIS, Section 4.2.4.1, p. 4-45. Thus, while the Draft EIS evaluates the potential impacts to Midway's customers, the Draft EIS does not evaluate the impacts that will be caused to Midway's business. For example, traffic delays caused by road construction would impair Midway's ability to move trucks into and out of its site. The Draft EIS should fully address the impacts to Midway's business as a result of increased traffic on LA 23 and modifications to LA 23.

Comments on cumulative impacts analysis

As part of the cumulative impacts analysis, the Draft EIS analyzes impacts from the NOV-NF-W-05a.1 levee project. Draft EIS, Section 4.25.4.4. This section discussed the re-alignment of the levee in the vicinity of Midway's property that would occur under the proposed NOV-NF-W-05a.1 project. This section acknowledges: "The existing non-federal back levee...would be left in place, creating a new polder [Polder B] between it and the NOV-NF-W-05a.1 levee reach where water would be trapped during storm surge overtopping events." This section acknowledges further that hydraulic modeling indicates that "during storm surge events in the Barataria Basin that overtop the back levee, a scenario is possible where Polder B would be completely inundated, requiring dewatering." Draft EIS, Section 4.25.4.4, p. 4-848. Midway's property is located within the "Polder B" identified in the Draft EIS. Because the Draft EIS fails to accurately classify Midway's property as a "developed" borrow site, the Draft EIS does not accurately evaluate the cumulative impact to Midway's property resulting from the operation of the Project in conjunction with the levee alignment.

Also as part of the cumulative impacts analysis, the Draft EIS identifies 50 reasonably foreseeable future projects located in the vicinity of the Project. Draft EIS, Table 4.25.1-1. 10 of those projects are privately funded (listed as "Major Industrial"). It is reasonably foreseeable that certain of these private projects will require the use of borrow material for project features. In fact, Midway has been approached multiple times by representatives for certain of these private projects to provide price quotes for the sale of borrow material for the projects. Thus, USACE's cumulative impacts analysis supports the conclusion that a private market for borrow material exists. The private market should be considered in valuing Midway's property for purposes of compensating Midway for the acquisition of Midway's property rights. In addition, the public market for borrow material should also be considered when valuing Midway's property, particularly given that CPRA plans to use Midway's property for the same purpose as Midway uses the property for its own business (i.e., as a source of borrow material).

We appreciate the opportunity to comment on the Draft EIS.

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**Concern ID: 62025**

Appendix H of the Draft EIS titled “Socioeconomics Technical Report” provides information relevant to the analysis of potential impacts to socioeconomic resources resulting from the proposed Project. Appendix D to Appendix H, titled “Economic Impact of the Design and Construction of the Mid-Barataria Sediment Diversion Project” includes a breakdown of the cost estimates for the design and construction of the proposed Project. This appendix does not clearly set forth the cost/value of the borrow material that CPRA will excavate from Midway’s property and use for the proposed Project. Without this information, the Draft EIS does not accurately analyze the impacts of the proposed Project on socioeconomics.

**Response ID: 16221**

The commenter’s concern regarding ensuring appropriate compensation for any property owner whose property is acquired or taken as part of the proposed Project is acknowledged. As part of any property acquisition to implement the proposed Project, CPRA would compensate landowners for property used for the Project in accord with Louisiana and Federal law, including the Louisiana Constitution and the Fifth Amendment of the U.S. Constitution.

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**Concern ID: 62297**

The Draft EIS does not specifically quantify the storm surge increase in the Midway Cattle Ranch area and therefore does not adequately address the impacts of storm surge on Midway’s property. However, it is clear that such impacts would be significant.

**Response ID: 15804**

While the EIS does not describe storm surge impacts at the parcel level, it does provide an analysis of impacts to storm surge elevations and wave heights in comparison to the levee heights which provide storm risk reduction to such parcels. For example, Figure 4.20-24 in Chapter 4, Section 4.20.4.2 Public Health and Safety of the Draft EIS showed projected storm surge and wave height in comparison to levee heights in the vicinity of Midway’s property. As shown in the figure and described elsewhere in Section 4.20.4.2, the proposed Project would decrease storm surge elevation north of the diversion, decreasing the risk associated with overtopping of the levee in the vicinity of Midway’s property. However, it should be noted that, as described in Section 4.20.4.2, some storms are projected to overtop this reach of the NOV-NFL Levee, both with or without the proposed Project.

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**Concern ID: 62449**

The commenter expressed concern that the Draft EIS Section 4.25.4.4 Cumulative Impacts - Surface Water and Coastal Processes, does not disclose the potential impacts of projected flooding in the “Polder B” area on Midway’s property, which is a developed borrow site.

**Response ID: 16468**

The potential impacts of flooding in “Polder B” were considered in the Draft EIS in Chapter 4, Section 4.25.4.4 Cumulative Impacts - Surface Water and Coastal Processes. In response to this comment, Section 4.25.13.4 Cumulative Impacts - Socioeconomics of the Final EIS has been revised to include a statement about the potential socioeconomic impact on the Polder

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B area and the Midway property due to the flooding associated with the reasonably foreseeable NOV-NF-W-05a.1 Project.

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**Concern ID: 63098**

**Commenter asserted that the compensation evaluation for Midway should consider public market and value of borrow material.**

**Response ID: 16637**

As part of any property rights acquisition from Midway to implement the Project, CPRA would compensate landowners for the value of any property interest acquired in accordance with applicable law. Determining the appropriate amount that CPRA would pay for property it acquires for the Project is outside of the scope of the USACE EIS process and the LA TIG's OPA Restoration Plan.

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**Concern ID: 63130**

**Commenters noted that the Draft EIS classified Midway's property as a mix of "barren" and "pasture/hay" (see Figure 4.18-1). They believe that this classification is incorrect as Midway is currently operating a borrow site on approximately 250 acres of the property. For the remaining acreage, Midway has an application pending with the Louisiana Department of Natural Resources, Office of Coastal Management for a coastal use permit to operate this acreage as a borrow site. However, elsewhere in the Draft EIS (see Chapter 4, Section 4.2.4.1 in Geology and Soils), the Midway borrow site is referenced by name. Thus, Midway's property should be classified and assessed as "developed" in Section 4.18 Land Use and Land Cover.**

**Response ID: 16279**

As discussed in Chapter 3, Section 3.18.2 in Land Use and Land Cover and referenced in Chapter 4, Section 4.18 Land Use and Land Cover, Figure 4.18-1 of the EIS, the existing land use types within the construction footprint are based on the 2016 National Land Cover Dataset (NLCD) (Multi-Resolution Land Characteristics Consortium 2016). The construction footprint shown in Figure 4.18-1 includes the proposed site of the diversion structure. None of the permitted or developed borrow pits owned by Midway Cattle are located in the construction footprint of the diversion structure and therefore they are not included in the land use acreages shown in Table 4.18-1 or land use types shown in Figure 4.18-1. Note, the NLCD is based on land cover including water, vegetation, or tree canopy; therefore, it may not reflect current use of land. The Myrtle Grove USACE-approved borrow site referred to in Section 3.2.3.1 Non-Fuel Mineral Resources and in Section 4.2.3.4 in Mineral Resources of the Draft EIS is located near the proposed construction footprint. For clarity, its name has been revised to the Midway Cattle Ranch borrow pit in the Final EIS.

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**Concern ID: 63719**

**The valuation of any properties acquired for the construction of the Project should account for the value of borrow materials that could be excavated and sold by the owners of these properties.**

**Response ID: 16512**

As part of any property rights acquisition to construct the Project, CPRA would compensate landowners for the property interest acquired in accordance with applicable law. Determining the appropriate amount that CPRA would pay for properties and rights it acquires for the

Project is outside of the scope of the USACE EIS process and the LA TIG's OPA Restoration Plan.

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**Correspondence ID:40282**

Gary Smith

my question for the park service is the following: when the Morganza spillway was built, it diverted the natural flow of water from the Louisiana marsh. it also diverted the natural sediment that the marsh needs to maintain itself.

why is the morganza spill way not being opened to allow the natural flow of water so it can deposit sediment.

I do not oppose this project but I am tired of flood water being diverted to Mississippi ruining our fishery when the natural flow of water is suppose to flow through the Louisiana Marsh.

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**Concern ID: 62394**

**When the Morganza Spillway was built, it diverted the natural flow of water from the Louisiana marsh and the sediment the marsh needs to maintain itself. The commenter asks why the Morganza Spillway is not being opened to allow the natural flow of water so it can deposit sediment.**

**Response ID: 15856**

Comment noted. The operation of the Morganza Spillway is outside the Project area and the scope of this EIS. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta in Louisiana.

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**Correspondence ID:40285**

Maximilian S St George

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Mr. Laborde and Mr. Landry:

I support the preferred alternative: alternative 1, Flow variable 75,000 CFS under certain conditions. I think the preferred alternative should be implemented when the communities surrounding Barataria Bay can establish resilient, secure economies.

Many towns surrounding Barataria Bay are economically reliant on commercial fishing. These towns are Buras, Venice, and Lafitte among others. Over the past two decades the commercial fishing industry in Louisiana has experienced multiple economic shocks that it has not recovered from. This has left families and communities with little savings making them vulnerable to future hardship. The applicant's preferred alternative is expected to have major, permanent adverse impacts on oysters and brown shrimp which are some of the largest commercial fisheries in the Barataria Bay. Without a proper course of action the preferred alternative could be the tipping point that collapses the coastal economies. At a very general level the preferred alternative should be implemented when:

- 1.) Low income, vulnerable fishing communities see a rebound in their profitability to a point where they can financially prepare for the sediment diversion.
- 2.) There is a somewhat agreed upon strategy for coastal communities to be prosperous and resilient within the new ecosystem

Given my work with fisheries, my comments will be focused towards item one above.

#### Shrimp

A likely outcome of the applicant's preferred alternative is a significant decline of the brown shrimp population within the project area as stated multiple times throughout the draft environmental impact statement (DEIS). The applicant's proposed mitigation measures for commercial shrimpers does not address the adverse impact that will be experienced by inshore fishers who rely on brown shrimp as a significant source of income. Therefore, LA TIG should offer targeted mitigation for this specific group.

A large portion of the shrimping fleet fish in smaller boats that are restricted to the inshore waters of Barataria Bay. The Louisiana Shrimp Management Plan indicates that juvenile shrimp leave the shallow nursery grounds into deeper estuaries, and eventually into coastal waters as they grow larger (LDWF 2016). Additionally, the plan states that the majority of brown shrimp landings occur in the smaller, juvenile size, around 40 shrimp per pound (LDWF 2016). From this we can infer that a majority of brown shrimp is being caught in the upper estuaries in smaller sizes. On the other hand, landings of white shrimp of 16-20 count

per pound comprised the largest component of white shrimp landed between 2000 and 2013 (LDWF 2013). A significant portion of white shrimp is being caught further offshore at a more valuable size. The boats being used to catch brown shrimp are smaller and restricted to the inshore waters. Therefore, the diversion will greatly hurt shrimpers who fish in smaller boats and rely on brown shrimp because they will not be able to offset their losses by catching more white shrimp in offshore waters. Given the large amount of 40 count brown shrimp being landed, it seems fair to say that this is a significant portion of the fishers that will be hurt.

The mitigation measures for shrimpers set forth in Appendix R section 6.3.3 of the DEIS such as vessel refrigeration, and marketing will greatly benefit the shrimp industry. However, it may not provide enough for fishers who heavily rely on inshore brown shrimp. Vessel refrigeration may not be compatible with smaller boats, and marketing will likely not offset the losses from the large decrease in brown shrimp. Additional mitigation options for inshore shrimpers could be:

- 1.) offering assistance that will help inshore shrimpers catch different commercial species. This assistance should be anything from training to grants for gear.
- 2.) Opening up red drum for commercial fishing specifically for the most vulnerable shrimpers. As stated on pages 4-391 through 4-394, red drum is expected to see moderate, beneficial impacts with the applicant's preferred alternative. If commercial fishing will not deplete the red drum stock, then it would be an excellent way to provide fishers with an additional source of income.
- 3.) Offer the most vulnerable shrimpers funding for a larger boat that can fish offshore.

Although the above mitigation efforts will help shrimpers, the decrease in brown shrimp and potential transitioning to other species will disrupt the shrimp supply chain. Dealers and processors are already experiencing low and negative profit margins, so this could put many out of business. LA TIG needs to work with these businesses to help them adapt to the new ecosystem. An option could be to provide docks and processors with the resources necessary to take on other commercial species.

Trip ticket data can be used to identify the most vulnerable shrimpers. Ideally the data can identify fishers whose brown shrimp was caught in the upper estuaries and represents at least 20% of their total commercial seafood landings by value. The data may not be aggregated to this level, so targeting fishers with vessel lengths under 25 feet and brown shrimp landings over 20,000 pounds in Barataria Bay may be a better option.

#### Cold Storage

Many businesses in Louisiana's seafood supply chains are experiencing low to negative profit margins. This is particularly true for the shrimp industry. The anticipated adverse effects on brown shrimp from the sediment diversion may force businesses to exit the industry due to unprofitability which would leave many without jobs. A way to offset this could be to offer funding for fisheries to invest in cold/ freezer storage.

The Louisiana seafood industry is lacking freezer/ cold storage facilities. This is causing inefficiencies that are preventing businesses from being able to adapt to economic shocks.

Providing funding for the shrimp industry, in particular, to invest in cold storage facilities can potentially be a key driver in helping fisheries become more resilient.

Storage facilities will allow seafood businesses to have more flexibility with their products. In the shrimp supply chain, businesses have to take whatever price they can get from buyers because they have no way of selling to higher paying customers who need a consistent supply before the product spoils. If there was more storage, then processing facilities and other businesses along the supply chain would be able to market their larger sized white shrimp to these higher paying customers. Additionally it will allow facilities to hold shrimp while prices are low and sell when they go up.

Storage facilities will allow the industry to decrease costs associated with transportation and increase the quality of the seafood. There are businesses that are storing seafood in Baton Rouge and other cities, and then ship it back when they have a buyer. This is highly inefficient and cuts into profits. Additionally, seafood that is chilled or frozen for longer between the time it leaves the water to when its on a plate is going to have higher quality, and therefore, be worth more.

#### Oysters

The mitigation efforts for the oyster industry laid out in appendix R section 6.3.3 of the DEIS along with the initiatives in the oyster management and strategic plan provide a significant amount of resources that will help the industry adapt to the changes brought on by the sediment diversion. Despite this, there are oyster fishers whos leases will become unproductive as a result of the changes in salinity and fecal coliform densities.

Specialized mitigation should be given to economically vulnerable oyster fishers with leases that have a high probability of becoming unproductive as a result of the sediment diversion. In this context, economically vulnerable oyster fishers have lower incomes and are at higher risk of becoming unprofitable. In chapter four page 4-407 it was indicated that oysters in the mid-basin areas, such as Station B. Bay North GI, will be most adversely affected. It seems rational to give oyster fishers who heavily rely on leases in this area additional leases in an area that will be productive with the diversion such as those in the Breton Bay public seed grounds. Another option could be to offer these individuals priority in startup assistance for Alternative Oyster Culture (AOC).

#### Technical assistance/ Workforce Development

Many fishers in the Barataria Bay have historically been cut off from financial tools and other resources necessary to pursue economic opportunity. This is due to illiteracy, a lack of technological understanding, and more. Without access to knowledge and resources, it will be very difficult for fishers to adapt to the preferred alternative. Therefore, La TIG should provide technical assistance with grant programs and such, business consulting, and career advice to low income fishers who will have trouble adapting to the diversion.

#### Conclusion

The mitigation measures in Appendix R offer great avenues to create a more resilient restored coastal economy. However, there are still some gaps in the plan that will potentially devastate the significant portion of low income fishers. Please consider filling these gaps and

allowing the fishing industry and coastal communities time to become more economically stable before implementing the sediment diversion.

Sincerely,

Max St. George

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**Concern ID: 61929**

**Commenters expressed that southeast Louisiana’s fisheries-dependent residents have endured more overlapping disasters in one generation than anyone can reasonably expect of a community. They have suffered the levee breaches of Hurricane Katrina, the DWH oil spill’s ongoing impacts on fish stock, the historic flood events of 2019, and COVID-19. Many of these same fishers have also survived forced refugee flight from Southeast Asia. Fishing is not just their livelihoods-it’s their lives. One commenter suggested that at a very general level the Applicant’s Preferred Alternative should be implemented when low-income, vulnerable fishing communities see a rebound in their profitability to a point where they can financially prepare for the proposed MBSD Project.**

**Response ID: 16280**

As noted in the purpose and need, the proposed Project is intended to support coastal restoration projects. Such projects may reduce the impacts of tropical events such as hurricanes and associated flooding. Without the Project, adverse impacts on commercial shrimp, oyster, crab, and certain finfish fisheries are anticipated due to reduced marsh habitat and increased salinity over the long term (that is, 50 years), but more rapidly after 2050 for shrimp and oyster, as discussed in Chapter 4, Section 4.14 Commercial Fisheries. It is anticipated that as the coastal areas, including wetlands in the Barataria Basin, continue to erode, communities would be increasingly vulnerable to environmental disasters and the economic effects of declining fisheries. While the proposed Project would not stop subsidence and sea-level rise and associated impacts in the Barataria Basin, by 2070, the proposed Project is projected to create approximately 13,400 acres of land in the Barataria Basin and result in the loss of 3,000 acres of land in the birdfoot delta as compared to the No Action Alternative.

CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG’s Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are

identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62963**

**Mitigation compensation should prioritize those most affected, likely those who rely on oyster leases in the mid-basin areas or smaller operations, as well as economically vulnerable oyster fishers.**

**Response ID: 16533**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 Aquatic Resources, 4.14 Commercial Fisheries, 4.15 Environmental Justice and 4.16 Recreation and Tourism.

In response to public comments and resource agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed ground, \$15 million to enhance public and private oyster grounds, \$4 million to create or enhance broodstock reefs and \$8 million for alternative oyster culture. While the focus of the proposed mitigation and stewardship measures are on establishing sustainable fisheries, oyster mitigation and stewardship measures have been crafted to focus on those impacted by the Project specifically. For example, a portion of each of the stewardship measures for impacts to oyster harvesters would be expressly designated for use by low-income and minority oyster harvesters. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSF Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

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The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as



special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63144**

**A commenter recommended that additional cold storage in the seafood supply chain is needed.**

**Response ID: 16526**

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included vessel refrigeration as a proposed measure to address the anticipated impacts of the Project. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1), including allocating \$15 million for vessel and facility improvements. This funding could be used to provide additional cold storage, as suggested by the commenters.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63148**

**Commenter prefers implementation of alternative 1 (75k diversion) only when the low-income fishing communities surrounding Barataria Bay have established resilient, secure economies given their reliance on the commercial fishing industry. The commenter recommended emphasis on support for low-income, vulnerable communities and the need for a strategy for resiliency in the future ecosystem.**

**Response ID: 16708**

The commenters' request that the implementation of the proposed Project occur only once the low-income fishing communities surrounding Barataria Bay have established secure and resilient economies is acknowledged.

While the Draft EIS acknowledged that oyster and brown shrimp fisheries would be adversely impacted by the proposed Project, it also concludes that the Project would create and maintain wetlands, and increase the abundance of SAV, that would provide refugia, foraging, and resting habitats, including essential fish habitats that support multiple managed species (see Chapter 4, Section 4.10 Aquatic Resources of the EIS). In addition, while the proposed Project would have minor to moderate increases in storm surge in areas south of the diversion, it would also help reduce the impacts of storm surge on communities north of the diversion by creating and nourishing coastal marshes that would provide natural storm protection; see Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Reduction of the EIS for more details. The proposed Project is projected to have some temporary, moderate to major, beneficial impacts on the regional economy expected as a result of construction related spending, as described in Section 4.13 Socioeconomics of the EIS. Fishing communities in the Barataria Basin may experience some of these benefits.

As explained in the analysis of the No Action Alternative in the EIS and Section 1.6 (No Action Alternative) of the LA TIG's Restoration Plan, conditions in Barataria Basin would continue to deteriorate and destabilize under the No Action Alternative. While the proposed Project would not stop subsidence and sea-level rise and their associated impacts in the Barataria Basin, the proposed Project is projected to create and/or maintain approximately 12,700 acres of wetland by the year 2070 when compared with the No Action Alternative. In its Restoration Plan, the LA TIG has determined that slowing land loss in the Barataria Basin is essential to the overall ecological and economic sustainability of the Basin. More specifically, the proposed Project would help nearshore marine ecosystems, water column resources (including fish and invertebrates), and birds and terrestrial wildlife.

In recognition of the potential impacts that would occur due to the proposed Project, CPRA included mitigation and stewardship measures to address vulnerable communities in the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS). In response to public comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

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Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40288**

Rosa deSayne

My name is Rosa deSayne and my comment is that, if this diversion goes through, it will destroy Plaquemines Parish fishing, shrimping, oysters, and it will destroy many people's lives. It will also flood the community that I'm in, Myrtle Grove, and by sending water over our little levee and into our streets. If they think that they can mitigate our homes with 300 million, I seriously doubt that, considering just my street alone, is over close to 4 million dollars' worth of homes so like I said I am totally against it. You will destroy the southern part of Plaquemine parish and in 50 years' no one knows what's going to go on. There is an alternative to it; we're going to show you this. We will have a documentary and also one of the other things is that you're going to kill our beautiful dolphins and you cannot mitigate dolphins after they're dead.

Thank you very much

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**Concern ID: 62778****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.****Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

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The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also

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anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating

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the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

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monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of

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the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again,

community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63826**

**Commenters suggested that no one will be able to mitigate dolphin impacts if Project activities kill them.**

**Response ID: 16551**

The stewardship measures described in the Mitigation and Stewardship Plan are intended for implementation prior to and during diversion operations. Although these measures may not minimize impacts from the proposed Project on BBES dolphins, they could enhance individual

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dolphin survival threatened by other anthropogenic sources, such as by funding a state-wide stranding program (the current funding of which is set to expire in 2026; see Appendix R1 to the EIS).

Regarding the operation of the diversion, CPRA also developed a detailed MAM Plan to evaluate the proposed MBSD Project's effects on the Barataria Basin as they occur and consider how the management of the diversion may be adapted to better meet Project goals (see Appendix R2 [Monitoring and Adaptive Management Plan] to the EIS). In addition to performance monitoring to measure progress toward the proposed MBSD Project's restoration objectives, and to better understand the ecological functions and services provided by habitat created by the Project, the Monitoring and Adaptive Management (MAM) Plan also includes monitoring to document changes to the abundance, distribution, population demography, density, survival, health and reproduction of the BBES Stock of bottlenose dolphins, their prey, and their habitat that may result from the operation of the Project and resulting low salinity.

Adaptive management strategies in CPRA's MAM Plan to minimize impacts to BBES dolphins from Project operations include a framework for coordinating stranding response activities during operations, and a commitment to evaluate whether diversion operations could be modified to meet Project goals while reducing impacts to marine mammals. Marine mammal related MAM activities have been updated since the release of the Draft EIS to include more details regarding the process through which operational data would be used to evaluate potential modifications to those strategies and protocols.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40289**

Colleen Dufor

My name is Colleen Dufor. I'm totally against the Mid-Barataria Diversion. It will destroy Plaquemines Parish and our culture and seafood industries. There is another way to accomplish coastal restoration by dredging and building land. This will not take 50 years.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional

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Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

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Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40290**

Wayne Martin

My name is Wayne Martin. I believe that dredging and pumping the sediments where it is needed to rebuild wetlands and I believe that the sediment and freshwater diversions are used to maintain them. A diversion takes too long, changes the natural bays and channels, as well as disrupts the food chain and will destroy the seafood industry. We already dredge 90 million cubic yards of sediments from the Lower Mississippi for transportation purposes and just waste those sediments; half the cost is already being spent just building infrastructure that can move those sediments to where they're needed. For every 1 million cubic yards of sediment, you can build 1 square mile of the wetlands. It's + 3.0 elevation.

Theoretically, we could build 90 square miles of new wetlands each year with half the cost already being spent for dredging of the river that is already being paid for. Use a map from the 1950s, restore the shorelines, bays and bayous, and canals back to their former locations, as well as bring the marshes back to a +3.0 elevation. Primarily work from the intercostal canal going southwards. It is a shame that we're wasting 90 million cubic yards of sediment that are being dredged by the Corps of Engineers each year and not being used for beneficial purposes. When the current sediment content of the river is dropping each....(call dropped)

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to

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define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Correspondence ID:40291**

Jessica Savoy

My name is Jessica Savoy. I am totally against the Mid-Barataria diversion. It will destroy Plaquemines Parish in which I live. It will also affect my camp which is another home for me. Our land will be underwater there. There are other ways to accomplish coastal restoration. Dubai was built on boulders and mud. You can put rock jetties; you can dredge existing canals and build up the land. Those do not take 50 years. Also what about the seafood industry? You will kill local businesses that rely on the inland water for their living. Only the big companies will survive. The Mississippi River has a natural dead zone where it meets the Gulf. You'll expand that tenfold.

What about our dolphins? I have have enjoyed them since I was a kid; I enjoyed bringing my children to see them. I love sharing that experience with my kids. It will be gone. Y'all are going to completely change our precious diversity of fish life. Y'all are going to destroy human lives, animal lives, because y'all have a hypothesis of what water will do, but you can't guarantee it; because it's not going to do just what you say, we're not an experiment. I absolutely do not want this diversion built. It's ridiculous, but y'all won't listen to us, the people...(call dropped)

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and

Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land

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building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding

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impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or

will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

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contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

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In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62790**

**Diversion of polluted and nutrient-laden waters into the Barataria Basin would result in harmful algal blooms (HABs) and expansion of the dead zone.**



**Response ID: 16371**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section has been added to Sections 4.5.5.3.2 and 4.5.5.4.2 of the Final EIS. Finally, the EIS acknowledges the potential for up to major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40292**

James Adams

One word... Morganza!! Use the spillway that is already there! I fish regular in Lafitte and Cocodrie LA. That diversion would literally destroy the industry in Lafitte. Shrimpers and crab fisherman would be out of business, what tourist come there from out of town to fish are there for trout and redfish. Both would be pushed out of the area. On the other hand Cocodrie is in dire need of sediment from the river. They have even begged for it. Open the morganza an give them some help! That also means we are not destroying our own marine wildlife by constantly using the Bonnie Carre which also helps the marine wildlife in Pontchartrain.. It's win win blows my mind that this is even being debated. The only reason morganza isn't being used it's because high profile people have land/clubs in the area that would get flooded from time to time.

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**Concern ID: 61902****Consider opening the Morganza Spillway instead of implementing the proposed MBSD Project.****Response ID: 15995**

The Morganza Spillway, operated by USACE for emergency flood control, discharges into the Atchafalaya Basin. The scope of this EIS is the Barataria Basin and the Mississippi River birdfoot delta, which is the defined proposed Project area. This suggested alternative would not meet the purpose and need to reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. The LA TIG identified the Barataria Basin in the SRP/EA #3 as the location for the proposed Project because within Louisiana, the Barataria Basin suffered the most severe and persistent oiling from the DWH oil spill. This suggestion would not provide any land-building benefits in the Barataria Basin because it is located outside of the basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Correspondence ID:40293**

Plaquemines resident

This diversion is more of the same type of promises just like the Mississippi River Gulf Outlet (MRGO) that promised jobs & commerce & was permitted & dug by a width of 250 feet with bridge piers built on dry land through St. Bernard Parish by the USACE promising jobs & commerce but that destroyed St. Bernard & Orleans as well as flooding parts of St. Tammany & Jefferson Parishes, a hurricane highway at 2,500 feet wide due to environmental damages predicted by the U. S. Dept. of the Interior.

This diversion also is only funded by the deaths of 11 men from the BP Oil spill as well as all of the dead wildlife such as pelicans & dolphins. Let us be sure we teach in Louisiana classrooms that the State of LA collected \$\$\$\$ for every dead dolphin & pelican but now has a so called waiver from the laws of the land, NEPA as well as the Marine Mammals protection Act to kill 3 times as many Barataria Bay dolphins that will cause their functional extinction. If the State of LA was not so ethically challenged they would pay the monies collected from all of the dead dolphins killed by the oil spill back to BP Oil (also ethically challenged) as the State of LA will far surpass the rate of dead wildlife by another unproven type of project. If you want to mimic Mother NATURE, let the Mississippi River go towards the Atchafalya River to rebuild the deltas by natural processes.

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**Concern ID: 61888**

**Consider the alternative of allowing the levees to sink, erode, and collapse down to a normal height with annual widespread overflow distribution of the sediments in the historic and gentle way that would not have the sudden, disruptive impacts as seen with existing and planned diversions. Restoration of natural processes is the best way to replenish and preserve our renewable natural resources.**

**Response ID: 15983**

This alternative of removing levees and restoring natural processes is not feasible and was not considered further because levees are necessary for flood risk reduction for the communities and industries that line the Mississippi River in Barataria Basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet

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Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 62819**

**A commenter expressed that the State of Louisiana collected money for every dead dolphin and pelican but now has a “so-called waiver from the laws of the land (NEPA and the MMPA) to kill three times as many Barataria Bay dolphins that would cause their functional extinction”. The State of Louisiana would far surpass the rate of dead wildlife by another unproven type of project.**

**Response ID: 16392**

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver.

The MMPA waiver does not alter USACE's or the LA TIG's NEPA responsibility to evaluate anticipated impacts of the proposed Project on marine mammals. The EIS analyzes and discloses the environmental and economic impacts of the proposed Project, including anticipated effects on marine mammals. (See Chapter 4, Section 4.11 Marine Mammals).

Section 2020(1)(b) of the Bipartisan Budget Act of 2018 also requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project, to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

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**Correspondence ID:40294**

Grand River

Kim Koppman

Louisiana's decisions to protect Louisiana during massive flooding should not impact or destroy the habitat of another state legally. THIS SHOULD BE FEDERAL LAW! The damages financially to the state of Mississippi , especially the entire gulf coast in the past should never be allowed to occur again. I am against any project to divert water or sediment onto my state, in an effort to improve or protect the state of Louisiana or any other state.

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**Concern ID: 62786**

**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:40296**

Stacy Ortego

I support the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion- -I write today to urge adoption of the Preferred Alternative in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

This year's hurricane season is expected to (yet again) be an active one with 13-20 named storms. Six to ten of those are expected to become hurricanes with 3-5 reaching major hurricane strength of Category 3 or higher. For a record sixth year in a row, NOAA has predicted a more-active-than-normal hurricane season. Of course, regardless of the forecast, we know all too well that it only takes one storm to make it a bad season. What would it matter if any given year is predicted to have a below-normal season if the one that does come destroys communities? Just last year, the U.S. was hit with 7 hurricanes that were billion-dollar disasters - three of which made landfall in Louisiana. While we can't stop the storms from coming, we can be smart in how we make ourselves more resilient to them when they do inevitably come.

You'd have to be in plain denial to not see that things are changing. The way things have always been done isn't enough for this reality we're facing of ever-increasing threats. Louisiana has made great progress with the variety of coastal projects that have been implemented – but it needs the addition of projects that can match the scale of the loss we're facing.

Large-scale projects like the Mid-Barataria Sediment Diversion (MBSD) are just kind of bold actions that are needed if we are to have any hope of a truly sustainable coast. Even with such a project, we are faced with the reality that our coast is smaller than it once was and will be smaller still in the future. It may be too late to save all that's been previously lost but it's not too late to take action to preserve as much as we can as soon as possible. That action, however, needs to be big; it needs to be bold – that is what the MBSD is. It is our best shot. Period.

I didn't grow up on the coast. I grew up on a farm in St. Landry Parish. Even there, of course, we still had the occasional hurricane to prepare for. I now live in Baton Rouge. While still not in the coastal zone, it's easy to see how much more risk East Baton Rouge Parish will face in the future if we don't implement major projects like the MBSD.

I've had the opportunity to see our coast from above. It didn't take long before the small plane I was in was flying over open water. Our current state maps are no longer a true representation of our landscape. Communities are much closer to the coast than they think – levees provide much needed protection but also a distorted sense of proximity to the Gulf for cities like New Orleans. While those levees provide protection, even those structures need the buffer of healthy wetlands and barrier islands to reduce wave action. Without those buffers, those levees will take a much harder beating during storms and will increase the risk of catastrophic failures.

The MBSD will not only build new land; it will also help sustain land that is already there. This is key because that land that's already there has vegetation. That vegetation has established

root systems that are holding that soil together. The wetlands are literally hanging on by threads. It is critical that we maintain whatever we can that is already established.

This isn't about a single project. This isn't about a single stakeholder. This is about the future of this state and the ability of our coast to function in a viable way for the people and wildlife that depend on it. We are way past the point of working on a small scale to try to stitch a little hole here and there along the coast – we need large-scale projects like the Mid-Barataria Sediment Diversion.

The science has spoken for decades. It's past time we listen – and act.

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**Concern ID: 63339**

**The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.**

**Response ID: 16297**

The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS,



and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:40298**

Southeastern General Contractors

Scott Drown

THIS PROJECT WILL BE A DEATH BLOW TO THE BILOXI MARSH AND THE MISSISSIPPI SOUND FISHING INDUSTRY. MISSISSIPPI RIVER TOXINS AND FERTILIZERS, (THE FEDERAL GOVERNMENT REFUSES TO ADDRESS) WILL CAUSE ALGAE BLOOMS AND MARINELIFE KILLS OF MONUMENTAL PROPORTIONS.

SIMILAR RESULTS CAN BE STUDIED FROM PAST OPENINGS OF THE BONNET CARRE SPILLWAY.

THIS IS A NO WIN FOR THE RECREATIONAL AND COMMERCIAL FISHERMEN.

PLEASE RECONSIDER THIS PROJECT, OR DIVERT IT TO THE WEST TO THE ATCHAFALAYA BASIN.

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**Concern ID: 62786**

**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:40299**

Commenter

As per the May 19th article in the Advocate the dolphins will become extinct if the diversion is passed. I'm against the diversion because we should get more studies on dolphins and other marine life.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63627**

**A commenter expressed opposition to the diversion because more studies are needed on dolphins and other marine life.**

**Response ID: 16601**

The Draft EIS included an analysis of the impacts to marine mammals, including bottlenose dolphins in Chapter 4, Section 4.11 Marine Mammals. That analysis included a review of the extensive studies of the BBES dolphin stock since the DWH oil spill as well as a comprehensive literature review of studies of the impact of low-salinity waters on dolphins that was incorporated into the Expert Elicitation described in Chapter 4, Section 4.11.3 Overview of Impact Analysis Approach. The Final EIS also incorporates additional analysis by Thomas et al. (2021), which was published after the Draft EIS was released for public comment. Based on these sources, the EIS projects that the proposed Project would have major, adverse, permanent impacts to BBES dolphins, resulting in their functional extinction except for a small number that may survive around Grand Isle.

The LA TIG notes, however, that the MAM Plan, included in Appendix R2 to the EIS, includes extensive monitoring before and during Project operations, which would help address key uncertainties, such as the optimal balance between sediment and freshwater input needed to achieve the Project purpose, and could provide information critical to informing potential operational modifications over time that could reduce negative impacts to dolphins.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40300**

Percy Johnson

I oppose this diversion for a number of reasons:

Walls from that sediment project could fail and flood us out.

Wildlife habitat will be lost.

St. Rosalie cemetery is a historical site it will be impacted.

This community has been fighting for just about everything from running water to paved streets. WE ARE ALWAYS LOOKED OVER. THIS parish needs to stop prioritizing contracts and money over people especially the people of Ironton. Recognize this community as a historic community that it is

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**Concern ID: 62496**

**The commenters requested that state and federal officials work with residents of Ironton for Project impacts on the St. Rosalie cemeteries. These are sacred sites to the people of Ironton because the graves of their ancestors are buried there. The Final EIS should include a discussion about the fact that the proposed MBSD Project would impact community visitation to these sacred sites at St. Rosalie by creating a large physical separation between the community of Ironton and the St. Rosalie sites.**

**Response ID: 16454**

As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, with input from the Section 106 consulting parties, the USACE and LA SHPO have determined that the St. Rosalie Plantation Cemetery (identified as Site 16PL280) and Ironton Cemetery would not be impacted by construction or operation of the proposed MBSD Project. The cemeteries are currently and would continue to be on private property. Residents of Ironton currently have access to the cemeteries via LA 23 and would continue to have access to the St. Rosalie cemeteries via LA 23 during and after the proposed Project is constructed. During the 5-year construction phase of the proposed Project, two-way traffic on LA 23 would be maintained. Northbound traffic would utilize the two existing southbound lanes, maintaining the existing two-lane capacity. Southbound traffic would utilize the shoulder, reducing southbound roadway capacity from two lanes to one. This reduction in capacity may cause delays for southbound traffic over a 1.5-year period during the duration of construction (see the Draft EIS, Chapter 4, Section 4.22.3.1 Construction Impacts).

To clarify potential impacts on Ironton, Section 4.15 Environmental Justice has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. For a summary of public outreach efforts related to the EIS refer to Chapter 7 of the Final EIS and for restoration planning see Section 1.8 of the LA TIG's Draft Restoration Plan.

CPRA held a public meeting in the community of Ironton. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a Section 10/404 permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63957**

**Commenters expressed concern that walls from the diversion structure could fail and flood out the local communities.**

**Response ID: 16011**

As described in Chapter 2, Section 2.8, Action Alternatives Carried Forward for Detailed Analysis of the Draft EIS, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events. In addition, because the proposed MBSD Project would use, occupy, and/or alter the Mississippi River Levee, the New Orleans to Venice Levee, and the Mississippi River Navigation Channel, which are USACE projects, CPRA has requested permission under 33 U.S.C. Section 408 to construct and operate the proposed MBSD Project. The USACE Section 408 Review process includes a review of the technical adequacy of the proposed MBSD Project design to alter the Mississippi River and NOV-NFL levees and to deliver appropriate flood risk reduction in place of those levees, including all appropriate technical analyses, including geotechnical, structural, hydraulic and hydrologic, construction, safety and operations and maintenance requirements. A Section 408 permission would not be granted unless the proposed modifications to the USACE projects



would not limit the ability of the USACE project to function as authorized and would not compromise any authorized USACE project purposes.

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**Concern ID: 64130**

**Commenters suggested the Draft EIS is insufficient in terms of its definition and analysis of affected communities, particularly low-income and communities of color. The analysis would be improved by a discussion of historical context and systemic inequities to describe the existing barriers (that is, economic hardships, educational background, language barriers) these communities, particularly Ironton, must deal with.**

**Response ID: 16301**

The issues raised by the commenters were considered in the Draft EIS. The EIS Chapter 3, Section 3.15 Environmental Justice and Chapter 2 of Appendix H1 Socioeconomics Technical Report discusses existing barriers faced by populations in the Project area affected by the proposed Project, including economic hardships, and describes specific communities with low-income and minority populations. Chapter 2 of Appendix H1 Socioeconomics Technical Report, also provides information regarding historical context and systemic inequities affecting these communities. Chapter 4, Section 4.15 in Environmental Justice describes potential impacts on low-income and minority populations from construction and operation of the proposed Project. In the Final EIS, Chapter 4 Section 4.15.5.1 Environmental Justice, a summary of impacts to the Ironton community has been added to facilitate access to that information. Information concerning additional outreach to communities with environmental justice concerns has also been added.

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**Correspondence ID:40301**

Jon Dijkhuizen

Dear Mr. Laborde and Mr. Landry:

I love this state and place. I moved here from the Netherlands almost 27 years ago and can not imagine living anywhere else. I watched New Orleans flood during Katrina and although we rebuilt overtime, we will never get back everything that was lost. I understand firsthand the consequences of inaction when it comes to coastal restoration.

I grew up in a country where water management is second nature. To keep what you love and to keep living in places like Southern Louisiana and Holland, bold action, ingenuity and working with nature is a necessity. I believe that decades of science is telling us that the Mid-Barataria Sediment Diversion is not only the right thing to do for protecting our coastal communities but also the only way that we can once again have a functional and productive delta.

I built my business, life and home here and want it to stay here not only for myself but for future generations.

Please select the preferred alternative in the DEIS for the Mid-Barataria Sediment Diversion and fund the project using the BP oil spill funds.

Thank you,

Jon Dijkhuizen

New Orleans, LA

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40302**

Tommy Adams

Use one of the spillways that is already in place, The Morganza!! The creation of this spillway will literally destroy the fishing industry in Lafitte. Shrimpers and crab fisherman of the area would be out of business. Tourists that come here from out of town to fish these fertile waters for trout, flounder, redfish and other saltwater species would start going elsewhere. Charter fishermen of the area would be out of business. On the other hand Cocodrie is in need of sediment from the river. They have been begging for the Morganza to be opened. The reason it's not being used as it should be is because of the high profile people that have land and hunting clubs in the area that would get flooded at times when it's in use.

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**Concern ID: 61902****Consider opening the Morganza Spillway instead of implementing the proposed MBSD Project.****Response ID: 15995**

The Morganza Spillway, operated by USACE for emergency flood control, discharges into the Atchafalaya Basin. The scope of this EIS is the Barataria Basin and the Mississippi River birdfoot delta, which is the defined proposed Project area. This suggested alternative would not meet the purpose and need to reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. The LA TIG identified the Barataria Basin in the SRP/EA #3 as the location for the proposed Project because within Louisiana, the Barataria Basin suffered the most severe and persistent oiling from the DWH oil spill. This suggestion would not provide any land-building benefits in the Barataria Basin because it is located outside of the basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Correspondence ID:40305**

Villere Reggio III

I am a homeowner in the Myrtle Grove Marine subdivision. My concerns are property values and flooding. I understand something needs to be done to rebuild our coastal marsh, but at what expense to the property owners around the diversion site. As I understand it (as the EIS states ) the neighborhood I live in will be flooded at least 3 or more months out the year making it impossible too get to my home. We already flood when we have a strong south wind for several days. The property values in my neighborhood are already being affected due to the threat of the river diversion. At some point we may be offered a buy out. If that would happen, the property values would already have been driven down and I don't think we would be offered a fair offer for our property. I am not saying I want to sell my home. I have been at this address for 17 years and plan to stay as long as I can, but this will destroy property values and the ability to live in Myrtle Grove. I think that this diversion is being pushed on the people of Plaquemines Parish unfairly and it will destroy livelihoods and property values. Thanks, Villere Reggio III. MYRTLE GROVE PROPERTY OWNER.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy

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Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the

affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62778**

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**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.****Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

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are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the

purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40306**

Jerry McNew

To whom it concerns this is a horrible idea and sacrifices Mississippi waters and conservation efforts. It destroys ur waterways and if preceded the State should immediately file a lawsuit based of Mississippi wildlife and its residents quality for life in dealing with the pollution and destruction of our waterways again to support La and New Orleans. ACE has demonstrated before that it will destroy ne habitat in a attempt t save another just look at Spilway issues as well as Everglades in Florida or Mosquito Lagoon. Mississippi should file lawsuit immediately to stop this plan from ever seeing the light of day

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**Concern ID: 62786**

**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:40307**

Cassandra Wilson

It would be fair if you would meet with the People of Ironton. We are People in Ironton not Animals so treat us like People, treat us fair. Just because we are a Small Black Community that should not matter. It is not about color we are still People. Put it where their no People.

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**Concern ID: 61865**

**Commenters asked why the location was chosen as the site for the proposed MBSD Project, since it so close to and impacts the Myrtle Grove Subdivision.**

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**Response ID: 15936**

Chapter 2, Section 2.4.1 Evaluation of Location Alternatives under Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow in the Draft EIS, detailed the evaluation of alternatives based on geographic location and the reasoning for selecting the proposed location for the MBSD Project. Consideration for the location of the proposed MBSD Project took into account the proximity of the diversion intake to a point bar in the Mississippi River that could serve as a continuous, long-term sediment source for the diversion in combination with the outfall location and receiving basin being well suited to gain benefits from a sediment diversion, the potential for accretion of sediment in the Barataria Basin, and the creation, maintenance, and sustainability of existing and future wetlands and marshes. In addition, previous studies have considered several general locations for a sediment diversion from the Mississippi River into the Barataria Basin, including the upper, middle and lower parts of the basin and were used in the evaluation in the EIS. The impacts of the proposed MBSD Project and its alternatives, particularly on Myrtle Grove, can be found in Chapter 4 Environmental Consequences under each of the Project's resources.

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**Concern ID: 61932**

**Communities with environmental justice concerns, which include all communities who are vulnerable to racial, ethnic, economic, and ecological violence, should be "meaningfully involved" in "the development, implementation, and enforcement of environmental laws, regulations, and policies" during the proposed MBSD Project.**

**Response ID: 16285**

As discussed in Chapter 1, Section 1.6 Scope of the EIS, and Chapter 4, Section 4.15 Environmental Justice, the EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance to identify the impacts that would likely occur if the proposed Project were to be approved. USACE, the LA TIG, and CPRA have engaged communities with environmental justice concerns in development of the EIS. Examples of public outreach provided by USACE for the EIS include special public notices for the permit application, the scoping process and scoping meetings, and public review of and public meetings regarding the Draft EIS. Material and information related to the Draft EIS were made available through Federal Register notices, press releases, social media, the New Orleans District website, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries and community centers.

USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities, including communities with environmental justice concerns, regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the joint virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on communities with environmental justice concerns, including low-income and minority populations, such as cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 61961**

**Request that CPRA, USACE, and NOAA/TIG work with Plaquemines Parish Councilmember of District 7, Councilmember LaFrance, Sr. to hold community**

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**meetings with District 7 communities, such as Ironton, Myrtle Grove and Wood Park, and engage in a question-and-answer session from community.**

**Response ID: 15906**

Concurrent with issuance of the Draft EIS, CPRA has held several public meetings with the communities projected to be impacted by the proposed MBSD Project, including communities south of the diversion from Myrtle Grove south to Grand Bayou and Happy Jack, to solicit input on mitigation and stewardship strategies. Although the EIS indicates that the proposed MBSD Project would not have more than moderate impacts on Ironton, CPRA also held a public meeting in the community of Ironton.. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. CPRA will continue to coordinate regarding these meetings with the Plaquemines Parish government. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40310**

Piece of Meat

Leighann Smith

Dear Mr. Laborde and Mr. Landry:

As a restaurant owner, a small business owner and a resident of New Orleans, Louisiana I am writing to express my strong support for the Mid-Barataria Sediment Diversion. This project is crucial for protecting coastal communities, including New Orleans, our local economies and the wildlife that is so important to our culture here.

Without action, the ecosystem in the Barataria Basin is at great risk of collapse and along with it our natural resources including storm protection and our fisheries. This area was one of the hardest hit by the 2010 BP oil spill and the settlement funds should be spent on this project, not only to restore the damage caused by the spill but to also benefit the entire northern Gulf Mexico ecosystem by ensuring we have healthy and stable wetland habitat for the fish and wildlife that depend on it.

This project will restore the natural processes that built Southern Louisiana by reconnecting the Mississippi River to the surrounding sediment starved areas. It will also enhance and extend the life span of other nearby restoration projects, maximizing our efforts and limited dollars. This is the only way that we can hope to keep pace with sea level rise, buffer ourselves from more frequent and stronger storms and adapt to climate change.

Constructing the diversion will not only create new jobs and positive economic impacts for communities south of New Orleans, but it will protect industries all over the coast, including the New Orleans restaurant and hospitality industry.

I also recognize that the bold action necessary to save our coast will not come without cost. Planned mitigation and stewardship efforts should be centered on community needs and input. We will not be truly successful in this if we knowingly leave our most vulnerable communities behind.

I believe what the scientific community overwhelmingly agrees on, this project and others like it are the best long-term solution for the challenges that we face. I support the selection of the preferred alternative in the DEIS for the Mid-Barataria Sediment Diversion.

Thank you,

Leighann Smith

New Orleans, LA

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach

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efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40313**

Jeanette Hines

Thank you for voting ethics reminder. Could you please tell me when these rules/regulations went into effect?

I am very concerned with some of these regulations.

Thank You.

Jeanette

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**Concern ID: 62426**

**Several commenters submitted test messages, well wishes and miscellaneous text.**

**Response ID: 15871**

Acknowledged.

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**Correspondence ID:40314**

Jeanette Hines

Disregard last email.

Wrong form pulled up on screen.

Thank You.

Jeanette

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**Concern ID: 62426**

**Several commenters submitted test messages, well wishes and miscellaneous text.**

**Response ID: 15871**

Acknowledged.

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**Correspondence ID:40315**

Terry Tyler

god damn theives keep fuckin me off, internet rigged. I I warned you about the problems and did my due diligence. if the problems get out of your hand dont blame me. you couldnt fix the easiest issue for me. if you want me back you better have my loot, guns, and ammo.

loved you

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**Concern ID: 62388**

**The internet is rigged.**

**Response ID: 15855**

Comment noted, but is outside the scope of this EIS.

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**Correspondence ID:40317**

Sierra Club

Alan Drake

More flexibility in operations (mainly water releases) should be enshrined in the EIS.

Some examples:

- Water releases should be varied with tides, perhaps (based upon operational experience) to keep salinity within optimal levels in oyster beds and areas known to bred large numbers of shrimp and finfish.

- Excessively wet or dry years upstream - or thick or minimal snowpacks before spring thaw - would optimally require changes in water releases. A priori guidance may set overall guidelines, but ad hoc decision making, guided by experience and scientific assessments, should make the final annual decisions.

- When a strong hurricane poses the potential of driving a storm surge up the Mississippi River, maximum releases in advance might lower river levels slightly and reducing the surge. This goal, reducing upstream storm surges, should be the highest priority when a strong hurricane threatens.

-Even a couple of inches rise in local sea level will change the hydrology of Barataria Bay. Again, based upon experience, releases should be able to be modified without a lengthy EIS procedure.

Given the above, the maximum flow allowed should be increased somewhat.

Also, I noted no design features to extend lifespan operations after significant sea level rise. Given the potential for the Diversion structure to remain functional, directly adding sediment as sea level rises, the design should be modified to allow continued use even after, say, a meter of sea level rise.

The future levels of sea level rise may vary widely, impacted by future actions of humanity. A slower than expected sea level rise could allow a modified Diversion structure to deposit sediment at a rate roughly comparable to sea level rise over a wide area. But this feature needs to be designed in from the beginning.

Also the design horizon is too short and too limited. I worked on a hydroelectric project in Iceland with a design lifetime of 400 years and an expected glacial melt of 2/3rds of the current total. The penstock should be replaced at 200 years, and provisions to do so were designed and built in.

Comparable design goals should be used here.

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**Concern ID: 61917**

**Commenters expressed concerns over CPRA's potential for mishandling of the operation and long-term maintenance of the proposed MBSD Project, particularly pointing to CPRA's past inadequate operations and maintenance of other diversions.**

**Response ID: 16004**

CPRA would operate the proposed MBSD Project as detailed in the Operations Plan, which is found in Appendix F2 Preliminary Operations Plan in the Final EIS. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the

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proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated proposed Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 64020**

**A comprehensive plan for operating the diversion is lacking. Diversion operations should not be based solely on when flows in the Mississippi River exceed 450,000 cfs or only operate at maximum capacity when Mississippi River flows reach 1,000,000 cfs, but instead should rely on multiple factors for determining when to operate the diversion. The comprehensive plan should also include some flexibility in operations including triggers for water releases and for closing the diversion. The design should be modified to allow continued use after significant sea-level rise.**

**Response ID: 16012**

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CPRA would operate the proposed MBSD Project in accordance with the Operations Plan which can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. Chapter 2, Section 2.4.2 in Step 2: Evaluation of Operational Alternatives – Location, Operational Trigger, Capacity, and Base Flow of the Draft EIS described the evaluation of various operational triggers during the alternatives analysis. It was determined that the 450,000 cfs operational trigger would best meet the purpose and need and would be the standard operations trigger (see Chapter 2, Section 2.4.2.1 Application of Additional Considerations to On/Off Trigger Scenarios). Additionally as stated in Chapter 2, Section 2.4.3.2 Application of Additional Considerations to Capacity Alternatives, flow in a sediment diversion is variable. When the diversion is operating, the flow rate through a diversion is controlled by the difference in water surface elevation between the Mississippi River and the Barataria Basin (the head differential). When the Mississippi River flow and stage are high, this high head differential would push a higher volume of water and sediment through the diversion into the Barataria Basin. When the Mississippi River flow and stage are low, there would be less energy to push water and sediment through the diversion. Thus, depending upon the flow rate in the Mississippi River and the head differential, flow in the diversion would be variable, up to a defined maximum capacity.

The diversion is designed for passive operation rather than active operation. Once opened, the head differential determines the flow rather than pumps or another active feature.

Full operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occurs in the river).

Triggers for closing the structure when river discharge is above 450,000 cfs include spills and other hazardous discharges, navigation impediments, climatic conditions such as tropical depressions or named storms, diversion structure damage or emergency, and public safety.

As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Section 4.4 in Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. The operation plan allows for diversion operations that capture the high sediment loads associated with rapidly rising river discharges and effectively addresses relative sea-level rise.

If the proposed Project is implemented and once operational, CPRA would consider potential ways to optimize diversion operations based on Project performance and success as part of the adaptive management and monitoring process. Refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

The Project MAM Plan in the Final EIS Appendix R2 provides examples of possible outfall management actions, such as spoil bank gapping or construction of water-directing features, that CPRA may consider in the future as potential adaptive management actions aimed at

improving Project effectiveness and limiting ecological and/or human impacts when possible. This will be based on assessment of Project performance and monitoring data and recommendations of the CPRA's Project Adaptive Management Team to CPRA's Project Operations Management Team.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 61916**

**The proposed Project should have a design life beyond 50 years.**

**Response ID: 16003**

The proposed Project design life would extend beyond 50 years. This is not to be confused with the 50-year analysis period used in the EIS. The 50-year analysis period corresponds with the Delft3D Basinwide Model simulations, which were run over 5 decades (beginning in 2020 and run through 2070). USACE typically uses a 50-year period of analysis for its water resources projects. The EIS analyzes operational impacts resulting from operation and maintenance of the alternatives during the 50-year analysis period. Analysis of potential impacts past 50 years was determined to be too speculative to assist in understanding or decision making regarding the proposed Project.

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**Correspondence ID:40318**

Daniel Smithson

While the name Barataria suggests west of the Mississippi River, Plaquemines Parish is the the extreme delta. Historically jetties have benefited not only Louisiana but the also the United States. Mississippi fisheries could be affected and federal compensation would not be unfair

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**Concern ID: 63145****Mississippi fisheries should also be included in mitigation compensation.****Response ID: 16527**

Chapter 3, Section 3.1.1 Project Area of the Draft EIS identifies the analysis area for the EIS. This is the area in which the Project is anticipated to have discernable effects. For Commercial Fisheries, the Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Mississippi was not included in the analysis because no more than negligible impacts were projected to occur for Mississippi resources. See Chapter 3, Section 3.14 Commercial Fisheries of the EIS. All measurable impacts of the Project, both beneficial and adverse, are anticipated to occur in Louisiana and within Louisiana coastal waters. As a result, CPRA has not included mitigation for impacts to fisheries in Mississippi coastal waters in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

Commercial fishers that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. The Final EIS has been revised to acknowledge this in Section 4.14.4.2 Commercial Fisheries. The Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) provides a suite of mitigation and stewardship strategies applicable to fishers that may be impacted by the Project. Those mitigation and stewardship programs would be equally available to any impacted fisher who relies on fisheries in the Barataria Basin, regardless of whether or not they reside in the Basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any

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particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40319**

City of New Orleans, Office of Resilience and Sustainability

## Commenter

- The City of New Orleans supports the Mid-Barataria Sediment Diversion (MBSD) and supports the use of dollars from the State of Louisiana's Deepwater Horizon natural resource damages settlement to fund the project.
- The land loss crisis in the Mississippi River Delta must be met with proportional action and urgency. The MBSD is both innovative and intensely studied; it is also the state's best chance to protect and enhance the Mississippi River Delta and the people, environment, and economy that depend on it by building land. Without intervention in the form of restoration projects such as the MBSD, coastal erosion will only accelerate. While the MBSD is not without its shortcomings, as detailed in the Draft EIS, reintroducing the Mississippi River and its sediment-building power to the Gulf in the form of a major diversion is currently the best large-scale restoration tool we have.
- Orleans Parish is a coastal parish on the frontlines of climate change and has a vested interest in the implementation of large-scale coastal restoration projects such as the MBSD - particularly those that mimic or restore the Mississippi River's natural processes. The City of New Orleans supports the "Multiple Lines of Defense" approach to risk reduction across coastal Louisiana. While projects like dredging for marsh creation and barrier island creation are vital components of that approach, they do not possess the land-building power that the MBSD does and are unable to keep pace with sea level rise.
- We are encouraged by land-building success in areas such as Mardi Gras Pass, and have high hopes for similar results with the MBSD. We are likewise encouraged by the largely positive assessment that the Army Corps of Engineers has granted the MBSD project in the Draft EIS.
- The Draft EIS shows that in addition to building land, the MBSD has the potential to provide protection for coastal communities, stimulate regional economic activity, and restore natural habitats for wildlife and marine life.
  - o We regret the risks posed to wildlife and marine life, such as bottlenose dolphins, brown shrimp, and oysters, and any loss – cultural, economic, or otherwise – to these species and those whose livelihoods depend on them. We believe that the benefits of the land creation potential of the MBSD provide a heavy counterweight to the possible change in the fishery landscape, and note that even without the MBSD, commercial fisheries and the oyster industry would likely experience adverse impacts due to habitat loss and changing salinity.
  - o We support measures to protect and invest in those communities, industries, and species that will be impacted by the construction of the MBSD either directly or indirectly. These mitigation measures will be a crucial counterpart to the issues regarding potential adverse impacts to certain coastal communities and industries raised in the Draft EIS. Community needs should be centered in planned mitigation and stewardship efforts

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63342**

**Other natural or man-made diversions have successfully built land, such that the proposed MBSD Project would also be expected to build land.**

**Response ID: 16302**

The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils indicates that the proposed Project is anticipated to build land in the Barataria Basin (with smaller amounts of land loss projected in the birdfoot delta). To facilitate comparisons between the proposed Project and other natural or man-made diversions, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Concern ID: 63384**

**Orleans Parish is on the frontlines of climate change and has a vested interest in the implementation of large-scale coastal restoration projects such as the proposed MBSD Project, and particularly those that mimic or restore the Mississippi River's natural processes. The City of New Orleans supports the "multiple lines of defense" approach to risk reduction across coastal Louisiana. While projects like dredging for marsh creation and barrier island creation are vital components of that approach, they do not possess the land-building power that the proposed MBSD Project does and are unable to keep pace with sea-level rise.**

**Response ID: 16346**

The commenter's support for the proposed Project is noted. The commenter correctly notes that the proposed Project is intended to reestablish the Mississippi River's natural deltaic processes, and that many alternatives considered in Chapter 2 Alternatives of the Draft EIS (such as marsh or barrier island creation) would not reestablish those processes. If approved, the proposed Project, in conjunction with the range of restoration projects across the Louisiana coastline, would reflect a multiple lines of defense approach to protecting Louisiana's resources, including New Orleans and Orleans Parish. Also, Chapter 4, Section 4.25 Cumulative Impacts considers other past, present and reasonably foreseeable projects together with the action alternatives, including the proposed Project.

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**Correspondence ID:40320**

Myrtle Grove Homeowners Association

JoAnn Hebert

I am extremely against the Mid Barataria Diversion. My home is in Myrtle Grove Estates and faces Wilkerson Canal. As the water floods from the diversion my home will be the first off of the Wilkerson Canal to receive the flood waters and with the silt accumulating in the Canal it will make the flood waters higher. I will not be able to get to my home from the flooding waters. We have a boat shed/lift that if we cannot use the Canal because of the silt will be useless. We bought the property for the convenience of just putting the boats down in the water not having to trailer our boats to another marina. We can now fish, shrimp and crab from our yard, but the diversion will kill the fish, shrimp and crab so that enjoyment will be taken away from us. Also the damaging of the Dolphins is completely unacceptable. They come up into the Canal and will go past our home. These homes in the Myrtle Grove Estates are from \$500,000 to over \$1 million in property values. My home is worth over \$800,000. The home across the Canal from us cost over \$1.2 million. These are NOT \$50,000 to \$100,000 fishing Camps.

The Diversion will be ruining my way of life!

JoAnn Hebert

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in

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Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy

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Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl.

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These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if

one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63099**

**Commenter expressed concern that they will not be able to access their property due to flood waters caused by operation of the Project and the that the Project will kill fish, shrimp, and crab that they enjoy from their property.**

**Response ID: 16709**

The commenter's concern regarding the impacts of the proposed Project on access to certain properties due to increased water levels was considered in Chapter 4, Section 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS, and the impacts of the proposed Project on aquatic species and recreational and subsistence fishing were considered in Sections 4.10.4.5 Key Species in Aquatic Resources, 4.13.5.6 Community Cohesion and 4.16.5.2 Applicant's Preferred Alternative in Recreation and Tourism.

Recognizing these potential impacts, CPRA engaged the communities potentially impacted by the proposed Project through public meetings to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. The Final EIS Mitigation and Stewardship Plan (Appendix R1) was expanded and refined since the Draft EIS based on this community input. CPRA's Final Mitigation and Stewardship Plan includes structural measures that CPRA plans to implement to address and offset some impacts of the proposed Project. For example, CPRA plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. CPRA is also planning to provide property owners from Woodpark south to Grand Bayou and Happy Jack with funds to elevate docks and boat houses, and to mitigate the effects of the proposed Project on boat access from Myrtle Grove and Woodpark to the basin. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for additional details.

Structural measures such as raising roads or improving bulkheads in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

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A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Draft EIS also addressed how changes in the proposed Project area both with and without implementation of the proposed Project would potentially impact aquatic species Chapter 4, Section 4.10 Aquatic Species and recreational fishing Chapter 4, Section 4.6 Recreation and Tourism. In response to public comments and resource agency input, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries. The final fishery mitigation plan can be found in the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40322**

Jessica

I have spent years doing research in New Orleans, learning about Louisiana history, culture, and geography. I love Louisiana, New Orleans, and the communities that live in this land but I know that coastal erosion threatens those communities and the ecosystems that thrive there.

The Mid-Barataria Sediment Diversion is an excellent coastal restoration project that uses the power of the river to build and maintain land. The project will build and maintain thousands of acres of vital wetlands to protect people from flooding from more intense hurricanes and sea level rise. Without action, some communities will see increased vulnerability to floods, continued loss of wetlands, and a collapse of key fisheries.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40324**

Spring Gaines

In Support of the Mid-Barataria Sediment Diversion:

Louisiana loses a football field of land every hour. This is a line I have heard many times over as a student growing up in St. Bernard. It is a line I have repeated many times to students and adult volunteers as wetlands educator. It also remains as true today as ever. The Louisiana people see on a map has not changed since the 1930s. However, our state has lost 2,000 square miles since then, an area the size of Delaware. Wetlands change at a much faster rate than most people know. Over the next 50 years, our coastline is projected to lose an additional 4,000 square miles if we do not try to restore it. That is almost 2,000,000 football fields! This is one of the highest rates of loss on the planet. I have seen this rate of change firsthand by running and participating in restoration projects in the marshes of Lower St. Bernard and Plaquemines. Nowhere is this land loss more prevalent than in Plaquemines. In fact, the National Oceanic and Atmospheric Administration has delisted more than 30 place names from Plaquemines Parish alone since 2011.

This means that a project to restore land such as the Mid-Barataria Sediment Diversion (MBSD) is desperately needed in a place like the Barataria Basin, which is experiencing one of highest rates of land loss in the world. As a recent law school graduate, I have attended meetings and read material related to this ground-breaking restoration project, one that is primary to our Coastal Master Plan. The comparison the opposition gives to the Caernarvon diversion is a false analogy. A freshwater diversion like Caernarvon is a narrow channel created to shunt freshwater into an area to combat rising salinity levels due to saltwater intrusion. The MBSD is a sediment diversion, which is a wider channel designed to shunt sediment from the river into a desired area, much like the river is designed to do by nature. As a resident of coastal Louisiana, I desire to back this science-based method to fill in the ever-growing spaces in our basins.

We know that our coastline experiences land loss at an expedient rate. We need bold, dynamic, long-term solutions to protect, build, and maintain the thousands of acres of the vital wetlands we are lucky to call home. We need a project like the MBSD, the single largest ecosystem restoration project in the history of the U.S.! Without it, we stand to lose 428 square miles of land over the next 50 years in the Barataria Basin alone. Our wetlands are our first line of defense from ever-intensifying hurricanes and sea level rise. Without action, our coastal communities will become even more vulnerable to floods, continue to lose wetlands, and in the long term, our key fisheries will collapse. A project like this will work in concert with our continuing dredge and fill efforts to positively extend ecological and economic impacts in an area that quite frankly needs a boost in both. As a community, we can monitor and adapt our management of this project. We can actively mitigate and ensure that we receive the projected benefits in a way to reduce harms to area wildlife and livelihoods in the long-term.

I ask that you please select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion. Our scientists and engineers agree that this project is the best long-term solution we have to fight the coastal challenges we face in Southeast Louisiana. This diversion is our best shot. Please take it.

Respectfully,

Spring A. Gaines, J.D./LL.M.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63385**

**A commenter noted that some opposed to the proposed Project compare it to freshwater diversions, like the Caernarvon Diversion, which introduce fresh water to combat rising salinity levels due to saltwater intrusion. The proposed MBSD Project is a sediment diversion, which is designed to shunt sediment from the river into a desired area, much like the river is designed to do by nature.**

**Response ID: 16347**

The commenter is correct that a sediment diversion would have different goals and impacts from freshwater diversion projects that have been previously implemented. A summary of select natural and man-made diversions in southeastern Louisiana, including the Caernarvon Diversion, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Correspondence ID:40325**

Bonnie Morgan

Do the best

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**Concern ID: 62387**

**Do the best**

**Response ID: 15865**

Comment noted.

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**Correspondence ID:40326**

Gulf Coast Resource Coalition, Inc.

George Cavnac

United States Army Corps of Engineers

New Orleans District

Attn: CEMVN-OD-SE, MVN-2012-2806-EOO

7400 Leake Avenue, New Orleans, LA 70118

RE: Mid-Barataria Sediment Diversion EIS

The following set of comments is hereby submitted from Gulf Coast Resource Coalition, Inc., a Louisiana nonprofit corporation operating under IRS guidelines 501(c)(4). We - along with our official partners the Commissioners Court of Cameron County, TX (under official Cooperative Endeavor Agreement and Resolution), Port Arthur, TX Shrimp Association and Texas Shrimp Association - wish to have these comments related to the Mid-Barataria Sediment Diversion Draft Environmental Impact Statement fully considered as sufficient notice under any current or future Federal legislation for the purpose of claims, and would also request that comments so noted (Section 4) be considered new and/or significant information requiring Supplement under 39 CFR 775.11(f)(1)(ii).

1) Merits of the Alternatives

It is our strongly held position that the merits of the alternatives discussed and considered in the Draft Environmental Impact Statement are wholly inadequate and create a misleading benefit incentive from the proposed project. The entirety of Chapter 2 is, at best, laughable in the face of regulatory requirements for consideration of alternatives. In addition, problems involved with the alternatives discussed and considered include:

(a) As stated on page 2-4, to comply with NEPA, CEQs regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives (40 CFR 1502.14), and that [r]easonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant. (CEQ 40 FAQ, Q. 2a [CEQ 1981]). It continues with the applicable regulation statement & the EIS should analyze a reasonable range of alternatives that capture the potential environmental consequences of actions capable of meeting the purpose and need (CEQ 40 FAQ, Q. 1b [CEQ 1981]).

(b) Almost the entirety of the denoted CWA paragraph on pages 2-4 and 2-5 incredibly illuminate the inherent problems in the alternatives considered in the draft EIS.

All the scoping comments from stakeholders opposed to this project - including Governing Authorities of affected Parishes in Louisiana - and the draft EIS itself outline the environmental and economic impacts the proposed project and applicants preferred alternative will have. The stated purpose and need as outlined on page 1-9 and 1-10 is to & restore for injuries caused by the DWH oil spill and [t]he proposed project is needed to help restore habitat and ecosystem services injured in the northern Gulf of Mexico as a result of the DWH oil spill. The overriding - and not to be ignored - concern is the natural resources and brackish/saline marsh destruction this project will cause. If the list of damages this

project will cause (as outlined by the DEIS and opponent stakeholders scoping comments) is held against the list of damages caused by the DWH oil spill, the lists are utterly alike, to include the devastation of shrimp, oysters, and dolphins and the destruction of the brackish/saline habitat that is naturally occurring in the Barataria basin.

With that being said, along with the NEPA and CWA paragraphs as mentioned above, any disregard for other alternatives in addition to No Action (including dredging, forested ridges developed with dredging [which was conducted in Plaquemines Parish, properly evaluated and shown to reduce storm surge by 5ft and was recognized by FEMA as flood protection], and beneficial use of dredged material projects) is wholly inadequate to meet the requirements of proper alternative evaluation. It is critical to consider the following with regard to the claim that the alternative selections were wholly inadequate:

a) The third-party contactor, in preparing the DEIS, clearly states that the basis for alternatives outlined in chapter 2 comes from, in large part, various preparations, groups and outlines in which the applicant - the LA CPRA - was involved in. This is an obvious conflict of interest and disregards the NEPA requirements of reasonable alternatives that include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant. (CEQ 40 FAQ, Q. 2a [CEQ 1981]).

b) The Corps of Engineers itself is currently involved in a multiple year beneficial use of dredged material project which has created as much land in 10 years as the proposed project is estimated to produce over 50 years. This multi-year project has also cost only 1/5th of the \$2 Billion the proposed project will cost. This falls solidly within the NEPA Implementation Procedures for the USACEs Regulatory Program (33 CFR App. B Part 325) which requires USACE not only consider a No Action alternative, but also functional (project substitutes) alternatives.

c) The applicant continues to deliberately hyper-inflate the cost of dredging for use in cost/benefit analyses of the proposed project, as evidenced by the aforementioned project in (b) above as well as other projects that have recently been completed and that the applicant itself engages in for the furtherance of Louisiana Master Plan projects. The applicant also continues to use average figures of years-old, past Louisiana-contracted dredging projects which fails to take into account mobilization and demobilization costs which the applicant could easily affect through Louisiana legislation as evidenced by their influencing performance throughout State Legislative sessions over the past decade. One could reasonably ask whether these figures were incorporated into LA-TIG evaluations of potential alternatives which is a LARGE basis of project priority as stated in the DEIS.

d) According to the footnote on page 1-9 of the DEIS, in January 2018, the LA TIG (of which the applicant is a member) submitted the change to the purpose and need of the project application which now includes to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion. This change to the purpose and need was agreed to by USACE in a meeting on January 25, 2018 with LA TIG, representatives of the Council for Environmental Quality (CEQ) and representatives of FPISC. This change, &by implementing a large-scale sediment diversion, seemingly was designed to limit alternatives. One would naturally ask if there were recordings of the January 25, 2018 meeting, or at least recorded minutes to be able to review the discussion that led to the approval of the change in purpose and need, especially since Scoping under NEPA was conducted a full 6 months

before this change. These scoping meetings included information presented (as outlined in graphics at the scoping meetings (<https://www.mvn.usace.army.mil/Portals/56/docs/regulatory/permits/EIS/graphi20panels20portrait20wbleed.pdf>) that stated - SPECIFICALLY - Alternatives: The proposed MBSD Project will be compared to a no-action alternative and other alternatives that may be considered in the EIS. The scoping process is a chance for the public to suggest alternatives for USACE to consider. This obviously could have affected stakeholder comments which otherwise may have adamantly demanded alternatives other than No Action be considered with factual information from existing projects that they had knowledge of (including local governing authority representatives who were in attendance).

## 2) Problems with Third-Party Contractor Development of DEIS

a) Too numerous to cite, the DEIS is filled with statements that attempt to soften the blow of extremely negative impacts of the proposed project and preferred alternative. It lists negative impacts in a scientifically sound manner, then continues with statements that either utilize semantics to soften the negative information, or cites alternative information that is always highlighted by the applicant in its public statements and meetings about the project. This is totally unacceptable and will require extreme diligence on the part of the reviewing Lead Agency.

b) There is grave concern of an extreme Conflict of Interest with the third-party contractor which prepared the DEIS. As outlined in the Federal Agency MOU dated September 11, 2017, the Third Party Contractor MOU provided in the applicants Request for Proposal 2503-16-23, and the Federal/State MOU dated January 25, 2018 (which happens to be the date of the meeting approving the change of purpose and need of the project), it was of utmost importance to ensure no conflicts of interest, preserve impartial decision-making, and to prevent impropriety, undue influence or the appearance thereof, in order to maintain the integrity of the EIS process.

Most concerning with regard to this stated primary purpose is that the former Chairman of the LA CPRA (the applicant), Mr. Johnny Bradbury, departed the CPRA and became President of the Third Party Contractor firm in 2018. This is most concerning especially because Mr. Bradbury, while serving as Chairman of the CPRA (the applicant), instituted a board resolution actually threatening Plaquemines Parish Government with withholding coastal protection projects and/or funds if they did not issue a letter of No Objection to the Mid-Barataria Diversion project (June, 2018 CPRA Board Meeting, Video Archive). This was following the Plaquemines Parish Governing Authority passing an Ordinance against any local permitting of the Mid-Barataria diversion project.

## 3. Flaws in the Land-building Benefits of the Proposed Project

a) There are multiple existing Mississippi River diversions on the east and west bank of the Mississippi River - Caernarvon, Fort St. Philips, and Davis Pond as examples. There is no evidence of a net land gain or conservation within the sites after the diversions began. There was sometimes a dramatic land loss after diversion implementation/start that has not reversed. (Couvillion 2017, [www.sciencebase.gov/catalog/item/5a67a8cde4b06e28e9c57150](http://www.sciencebase.gov/catalog/item/5a67a8cde4b06e28e9c57150), USCOE 2004, Suir et al. 2014, Kearney et al. 2011, Underwood 1994, La. Dept. of Nat. Resources Coastwide Reference Monitoring System [CRMS])

b) The computer modeling used to predict land gain is not validated by reproducing the results from existing diversions. Also, the uncertainties in the model are described in Appendix E of the DEIS, and specifically state that it is an incompletely calibrated model. Most specifically, the West Bay diversion was used for model verification, which is - at best - flawed since the West Bay diversion goes into deeper water and mineral soils versus the shallow water covered with emergent vegetation inhabiting organic soils. And finally, the DEIS concludes that the proposed project will create land gain of approximately 2-4% which, given the disclaimer provided in Appendix E, is a guess at best since the land gain area estimated is so small that the model would more than likely have to be highly accurate to predict such a change.

c) Sea Level Rise (SLR) used in the EIS is inadequate given current GOM. The low has already been exceeded, and the high is too conservative (Sweet et al. 2017). If even low estimates of accelerated SLR levels were used in the modeling, the model would predict ZERO land gain by 2070.

#### 4. Inadequate Economic and Community Impact Scoping and Review )\*\*\*NEW AND/OR SIGNIFICANT INFORMATION

Most critical to this section of the provided comments is the failure of the DEIS to address extended economic and community impact of this project. The proposed project will not only affect localized Louisiana concerns (of which scoping was conducted), but will impact no less than three other Gulf Coast states. Information is as follows:

##### a) TEXAS

The economic impact to Texas due to the destruction of shrimp resources will be well over \$100 million annually (monetary figures verified through Texas Shrimp Association in conjunction with Texas state agencies). Based on highly established science (NOAA Technical Memorandum NMFS-SEFC-78), it has long been established that shrimp which depend on the Barataria basin for development exit the basin, migrate west and become a substantial part of Texas shrimp landings. In addition, Texas seasons are varied from Louisiana openings, and Texas vessels fish Louisiana waters when applicable and will affect Texas landings/retail multiplication values.

##### b) MISSISSIPPI

Mississippi will also be impacted by loss of landings from shrimp vessel use of Louisiana waters, processing, distribution, and any tourism/restaurant shortage of product given the decimation of seafood resources. Figures need verification through Mississippi entities.

##### c) ALABAMA

Alabama economic losses need to be explored in the area of their seafood processing and distribution industries which are HEAVILY reliant on Louisiana seafood production which the proposed project will destroy as indicated in the DEIS.

##### d) LOUISIANA

More economic impact work needs to be produced for Louisiana as a whole and the locally impacted Parishes from the proposed project. This should include all of the state-wide economic issues that will result from the loss of natural resources which are heavily marketed as a basis for the industries of tourism, hospitality, restaurants, etc. Any failure to consider

the complete economic impact of the destruction of seafood is inadequate given the nature of this project and the natural resource results actually delineated in the DEIS.

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**Concern ID: 61832**

**Commenters expressed concern that the uncertainties of the model were not quantified or identified in the model results. For example, with respect to the projections of land change, the ranges of potential acres to be created/lost along with a confidence level that each range is accurate were not provided. Commenters noted that the model predicted a net land gain of only 2 - 4 percent of the total land area within the Project area over the 50-year analysis period and questioned whether the model is sensitive enough and accurate enough to predict such a slight change.**

**Response ID: 16479**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft3D Basinwide Modeling, Section 8.0 Model Limitations and Uncertainties. The land-change uncertainty bounds were not included in the summary in Section 4.1.3.3. In response to this comment, the USACE has added a summary of land-change uncertainty to that section in the Final EIS. Where the model's quantitative results are presented, the EIS identified the model uncertainties. A footnote has been added to the Executive Summary and to Table 4.2-6 in Section 4.2 Geology and Soils of the Final EIS providing the uncertainty bounds for land-change projections.

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 61842**

**Commenter is concerned about the accuracy of the sea-level rise projections used in the Delft3D Basinwide Model to predict land changes. In particular, the commenter suggests that if updated sea-level rise rates (as provided in Sweet et al. 2017 and Church et al. 2014) were applied, the modeling would project no land-gain benefits from the diversion.**

**Response ID: 16480**

Large variability in projected relative sea-level rise does introduce corresponding uncertainty into land-loss and land-gain projections. The literature provided by the commenters has been reviewed. Measured and projected relative sea-level rise rates vary substantially by location, and using projections at a station in Florida, such as Cedar Key, are not useful for projections in the central Gulf Coast. Citing the USACE and NOAA sea-level projection tool (USACE 2019d), the MBSD Project Modeling Work Group chose a sea-level rise scenario based on the 2017 Coastal Master Plan "moderate" scenario, which is slightly higher than the USACE's "Intermediate" rate for the Barataria Basin water level station at Grand Isle, LA, as shown in Chapter 4, Figure 4.1.3 of the Draft EIS. The USACE rate reflects sea-level rise data

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collected at Grand Isle over the period 1947 to 2007. The MBSD Project Modeling Work Group determined that the use of that 2017 Coastal Master Plan Intermediate Sea-Level Rise curve was an appropriate choice at the time the modeling was conducted in 2019.

The sea-level rise value used in the Delft3D Basinwide Model simulation for the Draft EIS considered “intermediate” at the time of the modeling, is close to the low projection (0.3 m Global Mean Sea Level) given by Sweet et al. (2017) for Grande Isle. The commenter’s suggestion of the Church et al. 2014 reference, which provides useful information, has been added as a reference in the Final EIS in Chapter 4, Section 4.1.3.2 Sea-Level Rise. Use of a different sea-level rise rate would affect the impact projections of all the alternatives considered in the EIS, including the No Action Alternative. If the relative sea-level rise rate used in the model is an underestimate, the effect on model results was mitigated, but not eliminated, by the use of a “No Action Alternative compared to Action Alternatives” comparison method. (In other words, if sea-level rise was underestimated, it was underestimated for all alternatives, including No Action Alternative. The impacts of the proposed Project presented in the Draft EIS are the net difference in impact magnitude between the No Action Alternative and the proposed Action Alternatives). Chapter 4, Section 4.1.3.2 Sea-level Rise states that higher sea-level rise rates would reduce anticipated land creation. However, in light of the commenters’ concern, the USACE has amended the last sentence of the next to last paragraph of that section in the Final EIS to say, “If actual sea-level rise is higher (as is predicted by Sweet et al. 2017) than the value used in the Delft3D Basinwide Model, water levels would be higher and loss rates and land gains would be different than what the Delft3D Basinwide Model projects.”

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**Concern ID: 61843**

**The Delft3D Basinwide Model results are flawed because the model was not calibrated to data from the Fort St. Philip, Davis Pond, and Caernarvon Diversions. Instead the model was calibrated to the unsuccessful West Bay Diversion, which has not produced any land in 20 years of operation (other than that created by the deposit of dredged material). Calibration to West Bay is not appropriate because the West Bay Diversion outfall area is comprised of deeper water and mineral soils, while the outfall area of the proposed MBSD Project diversion is comprised of shallow water covered with emergent vegetation inhabiting organic soils.**

**Response ID: 16481**

The Delft3D Basinwide Model was not calibrated to Fort St. Philip because it is a naturally-occurring crevasse rather than an engineered diversion. The Davis Pond and Caernarvon Diversions are freshwater diversions intended to reduce salinity through the introduction of fresh water and were not designed to channel sediments from deep in the river.

The West Bay Sediment Diversion is a large, uncontrolled diversion with a discharge of 20,000 to 50,000 cfs. Constructed in 2003, the goals for the project included: 1) increase land:water ratio; 2) increase mean elevation in the wetland; and 3) promote marsh habitat. To date, the restoration actions have successfully restored a portion of the land and habitat previously present in West Bay. (McQueen et al., 2020). Because the modelers considered the West Bay Sediment Diversion to be a reasonable analog to the proposed Project and in accordance with professional standards, they validated the Delft3D Basinwide Model to the West Bay Sediment Diversion. The accretion rate of inorganic sediment was also validated

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using data from the Big Mar Lake adjacent to the Caernarvon Diversion. The Delft3D Basinwide Model is a public-domain, physics-based model in which water depth and consolidation of underlying soils are accounted for by appropriate equations. The consolidation feature of the model is described in the below reference, which was included in Chapter 10 (References) and cited in Chapter 2 (Alternatives) of the Draft EIS. Therefore, differences in water depth and underlying soils are accounted for in the model's physics-based calculations.

Uncertainties associated with the validation using West Bay were assessed using sensitivity tests and were considered in the analysis by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in Appendix E (Delft3D Modeling) and incorporated into the Draft EIS conclusions throughout Chapter 4 Environmental Consequences.

CPRA. 2011. Myrtle Grove Delta Building Diversion Modeling Effort in Support of the LCA Medium Diversion at Myrtle Grove with Dedicated Dredging Project: Data Collection, Preliminary Design, and Modeling Initiative. Available online at: <https://www.lacoast.gov/reports/project/4900753~1.pdf>.

As part of developing the EIS, the USACE, together with the members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 61845**

**The Delft3D Basinwide Modeling for the EIS projects positive results when existing evidence from nearby sites in Louisiana show the opposite results. Commenter stated that the model does not incorporate important biological drivers such as the effects of flooding, nutrients, and resistance to erosion, and consequently questioned the accuracy of the model.**

**Response ID: 16483**

Comparing observed effects of various diversions has limited value, since diversions and receiving environments often exhibit unique attributes or behaviors that correlations do not account for. For that reason, the Delft3D Basinwide Model, even with its limitations and uncertainties, is a better predictor than anecdotal comparison to Fort St. Phillip or other sites where diversions were designed to divert primarily water, not land-building sediment.

The Delft3D modeling did incorporate flooding, nutrients, and resistance to erosion in its results. Flooding, nutrients, and resistance to erosion are described in Appendix E. See generally Figure 5-1 regarding model module interaction, Section 5.2 Morphodynamics Module and 5.4 Vegetation Module in Appendix E for additional information.

Uncertainties associated with the validation using West Bay were assessed using sensitivity tests and were considered in the analysis by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in Appendix E (Delft3D Basinwide Model) and incorporated into the Draft EIS conclusions throughout Chapter 4 Environmental Consequences.

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The references provided by the commenter were considered and incorporated into the EIS. Couvillion et al. 2017 is included in Chapter 3, Section 3.2 Geology and Soils and Section 3.6 Wetlands and Waters of the U.S., Kearney et al. 2011 is cited in Chapter 2, Section 2.4.1.3.3 Lower Barataria Basin, and Underwood 1994 is cited in Appendix R2 Monitoring and Adaptive Management Plan of the EIS. Suir et al. 2014 was added to Chapter 2 Alternatives, Table 2.3-1 of the Final EIS.

Couvillion, B.R., H. Beck, D. Schoolmaster, and M. Fischer. 2017. Land area change in coastal Louisiana 1932 to 2016: U.S. Geological Survey Scientific Investigations Map 3381, 16 p. pamphlet. Available online at: <https://doi.org/10.3133/sim3381>.

Kearney, MS, JCA Riter, and RE Turner. 2011. Freshwater river diversions for marsh restoration in Louisiana: Twenty-six years of changing vegetative cover and marsh area. Geophysical Research Letters, Vol. 38, L16405, doi:10.1029/2011GL047847m August 26, 2011.

Suir, GM, WR Jones, AL Garber, JA Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Geomorphology and Potamology Program, MRG&P Report 2. U.S. Army Corps of Engineers, Mississippi Valley Division, Vicksburg, Mississippi

Underwood, AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. Ecological Applications 4: 3–15

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 61874**

**It seems that the change to the purpose and need for the proposed Project was designed to limit alternatives. This change was done 6 months after scoping, when scoping was the opportunity for the public to suggest alternatives and could have affected those comments.**

**Response ID: 15830**

CPRA provided a purpose and need statement for the Project in its June 22, 2016 Joint Permit Application for the proposed Project. In that application, CPRA stated that the purpose of the Project is “to reconnect and reestablish the natural or deltaic sediment deposition process between the Mississippi River and the Barataria Basin” and that the proposed Project “is needed as a long-term resilient, sustainable strategy to reduce land-loss rates and sustain DWH injured wetlands through the delivery of sediment, freshwater, and nutrients.” CPRA’s stated Project purpose and need was shared with the public during scoping meetings held during July 2017. During scoping, USACE indicated that CPRA’s purpose and need for the Project would be considered in the development of USACE’s purpose and need statement. USACE developed a draft purpose and need after taking into consideration the purpose and need from CPRA’s Joint Permit Application, input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities of the EIS), and input from public scoping.

USACE's initial formulation of the EIS purpose and need was included in a draft Chapter 1 Introduction and Purpose and Need of the Draft EIS, which was circulated to the LA TIG and cooperating agencies for review and comment from May to October 2017. In October 2017, after the LA TIG finalized its draft Strategic Restoration Plan, the LA TIG requested that USACE re-visit the Draft EIS purpose and need. In January 2018, the LA TIG submitted a proposed revised statement of purpose and need in the form set forth in the Draft EIS. During a joint meeting between USACE, the Applicant (CPRA), the LA TIG, representatives of the Council for Environmental Quality (CEQ), and representatives of the FPISC held on January 25, 2018, the participants discussed proposed changes to the purpose and need. The CEQ and FPISC representatives were supportive of the changes to the proposed Project EIS purpose and need and USACE agreed to the change. Subsequently, CPRA submitted a revised Joint Permit Application to USACE on March 16, 2018 containing a revised purpose and need statement for the proposed Project that tracked the revised purpose and need statement for the EIS. Although the purpose and need changed, the Alternatives Working Group (AWG) (formed to identify alternatives to be evaluated in the EIS and consisting of representatives from USACE, representatives from the LA TIG, including the Applicant (CPRA), and representatives from NOAA, NMFS, USEPA, USFWS, USDOJ, and USDA, and the third-party contractor), continued to consider functional alternatives that are not diversions in the EIS. Chapter 2 Alternatives of the EIS explains how numerous functional alternatives did or did not meet the proposed Project purpose of reconnecting and reestablishing sustainable deltaic processes between the Mississippi River to Barataria Basin through the delivery of sediment, fresh water, and nutrients. The public, commenting agencies, and stakeholders had the opportunity to comment on the revised purpose and need during the public comment period on the Draft EIS. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

In preparing its Restoration Plan, the LA TIG developed the goals and objectives for the proposed Project through an iterative restoration planning process, beginning with the restoration goals in the Final PDARP/PEIS then developing SRP/EA #3 for the restoration of habitat and ecological services in the Barataria Basin, and ending with Project-specific goals. The proposed MBSD Project has been developed to address the specific goals of the wetlands, coastal, and nearshore habitats restoration type; it would restore a variety of interspersed and ecologically connected coastal habitats, restore for injuries to habitats in geographic areas where the injuries occurred while considering approaches that provide resilience and sustainability, restore habitats in appropriate combinations for any geographic area, and restore the ecological functions provided by those habitats. Tiering off of the PDARP/PEIS, the LA TIG evaluated various restoration alternatives in SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed MBSD Project evaluated in the Restoration Plan.

Louisiana Trustee Implementation Group (LA TIG). 2018a. Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana. Available online at: [http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018\\_03\\_LA\\_TIG\\_Final\\_SRP\\_EA\\_508-Compliant.pdf](http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_03_LA_TIG_Final_SRP_EA_508-Compliant.pdf). Accessed: March 15, 2018.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

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Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62019**

**The Draft EIS fails to address extended economic and community impacts of this proposed Project. The proposed MBSD Project would not only affect localized Louisiana concerns, but would impact no less than three other Gulf Coast states including Texas, Mississippi, and Alabama.**

**Response ID: 16215**

EIS Chapter 3, Section 3.1.1 Project Area identifies the area of analysis for the EIS which includes the Barataria Basin and portions of Mississippi River birdfoot delta. For socioeconomic impacts, the EIS identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche, and Jefferson Parishes, Louisiana. For commercial fisheries, the proposed Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin birdfoot delta). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4 Operational Impacts in Commercial Fisheries in the Final EIS has been revised to acknowledge this.

In response to one commenter's request for supplemental environmental review to consider potential impacts of the Project on the Texas shrimp fishery, the NOAA Technical Memorandum cited in support of that request has been reviewed. The technical memo does not confirm the comment that shrimp from the Barataria Basin migrate to Texas. While that memo does report that tagged brown shrimp released in Louisiana were recovered in Texas, those recovered shrimp were released in offshore waters south of Calcasieu Lake. Tagged

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shrimp that were released in the Caillou Lake estuary, which is in the Terrebonne Basin (on the western side of the Barataria Basin) were not recovered in Texas.

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**Concern ID: 62810**

**The Draft EIS exhibited bias by listing negative impacts in a scientifically sound manner, then softening the negative information through use of semantics or alternative information that is always highlighted by the Applicant in its public statements and meetings about the proposed Project. This is totally unacceptable and would require extreme diligence on the part of the reviewing lead agency.**

**Response ID: 16383**

The analyses in the Draft EIS acknowledged the potential impacts of the proposed Project and indicated the anticipated overall results based on a given analysis. The USACE has developed the EIS, together with the members of the LA TIG (including cooperating agencies and CPRA), considering the best information and data available to them and based on best professional judgment with respect to the potential impacts of the proposed Project. Additionally, the third-party contractor supporting preparation of the EIS was required to execute an Organizational Conflict of Interest Certification specifying that the contractor does not have financial or other interest in the outcome of the permit application process.

With specific regard to the concerns regarding former CPRA Board Chairman Johnny Bradberry, who is now President of Gulf Engineers and Consultants (“GEC”), the third-party contractor supporting preparation of the EIS, the Louisiana Board of Ethics, in an opinion dated February 18, 2019, Docket No. 2019-136, recognized the Conflict Mitigation Plan GEC has in place to avoid any conflict of interests, including prohibiting Mr. Bradberry from any involvement in the preparation of this EIS or in deriving any compensation from the preparation of the EIS. The prohibitions in that Conflict Mitigation Plan have been adhered to by GEC throughout this process.

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**Concern ID: 63601**

**The basis for alternatives development involved various groups including the Applicant which is a conflict of interest and disregards NEPA requirements for reasonable alternatives that are practical or feasible.**

**Response ID: 15839**

As explained in Chapter 2, Section 2.2 Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS, the alternative development process was conducted by an Alternatives Working Group (AWG) led by USACE in coordination with LA TIG (comprised of federal and state agencies, including the Applicant CPRA), and cooperating federal and state agencies. The USACE is the lead federal agency in preparing the EIS and coordinates with other agencies with jurisdiction by law or special expertise acting as cooperating agencies (see EIS Chapter 1, Section 1.8 Agency Roles and Responsibilities of the EIS). The USACE as the lead federal agency is primarily responsible for implementing the NEPA process for the EIS. The LA TIG will also use the EIS to inform the NRDA decision under OPA regarding funding the construction of the proposed MBSD (see EIS Chapter 1, Section 1.6.1, in Scope of the EIS). A Memorandum of Understanding (MOU) between the USACE and the federal and state cooperating agencies established the Project Federal Coordination Team (NOAA, NMFS, USEPA, USDOJ, and USDA) and allowed the integration of the State, including CPRA, significantly into the environmental review and authorization process to the extent

authorized by law. NOAA's National Marine Fisheries Service and DOI's United States Fish and Wildlife Service retained independent discretion to make regulatory decisions under their respective statutory authorities. Refer to Appendix D1 Alternatives Working Group Summary of the EIS for additional details on the AWG.

The AWG collaborated to identify a reasonable range of alternatives to be carried forward for detailed analysis in the EIS that met the requirements for the NEPA review process associated with each federal action (Section 10/404 and Section 408 for USACE; NRDA funding for LA TIG). The AWG worked to refine and conduct the alternatives screening process to evaluate a wide range of alternatives, taking into consideration feasibility, practicability, location, design, and operation in an objective and transparent manner. The screening process was a multi-agency review process and considered information available from previous studies, decision making needs of the lead agency (USACE) and cooperating agencies, NEPA requirements (for example, 40 CFR 1502.14), NRDA restoration planning efforts, information and modeling input provided by CPRA, and public and agency scoping comments.

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**Concern ID: 64060**

**The proposed MBSD Project would result in a financial impact on the surrounding communities that support the coastal community. More work needs to be produced to address the economic impacts for Louisiana as a whole and the locally impacted parishes from the proposed Project. This should include all of the state-wide economic issues that would result from the loss of natural resources which are heavily marketed as a basis for the industries of tourism, hospitality, restaurants, etc. Any failure to consider the complete economic impact of the destruction of seafood is inadequate given the nature of this proposed Project and the natural resource results actually delineated in the Draft EIS.**

**Response ID: 16231**

The Draft EIS considered the potential socioeconomic impacts of the Project; thus, no related changes have been made to the Final EIS. More specifically, the EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, restaurants, tourism, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries considers regional economic impacts and community impacts projected to result from the proposed Project on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the Basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, though potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action

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Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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**Concern ID: 64183**

**The stated purpose and need for the proposed Project is to restore for injuries caused by the DWH oil spill; however, if the damages this proposed Project would cause, as outlined by the Draft EIS and stakeholders scoping comments opposing the Project, are compared to the damages caused by the DWH oil spill, the impacts are utterly alike, to include the devastation of shrimp, oysters, and dolphins and the destruction of the brackish/saline habitat that is naturally occurring in the Barataria Basin.**

**Response ID: 16400**

As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the proposed Project is to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. As described throughout Chapter 4, Section 4.10 Aquatic Resources of the EIS, operation of the proposed Project would affect the existing flora and fauna of the Barataria Basin in both beneficial and adverse ways, with the overall impacts to a given species being dependent on that species habitat preferences and tolerances. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

The LA TIG's Restoration Plan discusses how the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees 2016).

Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources injured by the spill. See Executive Summary and Chapter 3, Section 3.2.1.5 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan. The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin. The proposed Project will not stop all of that marsh loss; however, it is projected to create and maintain approximately 9,800 acres more than the No Action Alternative at year 2070 (see Table 4.6-4 of the EIS).

For its Restoration Plan decision, the LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Chapter 3, Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how

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the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG has found that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem. The LA TIG selected the proposed Project because the LA TIG has found it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (March 2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the LA TIG's Final Restoration Plan, the LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Chapter 3, Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of stewardship measures in recognition of the collateral injury that is anticipated to result from the implementation of the proposed Project. See Section 3.2.1.1.5 (Associated Stewardship Measures) of the LA TIG's Restoration Plan, and Appendix R1 (Mitigation and Stewardship Plan) of the Final EIS. The LA TIG is also committed to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances



where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40331**

Commenter

Please do not create another diversion. There is ample proof when man made controls to the Mississippi River are put into place the outcome is disastrous. From backwater flooding to the destruction of marine life from excess freshwater, man gets it wrong. The Caernarvon Freshwater Diversion has completely altered the ecosystem for the worse. A new diversion will likely have the same consequences. Please, no more diversions.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Correspondence ID:40332**

Clifford Rabalais

Diversions of the Mississippi River have been tried a number of times since the 1800's. They always result in a serious negative impact on the Gulf Coast. The oyster beds have been killed off numerous times. The fish, shrimp, porpoise, and other marine life habitats have been significantly altered.

The levee system along the Mississippi River has changed the River dynamics such that all of the sedimentation which used to deposit in the farm lands of Louisiana & Mississippi is now carried to the mouth of the River then drops out there when the water velocity slows. This is the major contributor to silting of the River.

The "Record High" river levels in the spring of most years is a result of trying to keep the River contained to it's normal banks. The Corps of Engineers purchased the right to flood much of the land in central La. in the late 1920's when they started the levee "Flood Control" project (Morganza spillway). Those areas DO NOT get flooded, instead the water is released via the Bonne Carre spillway, which adversely affects the Mississippi Gulf Coast and the Lake Ponchartrain areas.

Another project to divert water from the river will be another failure. The track record of the Corp of Engineers demonstrates that they should be fired from the job of River Management.

It is my opinion that their focus should be identifying the problems their projects have created, and trying to correct those, not adding more patches to a system they broke.

Clifford Rabalais

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**Concern ID: 62363**

**USACE should identify the river management problems their projects have caused and correct those, not adding more patches to the system it broke.**

**Response ID: 15876**

The proposed Project is not a USACE project. The State of Louisiana through CPRA is the permit Applicant and would construct and operate the diversion. The combined effects of USACE's past, present and reasonably foreseeable projects, in combination with the MBSD Project, were considered in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

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Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Correspondence ID:40334**

Charles Moore

I live on the MS Gulf Coast and fish the waters of the Mississippi Sound, Lake Borgne and the Louisiana marsh and I have witnessed first hand the destruction of the Oyster fisheries and the fisheries in these areas every time the Mississippi River has been diverted through the Bonne Carre Spilway. I routinely walk the beach in Pass Christian and have counted hundreds of dead fish, dozens of turtles, dolphins and sea birds every time the MS river is diverted and runs into the MS Sound. I am opposed to the Mid-Barataria Sediment Diversion because it will destroy the marine environment and kill the oyster habitat and fisheries that hundreds of thousands of people depend on for their livelihood and cause mass destruction of everything the diversion touches. Thanks

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Correspondence ID:40336**

Elizabeth Veglia

Diverting part of the Mississippi river into the Mississippi sound through the various estuaries and lakes, which provide the food, the financial sustainability and the lifestyle that we are committed to here in Mississippi is the wrong way to approach the problem of sediment in the Mississippi river. Diverting polluted water into the Mississippi sound and beyond is not a good idea.

Our economy is here are built on tourism which will plummet as the water dies along with the sea life and our own way of life here on the Mississippi gulf coast. Certainly the Corps of Engineers can come up with a more equitable solution for the problem of flooding and diversion of sediment from the Mississippi River. The Corps of Engineers has allowed levees to be built all around New Orleans which will strongly impact Mississippi in storms to come.

The Corps can create living shorelines in Louisiana, such as we have in Mississippi to reestablish our marshlands.

My answer is a resounding NO! Do not do this inequitable solution to effect the greater whole. Later will be too late to rectify it.

Elizabeth Veglia

Bay Saint Louis, Mississippi

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**Concern ID: 61976**

**Instead of the diversion, consider using berms or living shorelines along the coast line to help reduce coastal flooding. The berms would hold back the soils and help build the land behind them.**

**Response ID: 15976**

The Draft EIS considered a shoreline protection alternative (including berms and living shorelines) as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.3 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS.

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**Concern ID: 62786**

**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:40337**

Commenter

Sounds like we just really need a sedimentation filter on the river. The old sedimentation filter was taken out of service by the levee system - the areas of Arkansas, Mississippi & Louisiana known as "The Delta". Rather than trying to create more swamp near Barataria - to deal with a mistake made years ago; go back and correct the mistake. Allow the river to spread out and deposit the sedimentation where it used to. Yes those areas will get flooded; that is why those areas have such rich farmland.

Side effect will be lower river levels in the lower regions of the river.

Admit a mistake & correct that- Don't continue along a failing path.

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**Concern ID: 61888**

**Consider the alternative of allowing the levees to sink, erode, and collapse down to a normal height with annual widespread overflow distribution of the sediments in the historic and gentle way that would not have the sudden, disruptive impacts as seen with existing and planned diversions. Restoration of natural processes is the best way to replenish and preserve our renewable natural resources.**

**Response ID: 15983**

This alternative of removing levees and restoring natural processes is not feasible and was not considered further because levees are necessary for flood risk reduction for the communities and industries that line the Mississippi River in Barataria Basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Correspondence ID:40338**

Benson Tucker

My name is Benson Tucker, and I was raised in Myrtle Grove, LA and have seen first hand just how much land can be lost in a short period of time due to coastal erosion. There is no question that something has to be done to combat coastal erosion, but the plan for this diversion is totally unacceptable and unfair to the families that call this area home. We were told that this diversion would raise the water levels in the area an additional 2 feet, which will put my neighborhood and home of Myrtle Grove underwater making it accessible only by boat. The rise in water level will greatly reduce the value of my family's property in Myrtle Grove, which will be a slap in the face to my parents who worked so hard to be able to have a place like this to raise me. Unless something is done such as raising the infrastructure of our neighborhood in Myrtle Grove, this project is totally unacceptable. The way of life in Myrtle Grove should in no way be collateral damage to this diversion. I strongly oppose this project unless the plan calls for raising the infrastructure of the communities affected by the rising water levels that the diversion will bring.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property

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owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose

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and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63102**

**Commenters expressed concern that they will not be able to use their property if the Project proceeds. Commenters believe that the amount of funds proposed for mitigation is insufficient.**

**Response ID: 16640**

The commenters' concern regarding the adequacy of the funding for mitigation measures was considered by CPRA and the LA TIG in developing CPRA's Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included proposals to address and partially offset some of the projected impacts of the Project on surrounding communities outside levee protection, including potential mitigation measures to address increased water levels due to the Project. In response to comments, CPRA further expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The mitigation and stewardship measures would vary by community. In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the Project. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and the utilities of those communities. Also in these communities, CPRA plans to acquire Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:40339**

Gary Michel

I am a full time resident in the Myrtle Grove Estates and do not want any part of this diversion in my subdivision for the simple reason you could go further down the Hwy and do the same thing and it would not effect us as much as it is going to do with your present plan. You will destroy our chosen right to reside in a peaceful neighborhood that the residents of Myrtle Grove has worked their whole lives to accomplish. You are going to destroy our right to live a peaceful and happy life living on the waters that we fish and hunt with no regard to how it will effect our Holmes and the people that make a living out of these waters. I think politics and greed are what standing in the way of doing the right thing for our community. The right thing to do is help us get a flood gate across the Canal and you can accomplish your goal without affecting the residents of our community.

It is the right thing to do!!!

Totally against your project !!!

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**Concern ID: 61865**

**Commenters asked why the location was chosen as the site for the proposed MBSD Project, since it so close to and impacts the Myrtle Grove Subdivision.**

**Response ID: 15936**

Chapter 2, Section 2.4.1 Evaluation of Location Alternatives under Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow in the Draft EIS, detailed the evaluation of alternatives based on geographic location and the reasoning for selecting the proposed location for the MBSD Project. Consideration for the location of the proposed MBSD Project took into account the proximity of the diversion intake to a point bar in the Mississippi River that could serve as a continuous, long-term sediment source for the diversion in combination with the outfall location and receiving basin being well suited to gain benefits from a sediment diversion, the potential for accretion of sediment in the Barataria Basin, and the creation, maintenance, and sustainability of existing and future wetlands and marshes. In addition, previous studies have considered several general locations for a sediment diversion from the Mississippi River into the Barataria Basin, including the upper, middle and lower parts of the basin and were used in the evaluation in the EIS. The impacts of the proposed MBSD Project and its alternatives, particularly on Myrtle Grove, can be found in Chapter 4 Environmental Consequences under each of the Project's resources.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and

Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Concern ID: 63103**

**Commenter suggests that a floodgate across the canal would be a better solution and would not harm property.**

**Response ID: 16641**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) outlined the mitigation measures proposed by CPRA to address and offset the projected impacts of Project operations on surrounding communities, including providing mitigation for increased water levels due to the Project. In response to comments, CPRA has expanded and refined the Final Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

As part of developing the Final Mitigation and Stewardship Plan, CPRA considered the possibility of installing a flood gate for the Myrtle Grove Marina Estates Subdivision. CPRA decided not to pursue this option for several reasons. While some property owners in Myrtle Grove have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the Barataria Basin. CPRA has proposed instead other structural mitigation measures to address the projected impacts of the Project on water levels and boat accessibility in the Mitigation and Stewardship Plan.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40344**

Randy Gegenheimer

As per an article in the New Orleans Advocate dated June 1, 2021 "Diversion aims to starve off loss of coast" state there are uncertainties with the diversions. The diversion will ruin the livelihood of many fisherman and businesses that rely on the fisheries in the Bartaria Basin even though there are uncertainties what the diversion will do. Need to spend additional time to study the diversion and what it will do to the basin.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).



The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40345**

Alan Drake

Has any consideration been given to aerial seeding of black mangrove in order to stabilize newly formed "land" from other hurricanes and storms? Even if a frost kills seeded trees every decade or so, the dead trees will still stabilize new soil. And more can be seeded the next year.

I would like to add a red mangrove as a species to seed, potentially by a shallow draft boat, to stabilize newly formed land. This species currently exists in extreme southern Louisiana but floating seeds are unlikely to reach the project site in numbers.

Again frost may kill it once a decade, but dead trees still stabilize land & they can be reseeded (by boat in this case per my understanding).

One devastating path for a Cat 4 or 5 hurricane is straight up the Mississippi River. The hurricane shoves storm surge up the river. Standard operating plans should include diverting as much water as possible from the MS River when such a storm approaches. This would reduce loss of life & damage to property.

I am appalled at the 50 year design life. I have worked on a hydroelectric project in Iceland with a 400 year design life! Steel headrace linings would be replaced every 250 years - and design provision was made to do so.

This project should have a design life of at least 125 years - when sea level rise should overwhelm it.

Provisions should be made for adjusting flows based upon real world experience rather than computer models. I really question the "round number" of 5,000 cfs minimum flow. Tides & wind should require adjustments in flow - as well as sea level rise.

I suggest performance criteria with "an estimated flow of roughly 5,000 cfs average" rather than a strict 5,000 cfs.

The same is true for other flows as well.

Addendum to 50 year design life: There is little question that this diversion structure and associated auxiliary structures will be in service beyond 50 years.

Larger silt or river sand particles will be more stable and provide more enduring new land. On the other hand they typically settle closer to the diversion.

Larger particles tend to be deeper in the river.

Does the proposed structure capture at least some of the water from deeper in the river, seeking to capture these larger particles?

May I suggest getting at least 10,000 cfs from deeper in the river - creating the option of getting all the minimum flow water from deep in the river with larger particle sizes.

How will operations and goals change as sea level rises in the future?

At what level of sea level rise will the structure become useless?

When will the structure be operational? What year?

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**Concern ID: 61781**

**The commenter questioned whether modeling was conducted for the Draft EIS to determine where sand would settle in the basin, whether it would settle out near the**

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**diversion channel, and whether dredging would be required to remove the sand. Another commenter questioned whether water from the bottom of the river, where sediments are coarser, would be diverted to the basin.**

**Response ID: 16411**

The issues raised by the commenter were considered in the Draft EIS. The Delft3D Basinwide Modeling conducted by the Water Institute of the Gulf for CPRA for the EIS distinguishes the types of sediment that would be deposited in the basin. Yes, sands were included in the modeling. Table 5.2-1 in Appendix E Delft3D Modeling of the EIS lists the sediment classes included in the model. The model's physics-based computations showed that the coarser sands would settle out before the finer classes, as the commenter suggests. The model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed (without a need to move it by dredging and placement). CPRA plans to dredge specific areas within the proposed Project limits and within Barataria Basin as needed to operate and maintain the proposed Project, as described in Section 3.2 of EIS Appendix F MBSD Design Information and in EIS Appendix R2 Monitoring and Adaptive Management (MAM) Plan. Likewise, dredging of navigation channels would be assessed and managed through CPRA's MAM Plan (Appendix R2 to the EIS). Dredging in the Barataria Basin is expected to maintain certain dredged navigation channels but not the emerging deltaic front. However, the MAM Plan (Appendix R2) does include consideration of additional measures should they be necessary.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61892**

**Consider including in the design of the diversion the planting of black, red, and white mangroves to create and sustain land in the Barataria Basin, as well as planting bald or related species cypress trees to aid in the retention of land. Even dead trees would stabilize the soils.**

**Response ID: 15986**

The Draft EIS acknowledged impacts on wetland vegetation and terrestrial vegetation due to the proposed MBSD Project in Chapter 4, Section 4.6 Wetland Resources and Waters of the U.S. and Section 4.9 Terrestrial Wildlife and Habitat, respectively. While mangroves can provide areas of soil retention, their relative lack of cold tolerance does not currently allow growth throughout the entire coast of Louisiana. Red or white mangroves are not currently found in Louisiana because they are not as cold tolerant as black mangrove, although as the climate changes, CPRA recognizes that dedicated plantings of black mangrove and exploratory plantings of other mangrove species are a potential option in areas that are not currently suitable. Cypress trees are a viable option today and have been used (along with willows) to stabilize newly deposited sediments at the outfalls of existing diversions. CPRA would consider these options in the outfall area as part of future adaptive management efforts, especially to the extent base flows would provide suitable freshwater habitat, as well as to increase sediment stabilization and retention.

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by

year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG’s funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61915**

**Standard operating plans should include diverting as much water as possible from the Mississippi River when a category 4 or 5 storm approaches to reduce loss of life and damage to property.**

**Response ID: 16002**

As stated in Draft EIS Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis, the Operations Plan for the proposed MBSD Project calls for the diversion structure to be closed when the relationship between the water levels in the Mississippi River and the Barataria Basin would create a reverse flow or when other stop triggers or “Emergency Operations” are met, including spills and other hazardous discharges, navigation impediments, climatic conditions such as tropical depressions or named storms, diversion structure damage or emergency, and public safety as described in the Applicant’s Operations Plan. Regarding climatic conditions, the Operations Plan states that CPRA will close the diversion gates and suspend all flows through the diversion when tropical activity (depression or named storm) is forecasted to impact the Barataria and Mississippi River Basins. The structure would be closed in advance of storm impact to avoid affecting water levels in the Mississippi River or the Barataria Basin. After passage of an event and without unnecessary, unexpected impacts, operations would resume per the Operations Plan. Refer to Appendix F2 Preliminary Operations Plan of the Final EIS for further details on the Operations Plan.

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**Concern ID: 61916**

**The proposed Project should have a design life beyond 50 years.**

**Response ID: 16003**

The proposed Project design life would extend beyond 50 years. This is not to be confused with the 50-year analysis period used in the EIS. The 50-year analysis period corresponds with the Delft3D Basinwide Model simulations, which were run over 5 decades (beginning in 2020 and run through 2070). USACE typically uses a 50-year period of analysis for its water resources projects. The EIS analyzes operational impacts resulting from operation and maintenance of the alternatives during the 50-year analysis period. Analysis of potential impacts past 50 years was determined to be too speculative to assist in understanding or decision making regarding the proposed Project.

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**Concern ID: 64702**

**The commenter questioned whether proposed Project operations would change as sea-level rises in the future. The commenter also questioned at what level of sea-level rise would the proposed Project become useless.**

**Response ID: 16424**

The issue raised by the commenter was considered in the Draft EIS. Sea-level rise and subsidence were explicitly accounted for in the Delft3D Basinwide Model over a 50-year analysis period, as described in the Draft EIS Appendix E Delft3D Modeling, Sections 3.2.4 and 3.2.3, respectively. Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology and Section 4.6 Wetland Resources and Waters of the U.S. show in detail how long wetland and land-building benefits of the proposed Project would endure during the 50-year analysis period. Section 4.4.4 Hydrology and Hydrodynamics discusses in detail how long bathymetric (water bottom) benefits would endure during the 50-year period of analysis. As explained in

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the Draft EIS Appendix F2 Operational Plan and summarized in Chapter 2, Section 2.8.1.4 Project Operations, operations would follow the standard operational procedures and emergency operations put forth in Appendix F2 until the water levels in the Barataria Basin exceed those in the Mississippi River, at which time the structure would be closed.

For the diversion to become useless (defined for this discussion as no longer diverting sediment), sea level would have to rise by about 9 feet. At that level there would be insufficient water level difference between the Mississippi River and the Barataria Basin to push water, sediment, and nutrients through the structure. The USACE currently projected “High” rate of sea-level rise at Grand Isle, Louisiana, ([https://cwbi-app.sec.usace.army.mil/rccslc/slcc\\_calc.html](https://cwbi-app.sec.usace.army.mil/rccslc/slcc_calc.html); [https://cwbi-app.sec.usace.army.mil/rccslc/slcc\\_calc.html](https://cwbi-app.sec.usace.army.mil/rccslc/slcc_calc.html)) would produce a rise of 6.75 feet in 2100 (the last allowable year in the prediction tool). An unofficial extrapolation of the USACE’s High and Low curves suggests that 9 feet of relative sea-level rise would occur at Grand Isle some time between 2120 and 2300.

As explained in the Draft EIS in Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology and Section 4.6 Wetland Resources and Waters of the U.S., although the amount of wetlands and land that the Project would build and sustain after the first 30 years of operation would diminish, the wetlands and land created or sustained by the Project would become a larger percentage of the total wetlands and land remaining in the basin, as the basin is overwhelmed by sea-level rise and subsidence. Further, throughout the 50-year analysis period of the EIS, the Project would continue to provide a suite of ecosystem service benefits including but not limited to nutrient input and increased freshwater habitat (for freshwater species and SAV) as discussed in the EIS Chapter 4, Section 4.10 Aquatic Resources and in the Restoration Plan, Section 3.2.1.6 Benefits Multiple Resources.

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**Concern ID: 65187**

**Commenter inquired as to what year the proposed MBSD Project is planned to be operational.**

**Response ID: 16695**

Construction would not commence until after the USACE decision on the Section 10/404 permit and Section 408 permissions request. As described in EIS Chapter 2, Section 2.8.1.4 Project Construction Activities in Action Alternatives Carried Forward for Detailed Analysis, once begun, the proposed Project would require 3 to 5 years of construction which would occur in several phases.

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**Correspondence ID:40346**

Thomas Halko

I am curious as to whether the Park Service, that now owns 5000+ acres on the East side of Bayou Barataria, has issued a view point related to this project. Additionally, I am interested in knowing as to whether Jefferson Parish Council, the Lafitte Area Independent Levee District and the Town of Jean Lafitte have taken positions on the project. And, if so, what are their respective positions?

Is there historical information as to Oyster Beds in the Barataria Basin? If so, can you cite specific references?

I am a property owner in lower Lafitte. It represents my home and business. I am an environmentalist arm chair historian and believe in the concept of living w/water. I am particularly concerned about mitigation. I will reserve my viewpoint.

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**Concern ID: 62186**

**The commenter would like to know the view point of the National Park Service, Jefferson Parish Council, Lafitte Area Independent Levee District and Town of Lafitte on the proposed Project.**

**Response ID: 15765**

Comments on the Draft EIS submitted by Mayor Kerner of the Town of Lafitte can be found in Appendix B2 (DEIS Public Review and Public Meetings) of the Final EIS. No formal comments on the Draft EIS were submitted by the National Park Service, Jefferson Parish Council or the Lafitte Area Levee District. All comments received have been fully considered and incorporated into this public comment and response appendix and all original comments received are included in the Final EIS.

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**Concern ID: 62730**

**Historical information on oyster beds in the Barataria Basin should be included and cited in the EIS.**

**Response ID: 16108**

Historical information on oyster beds in the Barataria Basin is included in Chapter 3, Section 3.10.5.2 (Key Fish and Shellfish Species in the Barataria Basin) of the EIS. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 63886**

**A commenter expressed that they believe in living with water, and that mitigation is important and they are concerned about it.**

**Response ID: 16578**

The Draft EIS considered how communities in the Project area have “lived with water” and adapted to evolving conditions due to sea-level rise, subsidence and storm events in Chapter 3, Section 3.20 (Public Health and Safety) and Chapter 4, Section 4.20 (Public Health and Safety). Further, CPRA’s Mitigation and Stewardship Plan (Appendix R1) included with the Draft EIS included potential measures to address the projected impacts of Project operations on water levels and inundation in the communities near the Project outfall outside levee protection. Since publication of the Draft EIS and LA TIG’s Draft Restoration Plan, CPRA has expanded and refined the Mitigation and Stewardship Plan based on community and resource



agency input to include additional detail regarding the measures planned to address increases in water levels. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40347**

Lalise Mason

Can you describe how the three major referenced Barataria projects (including MBSD) are complementary? IE: As it pertains to the earlier Lake Hermitage resident's query about dredge projects versus river diversion, the point might be more clearly made in the public forum that diversion sediments ideally serve to nourish and maintain local constructed marsh restoration projects over time, just as they do for native marsh. It is not just "we are doing both"...

Excellent project.

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**Concern ID: 61848**

**Commenters expressed the opinion that the Mid-Barataria Sediment Diversion Project would help support and enhance the lifespan of other coastal restoration and protection projects.**

**Response ID: 16462**

The commenters correctly note that, as discussed in Chapter 4, Section 4.25.6 Cumulative Impacts, Wetland Resources and Waters of the U.S., "Cumulative impacts on wetland accretion from operation of the reasonably foreseeable future projects combined with operation of the MBSD Project action alternatives would likely result in fewer losses in wetlands in both the Barataria Basin and birdfoot delta, but most notably in the Barataria Basin, where implementation of the MBSD Project action alternatives would prevent the loss of an additional 26,000 acres."

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40348**

Darlene McGarry

Who will be responsible for maintaining/dredging the navigation channels in the areas the diversion will affect?

I live in Happy Jack and am very concerned about the oil sediment that will be disturbed by this project. Has this been addressed in the draft?

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**Concern ID: 61826**

**Commenters expressed concern that proposed Project operations would disturb existing oil sediment (from the DWH oil spill) in Barataria Bay.**

**Response ID: 16431**

As explained in Chapter 4, Section 4.4.4 in Surface Water and Coastal Processes, significant scour potential exists in the immediate outfall area of the diversion structure in the basin, which could disturb oiled sediments on water bottoms. However, based on surveys conducted during remediation efforts in the Barataria Basin in response to the DWH oil spill, oiling exposure did not occur in this area, as illustrated in Chapter 3, Section 3.10 Aquatic Resources, Figure 3.10-1 of the Draft EIS. With regard to DWH oiling exposure identified in remediation surveys throughout the rest of the Barataria Basin, proposed Project operations would deposit sediments on water bottoms, which would bury any oiled sediments. Where oiled sediment exists in the birdfoot delta, bed elevations are projected to decrease by 0.2 foot by 2070 as compared to the No Action Alternative (see Figure 4.4-3 in Section 4.4.4 in Surface Water and Coastal Processes) due to reduced sediment load reaching the delta in areas observed to be impacted by oil. Bed elevations in the birdfoot delta are projected to decrease under the No Action Alternative as well. Therefore, proposed Project operations are expected to negligibly disturb existing oil sediment from the DWH oil spill. Clarification has been added to Chapter 4, Section 4.5.5.10.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS.

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**Concern ID: 62283**

**The commenter questioned who would be responsible for maintaining/dredging the navigation channels in the areas impacted by proposed diversion operations.**

**Response ID: 16445**

As stated in the Draft EIS in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations. Other non-federal channels and facilities (for example, marinas, anchorages) near these channels would be expected to also experience increased sedimentation (see Section 4.21.5.2 in Navigation).

CPRA plans to mitigate the effects of the Project on boat access from Myrtle Grove and Woodpark to the basin as explained in Appendix R1 Mitigation & Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final

Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS

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Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40349**

Rosina Philippe

Question about land building and land loss during the day to day operation of Mid-BS-Diversion...will we continue to lose more land that the diversion is proposing to build (per day)? Not if we do or if we don't do.

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**Concern ID: 62152**

**The commenter questioned whether the basin would lose more land than what the proposed MBSD Project diversion would create on a day-to-day basis.**

**Response ID: 16179**

The commenter's concern regarding the rates of land loss and land projected to be built during diversion operations was considered in the Draft EIS. To further clarify, further discussion has been added of currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Correspondence ID:40350**

Valerie Ramirez

I am a college student, will there be any internships in the future working on this project?

I get that the sediment diversion will be channels that lead to rivers. But has there been any discussions about building a man made river? The man made river might also help with flooding if constructed right.

What are the statistics of Louisiana citizens that are aware of this project? What is the total amount of the project along with the time frame of this project?

What are the companies that will be associated with this project?

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**Concern ID: 61853**

**The amount of acres of habitat that would be restored through the preferred alternative would not justify its high cost. Given Louisiana's annual coastal habitat loss rate, investing in a nearly \$2 billion Project that would provide relatively little benefit compared to this annual loss is not justifiable.**

**Response ID: 16618**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has conducted its own economic evaluation of the costs of a proposed Project. USACE will conduct a public interest review as part of its permit decision-making process, which weighs the anticipated harms of a project against its anticipated benefits.

As part of the OPA analysis, LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and successfully develop deltaic habitats that connect nearshore and offshore ecosystems. Wetlands are one component of a restored ecosystem to be achieved. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The creation of marsh habitat would provide substantial benefits to nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, terrestrial wildlife, and offshore marine ecosystems (see Section 3.2.1.6 [Benefits Multiple Resources] of the Restoration Plan). Given the high rates of erosion and land loss, the land created by the Project would become even more important to the coastal ecosystem over time.

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**Concern ID: 61899**

**Consider building a man-made river instead of implementing the proposed MBSD Project.**

**Response ID: 15993**

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This suggestion is not inherently different than the proposed Project which consists of a man-made conveyance structure. The proposed MBSD Project would provide a controlled riverine connection to the Barataria Basin. No edits have been made to the Final EIS.

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**Concern ID: 61955**

**Commenters are concerned that all those that are impacted may not be aware of the proposed Project, its impacts, or potential mitigation. There are many people that may not have the knowledge, time, or resources to be deeply involved in these issues, but who also have a stake in what is happening. Consider the needs of these people in making a decision about moving this proposed Project forward. If this proposed MBSD Project and similar projects move forward consider opportunities to better engage people across Louisiana's coast in the value of projects like these and why they are crucial to the future of our region.**

**Response ID: 15900**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and the LA TIG conducted public outreach and provided public comment opportunities throughout the development of the Draft EIS and the LA TIG Draft Restoration Plan. Details on USACE's and the LA TIG's outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process.



Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. Throughout the public comment period and concurrent with the preparation of the Final EIS and LA TIG's Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups.

This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented.

Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62364**

**The commenter asked whether there will be any internships for college students later in the Project.**

**Response ID: 15851**

The USACE recommends reaching out to CPRA directly regarding internship opportunities.

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**Concern ID: 62366**

**Commenter asked what companies would be associated with this Project.**

**Response ID: 15853**

The USACE recommends reaching out directly to CPRA regarding companies involved in the Project.

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**Correspondence ID:40351**

Tac Carrere

It is imperative that the operational plan includes continual adaptive mitigation of unavoidable impacts to critical habitat in the Breton and Mississippi Sound areas.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 67233**

**It is imperative that the operational plan includes continual adaptive mitigation of unavoidable impacts to critical habitat in the Breton and Mississippi Sound areas.**

**Response ID: 16953**

As discussed in Sections 3.12 and 4.12 (Threatened and Endangered Species) of the EIS and Appendices O-3 and O-4, ESA designated critical habitat for the loggerhead sea turtle and piping plover is within the Project area, as is proposed critical habitat for the red knot. However, the Project would have no effect on these designated or proposed areas of critical habitat.

**Correspondence ID:40352**

Plaquemines Parish School Board

Niko Tesvich

I recently read an article in the New Orleans Times Picayune that stated in 2070, projections with the Diversion show about 133 square miles of wetlands will remain from the 509 square miles of wetlands currently in the Barataria Basin. To put it another way, even with the Mid-Barataria project, the basin will still lose about 75% of its wetlands. This makes me question the project in its current state, especially when you consider the \$1B price tag attached to it, along with the impacts it will make to the basin and the communities around the basin.

My biggest concern is that the Mid-Barataria River Diversion will not restore more land than we expect to lose. I've put this in quotes because a recent opinion published by our governor states exactly that. I've heard this same thing paraphrased several times by others who are in support of the project as it is currently designed. How can we spend this amount of one-time funds and support a project that may only slow down the rate of attrition over the long term? Also, consider that in the short term, it will be ruinous for the current ecosystem in the Barataria basin, as it will change a brackish system into a completely fresh one. Flora and fauna will die en masse once the spillway gates are opened and river water fills the estuary from the Diversion site to the Gulf of Mexico. Of course, over time, other species will inhabit the area, but how long will that take? How much land will wash away once the saltwater marsh that holds it together dies? What other projects are in place to make sure that if land is created by this project, it stays there?

In my opinion, a controlled system of dredging to create dry land coupled with a system to contain sediment-infused river water in specific areas outside of the levee protection system would be most beneficial to create a more land exactly where we need it. I believe Lt. Governor Nungesser suggested a project similar to this. Was a project like this ever vetted as an option?

A project that restricts the amount of freshwater introduced into the basin would allow for the fishing industry to continue. It will reduce flood risks to exposed communities in the basin. It will not significantly impact the dolphin population. It will not introduce invasive species to the basin. Overall, a project like this would help to ensure the survival of the communities in southern Plaquemines, Lafourche, and Jefferson Parishes. Negative impacts on the fishing communities of these parishes would be a deathblow to these areas.

Respectfully, I believe that the Louisiana CPRA has not fully explored and vetted all the options available to them to spend these coastal restoration funds in the best interests of all stakeholders in the region. Public funds in these amounts don't come along very frequently...or maybe ever again. Our state cannot miss when spending funds of this magnitude. Please reconsider this project in its current state and make adjustments to the project itself, not restitution/mitigation measures to address known impacts.

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**Concern ID: 61895**

**Commenters suggest using a sediment diversion to selectively build land by directing sediment to a contained area, such as a colmates system or large-scale marsh creation containment area. A controlled system of dredging to create dry land coupled with a system to contain sediment-infused river water in specific areas outside of the levee**

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**protection system would be most beneficial to create more land exactly where it's needed.**

**Response ID: 15988**

This method of sediment transport and/or sediment containment and land building would not meet the proposed Project's purpose and need of reconnecting and reestablishing sustainable deltaic process between the Mississippi River and the Barataria Basin. A colmate or other means of large-scale marsh creation using dewatered sediment would allow for sediment to be transported from the Mississippi River to the Barataria Basin and deposited into a location confined by containment berms, which would create an impoundment where the suspended sediment would settle out of the water column over time to create a marsh platform. Once the area dewateres and the platform stabilizes at an appropriate marsh elevation, the berms would be degraded or gapped to allow fish passage and hydrologic exchange. While this type of system would create marsh, it would not be a passive system and would require active management and maintenance, including potentially pumps to ensure sediment transport, mechanical gapping/degrading of the retention berms and periodic lifts to combat the effects of subsidence. It would not reestablish natural deltaic processes. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 62665**

**Commenters suggested that the proposed Project would achieve some benefits relative to the No Action Alternative, but that even if the modeling is correct (which it probably is not), the projected benefits provided by the Project would be very small compared to amount of habitat that is expected to be lost in the Barataria Basin over 50 years. If the models used for the EIS turn out to be accurate, more than 43 percent of the land in the Barataria Basin will have disappeared even with the Project in 30 years. During that time, 105,000 acres of land will be lost, with the Project sustaining only 17,300 more acres than the No Action Alternative (5 percent of the basin's current land area). Because of this background of large land loss, the proposed Project could only be considered a stop-gap measure. Further, commenters cited sources indicating ongoing debate about the effectiveness of large-scale sediment diversions as a land-building strategy and recommended those uncertainties be addressed in the Draft EIS (Blaskey, 2020; Blum and Roberts, 2009; Chamberlain et al., 2018; DeLaune et al., 2013; Suir et al., 2014; Turner et al., 2019).**

**Blaskey, D. 2020. Modeling of distributary channels formed by a large sediment diversion in broken marshland. Dissertation, University of New Orleans, Louisiana. 112 pages.**

**Blum, M.D., and H.H. Roberts. 2009. Drowning of the Mississippi Delta due to insufficient sediment supply and global sea-level rise. Nature Geoscience Letters 2:488-491.**

**Chamberlain, E.L., T.E. Törnqvist, Z. Shen, B. Mauz, and J. Wallinga. 2018. Anatomy of Mississippi Delta growth and its implications for coastal restoration. Science Advances 4:eaar4740.**

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**DeLaune, R.D., M. Kongchum, J.R. White, and A. Jugsujinda. 2013. Freshwater diversions as an ecosystem management tool for maintaining soil organic matter accretion in coastal marshes. *Catena* 107:139-144.**

**Suir, G.M., W.R. Jones, A.L. Garber, and J.A. Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. U.S. Army Corps of Engineers Mississippi River Geomorphology & Potamology Program, Report No. 2. 37 pages.**

**Turner R.E., M. Layne, Y. Mo, and E.M. Swenson. 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. *Restoration Ecology* 27(6):1231-1240.**

**Response ID: 16624**

The issues raised by the commenters were considered in the Draft EIS. For example, the proposed Project's long-term influence on land building and wetland creation has been modeled extensively through engineering and design and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS. With regard to modeling conducted to determine impacts of the proposed Project, the Delft3D Basinwide Model projections of Project impacts include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainty in model results is recognized in Table 4.2-4 found in Section 4.2.3.2.2.1 Geology, which indicates that land areas are considered accurate within +/- 200 acres and that the error in land gains is +/-300 acres.

As part of developing the EIS, the USACE, together with members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. The cited studies were reviewed and included in relevant analyses in the Draft EIS.

The LA TIG acknowledges the commenters' concerns. As described in the LA TIG's Draft Restoration Plan, the Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The LA TIG agrees that, with or without the Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the Project would reconnect and reestablish sustainable deltaic

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processes and support the long-term viability of existing and planned coastal restoration efforts. All citations referenced by the commenters were included in the Final EIS and thus were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63064**

**Marsh flora and fauna would die once the proposed Project operation begins and river water fills the estuary. Clarify how long it would take for other species to inhabit the area and how much land would wash away once the saltwater marsh that is currently present dies.**

**Response ID: 16070**

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. indicated that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations; however, those impacts would be offset by marsh building in the delta formation area. However, salt- and brackish marsh vegetation would not be adversely affected by the lower salinity of transported water. Chapter 4, Section 4.6.5.1.2.4 Land Accretion of the Final EIS has been revised to include additional analysis regarding the extent and timing of wetland changes in the immediate outfall area.

As summarized in Chapter 4, Section 4.10.5 in Aquatic Resources of the EIS, the proposed Project would have both adverse and beneficial impacts on the flora and fauna of the Barataria Basin, based on the specific life history and habitat preferences of a given species.

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**Concern ID: 63241**

**The commenter questioned what other projects are in place to help retain land created by the proposed MBSD Project.**

**Response ID: 16475**

Other reasonably foreseeable projects that would retain the land created by the proposed MBSD Project include, but would not be limited to, the Large-Scale Marsh Creation and Component E- Planning Project, the Grand Bayou Ridge and Marsh Restoration Project, the Bayou L'Ours Marsh Terracing Project, and others. These projects were considered in the



Draft EIS in Chapter 4, Sections 4.25.2 and 4.25.6 in Cumulative Impacts, which discusses the beneficial and adverse impacts of other projects in the proposed MBSD Project area on sustaining wetlands and retaining land created by the proposed MBSD Project. While the restoration projects described in these sections are not specifically designed to retain the land created by the proposed MBSD Project, these restoration projects would contribute to land retention.

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**Correspondence ID:40353**

Water Collaborative of Greater New Orleans

Jessica Dandridge

Dear Mr. Laborde and Mr. Landry:

As a native New Orleanian, my entire life has been shaped by water. I was born in this city, whose culture and way of life are intricately connected to our water and natural coastal resources.

Like so many others, my family lost everything in Hurricane Katrina, which struck on my 16th birthday. Fast forward to last year, when we experienced the most active hurricane season on record. That terrified so many of us, and the science tells us that storms are only going to get more intense with every passing year. My life with water continues, now as the executive director of the Water Collaborative. I work every day with partners across the city and the region to create and support solutions for all impacted by flood risk by focusing on equitable practices to sustainably live and thrive with water.

We owe the iconic Mississippi River Delta on which we live to the the water and sediment from the river itself, which built our coast and wetlands while simultaneously shaping our culture and economy. That very same water is also threatening our livelihoods.

Between sea-level rise, rapid land loss, and the impending threat of storm surge, Louisiana's distinctive coastal culture, and the communities that line our coast are at stake. Water impacts us all, and we all have a responsibility to act now for a more sustainable future. Strategic water management and working with nature, both inside and outside the levees, is the best vehicle to address climate change, urban and economic development, and environmental justice simultaneously.

We need to do a better job of restoring and protecting our natural defenses - the wetlands that act as barriers from storm surge – and we need to recognize that it is Black, Indigenous, and other communities of color that are most at risk when that environment is threatened or damaged.

We have an opportunity right now to really change the tide on our land loss crisis which is why I support the preferred alternative in the DEIS for the Mid-Barataria Sediment Diversion and urge that the project be funded with the settlement dollars from the BP oil spill. Decades of research have led us to this project which uses the natural land building power of the river to build and sustain the land. This project will build more wetlands than any other individual restoration project in history and it is at this scale that we must act to protect our coastal communities, including New Orleans, and our way of life. This is our moment to shape a more resilient future for our city and state – one that uses water to our advantage.

The water isn't going anywhere, we must all learn to live and work with it - harnessing its good to build and sustain wetlands that will protect us for generations to come.

Thank you,

Jessica Dandridge

The Water Collaborative

New Orleans

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**Concern ID: 63340**

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**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 64130**

**Commenters suggested the Draft EIS is insufficient in terms of its definition and analysis of affected communities, particularly low-income and communities of color. The analysis would be improved by a discussion of historical context and systemic inequities to describe the existing barriers (that is, economic hardships, educational background, language barriers) these communities, particularly Ironton, must deal with.**

**Response ID: 16301**

The issues raised by the commenters were considered in the Draft EIS. The EIS Chapter 3, Section 3.15 Environmental Justice and Chapter 2 of Appendix H1 Socioeconomics Technical Report discusses existing barriers faced by populations in the Project area affected by the proposed Project, including economic hardships, and describes specific communities with low-income and minority populations. Chapter 2 of Appendix H1 Socioeconomics Technical Report, also provides information regarding historical context and systemic inequities affecting these communities. Chapter 4, Section 4.15 in Environmental Justice describes potential impacts on low-income and minority populations from construction and operation of the proposed Project. In the Final EIS, Chapter 4 Section 4.15.5.1 Environmental Justice, a summary of impacts to the Ironton community has been added to facilitate access to that information. Information concerning additional outreach to communities with environmental justice concerns has also been added.

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**Concern ID: 61935**

**Commenters noted that the MBSD Project would have positive environmental justice outcomes, as the Project goes forward, over time. The proposed MBSD Project is actually part of the larger suite of projects outlined in the Coastal Master Plan. In concert, these projects will provide very significant long-term storm surge and sustainability benefits for communities in Plaquemines and Jefferson parishes, whether within or without structural storm risk reduction systems. Each of these benefits would be particularly helpful over time to those who depend on subsistence fishing and those who live in particularly flood prone areas that, because of historic**

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**discriminatory settlement patterns, is made up of disproportionately poor members of minority groups.**

**Response ID: 16290**

The EIS evaluated anticipated impacts of the action alternatives and a No Action Alternative over a 50-year analysis period. The Delft3D model production runs also projected conditions over a 50-year period. Anticipated impacts beyond that timeframe were not evaluated in the EIS.

As discussed in Chapter 4, Section 4.15 Environmental Justice, the EIS acknowledges that low-income and minority populations in areas north of the diversion and inside of federal risk reduction levees would experience some beneficial impacts related to additional protection from storm hazards due to reduced storm surge and wave heights as a result of the Project's land building. Low-income and minority populations within 10 miles to the north and 20 miles to the south of the diversion outside federal risk reduction levees would experience increased tidal flooding relative to the No Action Alternative, particularly in the first 2 decades of operations. Low-income and minority populations south of the diversion and outside federal risk reduction levees would experience increased risk of storm surge. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton.

Low-income and minority populations that depend on subsistence fishing activities may experience both beneficial and adverse impacts depending on the specific resources and areas where subsistence activities are practiced, as discussed in Chapter 4, Section 4.15.4.2. With regards to other restoration and flood risk reduction projects, Chapter 4, Section 4.25 Cumulative Impacts discusses other restoration and flood risk reduction projects in concert with the proposed Project. The operations of those reasonably foreseeable projects combined with the MBSD Project have the potential to result in minor to moderate, adverse and minor, long-term or permanent, beneficial impacts on low-income and minority communities in the Barataria Basin.

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**Correspondence ID:40354, 39972**

Lisa Halili

I am writing you to voice my opinion on the Mid-Barataria Sediment Diversion (MBSD).

My name is Lisa Halili, and I represent several corporations that hold oyster leases in Louisiana, Texas, Mississippi, and Florida. Prestige Oysters Company is among one of the largest wholesalers of fresh oysters in the Gulf Coast. They have been in the fishery industry since 2001. Over the years, as a growing industry, our company has encountered many devastating events-from major hurricanes, long summer droughts, hill country floods to man-made disasters, including oil, gas, and other chemical spills. Throughout the years, we have found that the government plays a huge role in controlling the environment when damages occur to our bays, estuaries, and along the Gulf, including those manmade.

The government can prevent widespread of economic or environmental losses by imposing higher restrictions on State and Federal permits issued to companies asking for permission for dredging of canals, diverting construction projects, or the oil/gas expedition drilling within the State and Federal waters. With all the new restrictions, nothing stopped the biggest manmade disastrous oil spill from the BP explosion on April 20, 2010.

The disasters caused by water cannot be controlled due to Mother Nature or an act of God. In some cases, hurricanes can actually help the environment, but it is devastating to the people and businesses along the Gulf Coast that experience flooding. Hurricanes bring in a saltwater mixture which helps flush out the bay of Dermo diseases, such as *Perkinsus marinus* or *Dermocystidium marinum*, that's associated with extensive oyster mortalities in some areas of the bays estuaries where the Dermo is most present. Oyster farmers call these hurricanes blessing waters as this salty freshwater flushes out the bay system and helps rejuvenate new oysters spat sets.

Tropical storms typically bring a high amount of rain and not enough saltwater, so this can also flush out the bay, but can also impact oyster reefs. The freshwater impact can kill oyster reefs due to freshwater shock. When too much freshwater lowers the salinity levels, in some cases it can result in more than a 50 percent death of an entire oyster reef.

The most catastrophic environmental event was the 2010 BP Oil Spill which caused the release of trillions of gallons of freshwater to help push the oil back but took the life of the environment by killing the marsh islands, wetlands, crabs, white/brown shrimp, oysters, dolphins, all types of finfish, and many species of birds. The oyster beds were trapped between oil slick water that's mixed in with freshwater, and chemicals used to clean up the oil. Thus, the environment along with oyster reefs had no chance to survive.

The second biggest catastrophe was the double opening of the Bonnet Carre Spillway in 2019. The 128,000 trillion gallons of freshwater took the lives of oyster farms causing a 50 to 100 percent deathbed for the oyster reefs. This also killed large populations of the brown/white shrimp, crabs, finfish, and dolphins. The green slime that silted around the creeks, marshes, inlets, outlets, docks, harbors, bays, and bayous eventually traveled to the Gulf of Mexico to our industry that is now known as the DEAD ZONE.

The 2019 Bonnet Carre event was devastating to the seafood industry and totally wiped out oyster farmers. The oyster farmers do not compare to other fisheries because the oyster farmers need to cultivate and plant clutch, provide substrate material such as limestone, river rock, oyster shells, and crushed concrete to grow oysters. For Prestige Oysters to grow

sizeable oysters for market sales, it requires 18 to 36 months. We are then prepared to sell these fully developed oysters nationwide. With the 2019 Bonnet Carre event, freshwater death release was not once, but twice that year. The poor oysters swallowing up the trillions of gallons of freshwater did not stand a chance. Right before our eyes all that hard work of planting and cultivation of oyster reefs was totally wiped out, all because the release of the Mississippi rising flood waters ending down stream into the southern state of Louisiana.

Now we have come to wonder with the MBSD on the heels of our oyster industry, how will this affect the oyster farmers in the seafood industry? How do we survive this new invention of a manmade diversion of the MBSD? The oyster industry already knows that by releasing trillions of gallons of freshwater like from the aftermath of 2010 BP oil spill and 2019 Bonnet Carre event, what will happen.

The seafood industry experienced the 2010 and 2019 death of freshwater drowning out from the brackish saltwater environment that oyster reefs can only survive in. What will the future hold for the world of oysters, brown/white shrimp, crabs, finfish, and dolphins?

The world is now aware of the importance of oysters. Just look at how many of the East Coast states see their mistakes made by the manmade destruction of allowing over permitting of canals, allowing over dredging ship channels, dredging spoiled material being pumped into bay waters and allowing heavy population. All these factors have led to the destruction of the ecosystem in many Eastern seaboard states.

The highest price tag that comes when man somehow forgets what Mother Nature provides-free healthy ecosystems-comes from the filtration of oysters. The natural filter feeders filter up to 50 gallons of water per day. Oysters are now being placed to repair/clean the estuaries, bays, and harbors along the East Coast and in different parts of the world.

USACE is more aware of the environmental impacts due to the loss of oyster reefs than 50 years ago. Shell dredging that was used for development of channels, canals, and waterways, did horrible damages to the oyster reefs in many of the states along the Gulf and Eastern Coasts.

USACE is requiring more mitigation than the past 50 years. The findings with little or no live oyster reefs, the USACE discovered the cost of reduction of those oyster reefs has placed a huge price tag on the Federal Government.

That is why the benefits of this MBSD do not improve, but rather exacerbate, our current situation that the southern state of Louisiana has been fighting for over 50 years. The MBSD must demonstrate that the goals can be achieved with means showing what is being proposed to divert 75,000 cubic feet of water per second. This long-term huge master plan of changing a saltwater environment with the intake of freshwater diversions does not allow fisheries to adapt to new freshwater. The MBSD must show that the environment will adapt to these catastrophic changes. MBSDs huge master plan must show how it will not fail or fall short of the continuation of the Economic and Environmental Benefits of Oyster Reefs.

Type of Benefit:

Oyster Harvest

Oysters generate revenue for the commercial oyster industry and support thousands of jobs. Across the Gulf, oyster shuckers and seafood processors hold 30 to 50 percent of seafood industry-related jobs.

### Marine Habitat

Oyster reefs are the condominiums of the sea providing nooks and crannies of habitat for dozens of marine resident species. One acre of oyster reef increases fisheries catch values by \$4,200 annually. Oysters are at the foundation of the food chain that supports a \$2.4 billion fishing industry and more than 200,000 jobs.

### Water Filtering

Each individual oyster filters up to 1.5 gallons per hour providing a service otherwise carried out by expensive wastewater treatment plants. This removes excess nitrogen that contributes to marine dead zones. Each acre of oyster reef provides \$6,500 in de-nitrification services annually. Filtering suspends allow sunlight to reach the underwater floor and facilitates growth of marine grasses necessary to hold the wetlands in place. Clean, clear water is important for recreation and tourism-an industry worth more than \$20 billion in the Gulf Coast.

### Shoreline Protection

Oyster reefs stabilize bottom sediments, reduce wave energy, and prevent erosion. Thus, they fortify wetlands to serve as horizontal levees that provide \$23 billion worth of storm protection annually to Gulf Coast business and communities. This protection extends to the nearby valuable oil and gas pipeline infrastructure, which ensures economic and energy security for the entire United States.

With regards to the MBSD, this diversion of freshwater from the Mississippi River water to saltwater supposedly to restore existing marsh islands and provide enough sediment to rebuild existing estuary marsh islands. However, the startup of building new marsh islands for a habitat for crabs, brown/white shrimp, finfish, oysters, Bottle Nose dolphins, and other types of species living along the diversion pathway and the pre-existing marshes of the surrounding coastal areas of the southern state of Louisiana will be affected. The designers of the MBSD are saying that the environment can survive living in freshwater or the environment will readapt to the new freshwater ecosystem.

Without the oyster reefs, how will you filter the ecosystem? Do you really believe you are going to achieve this goal of restoring and rebuilding marsh lands/estuaries without the oyster reefs natural filter feeders? Anyone who claims that oysters can readapt living in an environment of freshwater versus saltwater, is ignoring science. Freshwater oyster are a pipe dream. This has already been proven by the MR-GO diversion that provided only freshwater intake without saltwater intake and the Lake Borgne area has become a freshwater bay not allowing the oyster reefs to regenerate.

If you look at the history of the southern state of Louisiana, it is sinking under its own weight, but why? In the past 50 years in all the presentations and all the data collected throughout the years, why can it not be proven, that by adding more volume of freshwater intake will not stop the southern state of Louisiana from sinking? Marsh islands, sand dunes, and estuaries provide protection of the shoreline from erosion, but even that alone will not stop the southern state of Louisiana from sinking. As the Gulf continues to rise, the question becomes how to solve the problem?

In all honesty, you cannot stop the southern state of Louisiana, with a current population of 2,000,000, from continuing to sink as its population continues to grow. Looking back 50 years ago, the southern state of Louisiana was more marsh island/wetlands, but with all the new

developments, oil/gas explorations, more housing construction, sewage treatment and water usage, you cannot say that man is not playing a huge role in the sinking of the southern state of Louisiana.

Today, the southern state of Louisiana has more open water and less marsh islands/wetlands than fifty years ago, and this is not from saltwater. The southern state of Louisiana continues to take on more freshwater, but the question becomes how much of this freshwater is bringing in sediment? Some experts say that more than 50 percent less sediment is halted at the rivers waters in upper states.

The billion-dollar question becomes: Where does MBSD get the sediment to rebuild the southern state of Louisiana and keep it from sinking? How will the new sediment sustain itself from sinking when you are adding more freshwater? Land subsidence is well documented with impacts ranging from changing drainage patterns, and increasing flooding, to the destruction of critical infrastructure. That these infrastructure creations of earth fissures are opening ground fractures. This forms into unconsolidated sediments as the result of tensional stresses associated with land subsidence. Giant desiccation cracks from in fine-grained sediment clays, is a result of drought. Land subsidence is the downward movement or sinking of the earths surface.

Everyone wants the wetlands marsh islands rebuilt, but the MBSD will not stop the problem of rising sea levels and the continuations of losing wetland marsh islands. This will continue, as it is no secret that for fifty plus years the southern state of Louisiana has been researching ways to fix the problem, but 50 years later there are no answers, but why?

Maybe the problem the southern state of Louisiana is facing is the continuation of allowance of downward fall of flood waters off the Mississippi river bottoms.

The survival for the southern state of Louisianas sinking problem, is sediment that is not coming down stream. The river waters from up-states dams prevent sediment from reaching the lower rivers. The MBSD is potentially calling for 75,000 cubic feet of freshwater, but how much sediment?

Now the question becomes with the 2019 opening of the Bonnet Carre Spillway, how much was sediment and how much was water? Where is the sediment of the 2019 Bonnet Carre spill having 128,000 trillion gallons of fresh water-what happened to the sediment?

This analogy should be used if this sediment exists and indeed did come during the double flooding of the 2019 Bonnet Carre spill. Was the sediment used in repairing marsh island/wetlands from the 2019 flooding?

The predictions from the huge master plan of MBSD should show the extraction of sediment from the fresh water being released. This huge master plan should show how much sediment is to be predicted and will this be enough sediment to rebuild or replace 28 square miles of loss of marsh islands and wetlands? Do not count sand sediment, you must have hard core clay and other core river bottom rocky soil.

The huge master plan of MBSD ignores the situation of the northern states dams holding back the harder substrate. This substrate is needed to recreate marsh islands and replace/repair estuaries with sediment that is not being released. So how will the MBSD get the sediment? From the river waters that are currently held back by dams? The thought process behind the MBSD diversion to saturate the marsh islands/estuaries with this over-



abundance amount of freshwater makes me wonder how this plan will allow the marsh islands/estuary to survive?

Receiving just some soft sediments from the high volume of freshwater as predicted in the huge master plan of the MBSD, the area looking to be rehabilitated will not be stable enough to hold. Jeopardizing the entire population of seafood, estuary, marine life, economics of commercial fishing, sport fishing for the 28 square miles of wetland, which will continue to sink despite the MBSD.

Not too long ago, Louisiana started requiring oil/gas companies to fill the empty holes abandoned below water-bottoms within the states water. Is their reporting done to check into the southern state of Louisiana as to how many of these mass amounts of sink holes on the water-bottoms are filled? Can this be the reason of the earth beneath the southern state of Louisiana is slowly sink off into the Gulf?

Under current law, before permitting is issued by USACE requiring examination of the bottoms with sonar, a technique used to sound propagation checking on the stability of these water-bottoms-has the USACEs encouragement of all the parties promoting this MBSD to conduct very hardcore samples of the earth? Regarding the earths patterns of the water bottoms underneath the detection flow route that are being predicted-will the earths water bottoms under the surface allow more river waters to travel through without causing more damage to the already submerging underwater water-bottoms?

The only reason this is a USACE project is that the levees that are cut through are Federal levees, so with that being the case, can the USACE play a bigger role in diverting this MBSD? Why is the USACE not looking at other option diversions through more than one water shed?

Whats wrong with diverting some of the water off to the state of Georgia? The Supreme Court just ruled against Florida in the continuation for the battle of freshwater. Florida bays are in dire need of fresh water. Not having enough fresh water will cause environmental impacts. Just having too much freshwater is an environmental impact. The USACE could require Georgia to participate in the MBSD diversion, and this would take pressure off the southern state of Louisiana. Another outlet, Lake Texarkana-can the USACE use Texas to take some of that river-water? Shreveport is another route for diversion to Texas. Remember if the BP Oil spill never happened, where would this money come from?

Environmentalists say the money is there and we need to act quickly, but the money needs to be used wisely and planned out without jumping into something and getting your feet wet before you know you can fix the problem.

This has been the 50 years, 50-billion-dollar question. Spending more money and still no marsh, no barrier islands, nothing for protection has been successful in over 50 years to stop the Gulf waters during storms as the beach erosion in the state is sinking.

Breakwater has become one of the many ideas thats used in other parts of the world. Breakwaters built into rock islands is a protection. Plans to protect shorelines used often in other portions of the US and Europe make huge break walls out in the Gulf, before the surge hits land.

USACE should divert some of the money to be used to help protect the shoreline rather than the MBSD plan thats adding volumes of water annually, when the world says the melting pot of global warming is here. The next huge storm surge might not leave a shoreline, so can the

MBSD master plan protect the shoreline? Is this in consideration to the huge MBSD master plan-to divert all these river waters?

With a diversion on top of a hurricane, what you're really looking to do is to sink the southern state of Louisiana even more. This MBSD diversion from only one watershed is really not practical, considering how much money has been spent just in the designing mode. MBSD probably could have built many rock islands in the Gulf. The Middle East can pump enough sand to build a city aka Vegas in the sand Dubai and has many islands that provide tourists homes that are some of the tallest buildings in the world.

The protection is needed for the over two million Americans that reside in America and these wetlands are important. There are so many who live in close proximity to the coastline of the southern Louisiana. The existing wetlands, marsh islands, and sand dunes are buffers used to protect these citizens and their communities from storm surge.

One huge factor of this MBSD plan with this being a Federal Project, what role will the USACE have in this project? Since the project is calling for removal of part of the Federal levee, what more protection is the Federal government going to implement on higher restrictions of the harmful nutrients? Including fertilizer that causes low-oxygen DEAD ZONE poisonous pesticides, and pharmaceuticals disposed in the river from sewage treatment plants. The seafood industry believes this will outweigh any benefits expected from the outcome of the MBSD project.

Will the Federal government enforce harder restrictions on these river waters released by the MBSD that the environmentalists are focused on? How will this benefit the environment by releasing 75,000 cubic feet of freshwater? How will this outweigh its detrimental effects on all the commercial and recreational fisheries, and wildlife like bottlenose dolphins, and loss of oyster reefs, that cannot escape the DEAD ZONE?

An area of interest being closely focused on is the freshwater effects on the wetlands water of Breton Sound that is home to many commercial species like oysters, crabs, white/brown shrimp and so many finfish species. The environmentalists are saying they'd rather let the harmful nutrients into the state's water rather than go into the Gulf.

Are the environmentalists saying they'd rather divert them with MBSD into our precious marshes, islands/wetlands, the nursery for the estuary for the planet's most productive fisheries?

One question, specifically asked by those like me in the oyster industry, with high spending of huge sums of money on this project, will the environmentalists and government agencies guarantee that the state can be certain that what is being proposed with MBSD will last more than a few decades?

Your master plan is not just asking for permission to rebuild a freshwater environment, from the billions of dollars being allocated for this diversion, but will this MBSD have enough funding before the project is finished? Can the MBSD guarantee funds allocated will be enough to not only finish the project but have funding for long term maintenance money set aside? Whose responsibility is this for the next 15-20 years?

Although the environmentalists say, no tax dollars will be used on the MBSD because it is self-funded by the 2010 BP Oil Spill, what are the consequences if this project fails? Creators

of this MBSD are promising to protect sportsmans paradise and the commercial industry of fisheries, but if this project fails who will compensate the losers?

In regard to the losers of millions of state money from tourism and Louisiana seafood industry: they are not focused on the losers and the trillions of dollars in the State revenue. The environmentalists talk of compensating shrimpers by providing refrigeration and cages for oyster farmers.

Currently the state of Louisiana has 400,000 commercial private oyster farmers funding the growing of oysters off the states water-bottoms. Oysters need the right amount of brackish water. Without this environment, oysters will not survive in a freshwater environment. For those who think that just to relocating the oyster beds-this is not practical. How can one expect private oyster farmers like us to survive, who have put millions of private funds and years of blood, sweat and tears of building these oysters reefs?

Louisiana is unique in that most of the oysters that are produced come off private commercial oyster leases. Prestige Oysters purchases from over 40,000 acres of private commercial oyster leases that were purchased from previous oyster leased holders, held by Louisiana Corporations:

American Bay, Inc., Bay Antoine, Inc., Bay Blanc, Inc., Bayou Sabre, Inc., Johnnys Oyscers, Johnnys Oyscers No.2, Inc., Johnnys Oyscers No.3, Inc., Karankawa Bay, Inc., RH Trust Oysters, Inc., RH Trust Oysters No.2, Inc., Tambour Bay. Inc., The Diplomat, Inc., Lawson Bay, Inc., Bel Pass Bay, Inc., Bayou Dominique, Inc., Bay Gardane, Inc., Bay Crabe, Inc., and Aguste Bay, Inc. Together these companies hold 40,068 acres of private oyster beds.

These companies currently lease submerged land from the state of Louisiana and the corporations own expense has made major investments from 2012 until present. These companies have invested in planting over 182,600 tons of river rock, crushed concrete, limestone, and oyster shells. Oysters must have a mix of salt and freshwater to survive. The MBSD has made mention of oyster farmers converting to off bottom floating oyster cages. These companies did not make this huge investment of buying existing oyster leases for millions of dollars to convert into something thats not even in comparison. To try and replace oyster reefs from bottom fishing, is not our way of farming; this is not even a practical comparison of what the private oyster farmers have invested. One acre to completely rebuild is approximately \$250,000 dollars and still on bottom or on top of the water. The theory that the method of caged oyster farming will survive in a freshwater environment is false.

The biggest industry at risk in survival of the MBSD diversion is the Louisiana seafood industry. Louisiana landed the most shrimp and menhaden in the country, with the states 1.1 billion pounds of menhaden comprising more than half of the menhaden in the United States and generating \$94 million. Whats going to happen when all this freshwater diversion results in killing the Louisiana seafood industry?

Louisiana plays a vital role in the economic infrastructure of the USA. Ports carry 20 percent of waterborne commerce and provides 26 percent of the commercial fishery landings measured by weight and 18 percent of our nations oil. If this fails, our nations energy economic security would be devastated. Louisiana wetlands provide habitats for five million migratory waterfowl during the winter months. Other migratory birds depend on the natural habitats of wetlands, marsh islands, estuary crabs, white/brown shrimp, oysters, finfish species and oysters.

Louisiana is a valuable landscape to millions of citizens, making it a working coast for both sportsmen and the commercial fisheries industry. This master plan must be able to show that it will improve the reduction of economic losses from storm surge, provide sustainable coastlines for residential, public, industry and commercial fisheries.

I envision a coastal ecosystem, natural source of energy you can control and used to protect what is now living and stable in a brackish saltwater environment for habitats of commercial and recreational activities coastwide. The economy of seafood in Louisiana is a vital part of the states economy. It provides jobs, income, and tax revenue, but also generates innovations that protect our coastlines and help keep our waters pristine.

One out of every 70 jobs in Louisiana are related to the seafood industry, which as a whole, has an economic impact of over \$2.4 billion annually for Louisiana. Many of these jobs are in family-owned-operated companies that have worked for generations to bring the finest seafood to the tables of the world. Louisiana seafood is an American community and way of life.

The MBSD Master Plan is not focused on the seafood industry or the environmental aspect. The master planner used minor to major impact throughout the entire Executive Summary, but the truth of the matter is what will be lost for the state of Louisiana affecting the sportsmans paradise and commercial fisheries? Nearly one-third of all the seafood consumed in the United States is Louisiana seafood. For centuries, the seafood from Louisiana has been the second largest provider of seafood in the nation.

Highest risk will be the impact of the Seafood Industry:

#### SHRIMP

Shrimp accounts for 15,000 jobs and an annual impact of \$1.3 billion for Louisiana.

#### OYSTERS

Seventy percent of the oysters caught in the US are from the Gulf Coast.

Louisianas commercial oyster industry, which accounts for almost 4,000 jobs, has an economic impact of \$317 million annually.

#### CRABS

Crabs from Louisiana generate an annual economic impact of \$293 million and more than 3,000 jobs.

#### CRAWFISH

Louisiana has more than 1,000 crawfish farmers, plus more than 800 commercial fishermen who catch wild crawfish.

The 110 million pounds of crawfish harvested each year have an annual economic impact of \$120 million.

#### ALLIGATORS

313 wild and farmed alligators are harvested per year in Louisiana.

Alligator harvests have a total annual economic impact of \$104 million.

We now look upon our Federal government to make the right choices and stop another environmental catastrophic man-made event that will cause tremendous amounts of suffering to the wildlife. The world will never experience a more devastating event as to what is about

to happen. We can only pray that the USACE will take into careful consideration before the MBSD diversion permits are issued. The question is: can you risk the entire southern state of Louisiana by adding 75,000 cubic feet of freshwater for 28 square miles of what might not ever be developed?

Texas has learned a lot about freshwater during hurricanes: Harvey flooding from Corpus Christie all the way to Orange, Texas caused 240 billion gallons of rainwater to fall on Harris County and an abundance amount of fresh water traveled into the Gulf. Hurricane Harvey polluted coral reefs more than 100 miles offshore. Those are not reefs that we typically would think are in danger of being affected by floodwaters from the land, said Rice University researcher Adrienne Correa. It was a big surprise. About 80% percent of the coral is dying and the sponge we tested found human waste in them. The sponges, which act as natural water filters, had bacteria from human wastewater. That was when we made this jolting connection that floodwaters could make it out that far. Previously, research has been focused on the impact of floodwaters on ecosystems closer to shore. A study by the Galveston Bay Dolphin Research Program, for example, found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricanes Harvey impacted water quality. Correa said given that climate change is increasing the intensity of storms, it worries her that polluted floodwaters can reach marine areas farther away than previously thought. There is the potential that we could have more flooding and more significant runoff events, leading to problems out on the reef, she said. This brings to question what is brought into the bays will not only kill off the environment of the state waters but add to the already ongoing problems the Gulf has with the DEAD ZONE.

NOAA has proposed: This technical note is intended to accompany the Community Model Template constructed under the Ecosystem Management and Restoration Research Program. That template includes a community model for the American oyster {Crassostrea Virinica} which can be used to quantify the ecological benefits of an oyster reef in an ecosystem restoration project. This technical note describes additional benefits to consider in planning a restoration project.

Oyster reef restoration has become an important component of coastal district projects at U.S. ARMY Corps of Engineers (USACE) Districts.

Reefs provide both ecological and economic benefits. Ecological benefits result from the water quality, erosion prevention and stabilization, and habitat services provided by reefs (Wilber 2002). Economic benefits result from economic services provided by oyster reefs, and are related to the harvest of oysters, fish and crab from the reefs or adjacent areas, increased recreational use from cleaner water, and cost-saving for bank stabilization and dredge material disposal. Local sponsor and stakeholders often express an interest in the economic value of oyster harvest, but other economic values should also be considered, along with the ecological benefits. The intent of this report is to provide information to Corps planners on the economic benefits provided by oyster reef restoration, so that the full range of benefits can be considered when planning and evaluating oyster restoration projects. Benefits may occur at the project site accrued within the watershed or beyond. It is the responsibility of the Corps to make an effort to account for all the ecological and economic benefits resulting from restoration efforts, monetary and non-monetary (U.S. Army Corps of Engineers 2000). The economic services reviewed in this paper and water quality, commercial harvest, recreation (fishing, swimming, boating), and erosion protection and bottom stabilization-provided by

oyster reefs. This information provides the basis for including monetary considerations in evaluating Corps oyster restoration projects. Source:

[https://www.researchgate.net/publication/228406621\\_Economic\\_values\\_associated\\_with\\_construction\\_of\\_oyster\\_reefs\\_by\\_the\\_Corps\\_of\\_Engineers](https://www.researchgate.net/publication/228406621_Economic_values_associated_with_construction_of_oyster_reefs_by_the_Corps_of_Engineers)

What is the main purpose of the Oyster Reef? Oyster reefs habitats forage fish, invertebrates, and other shellfish. They also provide a safe nursery for commercially valuable species including anchovies and blue crabs. What role can oyster reefs play in coastal land loss? Oyster reefs help limit wave to coastal development and marshes on most calm days. Therefore, having oyster reefs nearby can also protect and benefit marshes. Less waves hitting the marsh means less water submerging the marsh, resulting in less sediment being lost by erosion. Mass habitat colorful extinctions, diverse and highly visible ecosystems such as tropical rain forests and coral reefs come to mind. Approximately half of global shallow water coral reefs and forests have been lost in the last few hundred years. Deforestations are declining and some corals have shown resilience to stress from climate change. A far less visible ecosystem crisis occurred relatively recently beneath the oceans surface.

A study revealed that 85% of global oyster reefs have been lost during the last 150 years. Of those remain in g, over one-third are so depleted that they no longer function as ecosystems, particularly those in Europe, North America, and Australia. Only a few healthy oyster reefs remain in South America, and even these are not producing their prior abundance, making oyster reefs one of the most threatened habits on Earth. Oysters are "ecosystem engineers" like corals- they create three-dimensional structures as they entitle and grow on each other. Left undisturbed, these oyster reefs provide a habitat for an incredible biodiversity of organisms, serving as a food source, nursery ground sand refuge for many species, and boosting fish stocks. Oysters also have an incredible ability to clean saltwater. A single oyster can filter almost 200 liters of saltwater daily, eating the phytoplankton and organic matter suspended within it. Oysters improve water quality and clarity, preventing large scale algal blooms and the potential consequences of mass fish mortality and dead zones due to depleted oxygen.

Removing oyster reefs increases wave energy and erosion of salt marshes and the corresponding coastline. Just as tropical coral reefs protect mangroves forests, oyster reefs provide coastal protection for important temperature ecosystem such as seagrass and saltmarshes. As climate change and pollution destroy marine life, the need for vast oyster reefs has never been greater. Sadly, this vital habitat is at its nadir when we have almost no living memory of its natural state. Humans have been harvesting oysters since the Stone Age and cultivating them since Roman times. But oyster extraction reached fantastic proportions from the mid-1800s as mechanized fishing replaced older fleets. Destructive fishing that exceeds reproduction rates and removes habitat is the main cause of this ecosystem's demise, but pollution, climate change, invasive species and shellfish diseases have further decimated remnant oyster stocks. It's clear that active intervention is needed to tum the tide for oysters.

USACE needs to bring together the environmentalists of MBSD to take in the awareness of a forgotten ecosystem. Future spatial analysis of most suitable areas for oyster reef creation and restoration should include additional data, not investigated in this MBSD study, such as temperatures, bottom conditions, water mixing, and diversion modeling.

MBSD is calling for 75,000 cubic feet per second to be diverted for the magnitude of flood events in the Mississippi basin. These floods by combining of river engineering and climate change. Throughout the basin 40 to 90 percent of the land has developed and almost every river has been dammed, leveled, and/or constricted, including Upper Mississippi itself.

Almost the entire Upper Mississippi River watershed has also been developed to enhance agricultural productivity including extensive use of a drainage system used to load water off landscapes as quickly as possible. This development exacerbates flood damages by preventing the landscape from naturally retaining and slowing the release of rainfall and impacts the river's ability to filter pollution, such as nitrogen and phosphorus. Poor water quality can seriously harm drain water supplies, and can make fishing, swimming, and boating dangerous. Urbanized areas, including those located behind levees, are at particular risk. These risks often fall disproportionately on low-income communities due to ongoing institutional injustices, like redlining. Even today, the most effective flood risk reduction solutions, like home buyouts, are not offered to communities of low-income populations. Flood management decisions throughout the basin are piecemeal and soloed manner. Individuals, cities, counties, drainage districts and states all act in near isolation to protect themselves during flood events, with little to no regard for the possible impacts on their neighbors.

More than 12.7 million pounds of toxic chemical such as nitrates, arsenic, benzene, and mercury were dumped into the Mississippi River in 2010, according to a report released recently by the advocacy group Environment Missouri. It's extremely dangerous to swim in the Mississippi River, the river huge and the currents are strong, even right at the waters' edge. The water is totally toxic and it's a massive, boba ride toxic cesspool. The Mississippi River, maybe the nation's best-known waterway, but also happens to be one of the filthiest. Thanks to the obscene amount of pollution that gets dumped into it, according to scientists at the University of California-Santa Barbara who performed the first integrated farms that flow down the Mississippi River to the Gulf of Mexico. It is responsible for the most tainted coastal ecosystem in the world and most polluted river in the country. Every summer, nutrients from Mississippi pour into the Gulf algae blooms that starve the water of oxygen and kill sea life. Over 125 million pounds of toxics were released into waterways' tributary to the Mississippi in 2010- more than half the total released in the entire United States. Since one gallon of oil weighs about 7 pounds by the way of comparison, the solitary oil spill lost 217,000 pounds of oil into the Mississippi. In other words, every year we dump approximately 576 times more toxic pollution into the Mississippi, and nobody cares. That is a truly colossal amount of pollution, much of it more toxic than oil. A lot of it is fertilizer runoff from hundreds of miles of adjacent farmland the river traverses and yes, it's the nitrate-rich stuff causing the giant dead zone in the Gulf of Mexico. The Mississippi is pretty much a nonstop flowing pollute-a thon every day of the year.

In other words, the MBSD will bring 75,000 cube feet of the most deadly waters that will tum southern Louisiana into a "Dead Zone." Since the 1800s, Louisiana has had a thriving commercial seafood industry in which the catching and selling of crabs, shrimp, oysters both freshwater and saltwater finfish, alligator and crawfish has supported the livelihood of many families and communities. Louisiana seafood products are enjoyed worldwide by the nation's second-largest seafood provider to restaurants and homes across the country. For the dedicated fishermen who work in Louisiana waters, seeking out their catch is a craft that's been generating in the making. It is estimated that by the year 2050 the world population will

reach 10 billion, and seafood, especially cultured shellfish, will play a major role in feeding these populations. Shellfish are a very popular and nutritious food source worldwide and their consumption continues to rise globally. Because of their unique nature as compared with beef and poultry, shellfish have their own distinct aspects of harvest, processing, and handling. Guaranteeing shellfish quality and safety is critical for protecting public health as well as for marketing seafood products. The shellfish industry's goal is to maintain and improve shellfish safety and eating quality. Unfortunately, we will not have made it to this prediction of the years 2050 when the world population will reach 10 billion.

MBSD will wipe out the southern state of Louisiana and will have sunk all money allocated by environmentalists who did not care enough to think the process through. This will be the world's largest death kill to the seafood industry. Environmental pollution and the water will be so full contamination that you will not be able to live among the southern state of Louisiana as it will be the lost city beneath the earth. Prayers that this is held up and USACE will put forth heavy discussions before someone just starts punching holes in the Federal levee.

My hopes and prayers are that this solves the problem and stop southern Louisiana from sinking.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the

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Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model’s dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 Applicant’s Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant’s Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA’s management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in

instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were

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fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 61859**

**Commenter inquired as to what role the USACE would have in the proposed MBSD Project.**

**Response ID: 15885**

USACE is currently conducting NEPA and other evaluations of the proposed Project for its permitting decisions under the CWA Section 404 and Rivers and Harbors Act (RHA) of 1899 Sections 10 and 14 (33 USC Section 408). USACE is neither a proponent nor an opponent of the proposed Project. If USACE permits the Project, the LA TIG funds the Project and CPRA implements the Project, as a regulating agency, USACE would have continuing authority to ensure that CPRA complies with the conditions of its permit, including inspections as necessary. Because portions of the MBSD Project would alter, occupy, and replace portions of USACE flood risk reduction projects, specifically the Mississippi River Levee and the Plaquemines NOV-NFL Levee, for those portions of the proposed Project, USACE would have construction oversight responsibilities and USACE and CPRA would need to enter agreements governing their respective responsibilities.

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**Concern ID: 61903**

**Divert some of the Mississippi River water off to other states and areas.**

**Response ID: 15996**

The proposed MBSD Project purpose and need is to reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. The LA TIG identified the Barataria Basin in the SRP/EA #3 as the location for the proposed Project because within Louisiana, the Barataria Basin suffered the most severe and persistent oiling from the DWH oil spill. This suggestion would not meet the purpose and need because it would not connect the Mississippi River to the Barataria Basin. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 61930**

**The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers. Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the "greater good", particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans.**

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**Both the Draft EIS and the LA TIG's Draft Restoration Plan would benefit from additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.**

**Response ID: 16281**

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61997**

**A commenter suggested that USACE consider looking at other options including diversions through more than one watershed.**

**Response ID: 16013**

The geographic scope of this EIS is the Barataria Basin and the Mississippi River birdfoot delta. The purpose and need for the proposed MBSD Project is specific to the Barataria Basin and a diversion outside of the basin would not meet that purpose and need. CPRA and the LA TIG targeted Barataria Basin for restoration because, in addition to the high rates of erosion occurring in the basin, wetlands in the Barataria Basin experienced some of the heaviest and most persistent oiling and associated response activities from the DWH oil spill. CPRA is currently seeking a DA permit for another large-scale sediment diversion in the Breton Sound Basin, the Mid-Breton Sediment Diversion (see Chapter 4, Section 4.25 Cumulative Impacts).

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**Concern ID: 62030**

**Louisiana plays a vital role in the economic infrastructure of the USA. Ports carry 20 percent of waterborne commerce and provide 26 percent of the commercial fishery landings measured by weight and 18 percent of our nation's oil. If the proposed Project should fail, our nation's energy economic security would be devastated.**

**Response ID: 16226**

The EIS considers impacts on Public Services and Utilities in Chapter 4, Section 4.13 Socioeconomics. Chapter 3 also provides background information on the importance of regional mineral resources and fisheries. As described, most public services and utilities infrastructure are located inside flood protection, though a few facilities are not. Beneficial impacts on public service infrastructure and utilities are expected in areas distant from the diversion and to the north associated with decreases in storm hazards with the proposed Project as compared to the No Action Alternative. Additionally, the LA TIG finds that restoration of the coastal environment is intended to build resiliency, including security for infrastructure.

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**Concern ID: 62034**

**Louisiana is a valuable landscape to millions of citizens, making it a working coast for both sportsmen and the commercial fisheries industry. This Coastal Master Plan must be able to show that it will improve the reduction of economic losses from storm surge, provide sustainable coastlines for residential, public, industry and commercial fisheries.**

**Response ID: 16228**

While the proposed MBSD Project is part of the Louisiana Master Plan, the focus of this EIS is the proposed Project and not the entire Master Plan. The purpose of the proposed MBSD Project is to reconnect the Barataria Basin and the Mississippi River through the delivery of sediment, fresh water and nutrients to support the long-term viability of existing

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and planned coastal restoration efforts. This is necessary to help restore habitat and ecosystem services injured as a result of the DWH oil spill. CPRA is considering various coastal restoration strategies in its Coastal Master Plan.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take

advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS

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acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as



conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)

- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62079**

**Commenters are concerned that impacts similar to those caused by the fresh water from Bonnet Carré Spillway openings would affect fisheries in the Barataria Basin with the proposed MBSD Project.**

**Response ID: 16244**

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The Project area for the MBSD EIS includes the Barataria Basin and the Mississippi River birdfoot delta. Existing operations and influences of rivers and diversions, including but not limited to the Bonnet Carré Spillway, were incorporated into the baseline conditions of the No Action Alternative and action alternatives assessed in the Draft EIS, Chapter 4 Environmental Consequences, Sections 4.2 through 4.24. Reasonably foreseeable future (but not existing) diversions, such as the Mid-Breton Diversion, were analyzed for impacts in combination with existing diversions and the proposed MBSD diversion in Chapter 4, Section 4.25 Cumulative Impacts.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS. Note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes.

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**Concern ID: 62103**

**The Draft EIS does not fully address the anticipated destruction of multiple components of the commercial oyster fishery, including oyster habitat, off-bottom oyster farms, and the oyster hatchery at Grand Isle resulting from impacts to water quality and changes in salinity.**

**Response ID: 16258**

Impacts of the proposed Project on eastern oysters are discussed in the Aquatic Resources section of the EIS in Chapter 4, Section 4.10.4.5, Key Species. The section identifies that most adverse impacts on oysters are anticipated at mid-basin locations, while some beneficial impacts may occur in the lower basin, including the Grand Isle area. The off-bottom and hatchery components of the oyster fishery would not be affected by the Project, or may benefit from it. Specifically, the only significant off-bottom oyster fisheries in Barataria Basin occurs in the lower basin. As indicated in Chapter 3, Section 3.14.6, Aquaculture, the Mike Voisin Oyster Hatchery in Grand Isle is the only commercially available source of oyster larvae and seed. These areas could benefit from the Project. Final EIS Chapter 4, Section 4.14 Commercial Fishing has been revised to discuss these effects.

CPRA's Mitigation and Stewardship Plan includes measures to increase funding for the development of broodstock reefs, enhancing public and private oyster areas, creating a new public oyster seed ground and to further develop alternative oyster culture methods, including off-bottom oyster culture. See the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required

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by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62166**

**New developments, oil/gas explorations, housing construction, sewage treatment, and water usage are playing a huge role in subsidence in south Louisiana.**

**Response ID: 16184**

The commenter's concerns related to ongoing regional subsidence and factors that have played a role in subsidence were considered in the Draft EIS. To further recognize these concerns, an additional background description of regional subsidence has been added to Chapter 3, Section 3.4.1.1 Relative Sea-level and Subsidence of the Final EIS.

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**Concern ID: 62168**

**The commenter questioned how the new sediment would sustain itself from sinking when more freshwater is added from the proposed diversion given that land subsidence is well documented with impacts ranging from changing drainage patterns and increasing flooding, to the destruction of critical infrastructure.**

**Response ID: 16185**

The commenter's concerns related to ongoing land subsidence were considered in the Draft EIS. Sea-level rise and subsidence were explicitly accounted for in the Delft3D Basinwide Model over a 50-year analysis period, as described in the Draft EIS Appendix E Delft3D Modeling, Sections 3.2.4 and 3.2.3, respectively. Chapter 4, Section 4.2 Geology and Soils explains how long land-building benefits of the proposed Project would endure during that 50-year period against the background of ongoing subsidence. Section 4.6 Wetland Resources and Waters of the U.S. discusses how sediment transported by the proposed diversion to the basin would not only create new wetlands, but also sustain existing and newly created wetlands. To further recognize concerns related to land subsidence, additional background description of regional subsidence has been added to Chapter 3, Section 3.4.1.1 Relative Sea-level and Subsidence of the Final EIS. To further clarify, a discussion has also been added to explain in more detail currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 62169**

**The EIS should discuss how much sediment (not sand sediment, but hard core clay and other core river bottom rocky soil) would be brought to the basin through the proposed MBSD Project diversion. The discussion should include a comparison of that with the amount of sediment needed to rebuild or replace 28 square miles of marsh islands and wetlands.**

**Response ID: 16186**

The commenter's concerns related to the composition and size distribution of sediments projected to be transported by the diversion were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. Creating and sustaining marshes requires the full range of sediment sizes from sand to fine sediment, and the proposed Project would transfer both sand and fine sediment into the basin from the river via the diversion channel. The EIS describes the anticipated size distribution of sediments projected to be transported into and retained in the Project outfall area in the Barataria Basin under the Applicant's Preferred Alternative in Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils. Chapter 3, Section 3.2 Geology and Soils describes existing sediment size distributions in the Barataria Basin, including both sand and fine-sediment components.

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**Concern ID: 62171**

**The commenter questioned whether water bottoms in the Barataria Basin would be damaged or submerged due to the river water entering the basin from the diversion. The commenter further questioned whether CPRA conducted very hardcore samples of the state water bottoms (in lieu of requiring examination of the bottoms with sonar).**

**Response ID: 16405**

The issues raised by the commenter were considered in the Draft EIS. Geotechnical borings were undertaken for the proposed Project throughout the Mid-Barataria Basin in 2015. Results of the geotechnical surveys were used by the Water Institute to develop the Delft3D Basinwide Model, which was used to assess proposed Project impacts on water bottoms in the Barataria Basin. The geotechnical survey reports were reviewed to characterize the geology and soils in the Project area in Chapter 3, Section 3.2 Geology and Soils. As described in the Bed Elevations section in Chapter 4, Section 4.4.4.2 in Surface Water and Coastal Processes, Operational Impacts, scour potential exists in the immediate outfall area as the diverted flow enters the marsh. However, as this section describes, CPRA engineered an outfall transition feature that would reduce the depth of the potential scour hole in the outfall area to no more than approximately 10 feet below the existing marsh bottom. Also described in Section 4.4.4.2, the proposed Project would have permanent, major (measurable and widespread) beneficial impacts on land building through raised bed (water bottom) elevations in the Barataria Basin, with the largest increases occurring within 10 miles of the diversion structure outlet (see Figure 4.4-3 and Table 4.4-3). No related edits have been made to the Final EIS.

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**Concern ID: 62196**

**Commenter asked whether the Federal Government would enforce harder restrictions on harmful nutrients since the Project would remove part of a Federal levee.**

**Response ID: 15743**

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USACE regulates the discharge of dredged or fill material into waters of the United States under Section 404 of the Clean Water Act (CWA) and USACE is evaluating whether to grant a CWA Section 404 permit for the proposed Project. As part of its Section 404 permitting process, USACE evaluates whether the proposed discharge meets the USEPA's CWA Section 404(b)(1) Guidelines. Under the Guidelines, no discharge of dredged or fill material may be permitted if (among other things) the nation's waters would be significantly degraded. In its 404(b)(1) analysis, USACE evaluates a proposed discharge's effects on several components of water quality, including physical, chemical and biological characteristics. The CWA Section 404(b)(1) evaluation is not related to the proposed removal of a portion of the Mississippi River Levee and USACE's evaluation will comply with applicable laws and guidance. In addition, the Project is subject to applicable water quality standards through the CWA Section 401 water quality certification, which is administered by the LDEQ.

USACE and the LA TIG are not aware of current laws or regulations that would require harder water quality restrictions or requirements for the proposed Project due to its removal of a section of river levee to divert flow from the river into an adjoining basin. The EIS evaluates the impacts of diversion of Mississippi River water on water quality in the Barataria Basin, (see Chapter 4, Section 4.5.5 in Surface Water and Sediment Quality).

CPRA's Monitoring and Adaptive Management (MAM) Plan for the proposed Project includes water quality monitoring for nutrients and other water quality parameters. This monitoring data would inform future Project management decisions aimed at improving Project effectiveness and/or limiting ecological and/or human impacts when possible. Details regarding the MAM Plan are found in Section 4.27 Mitigation Summary of the Final EIS, and Appendix R2 (Monitoring and Adaptive Management Plan).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62261**

**The commenter expressed concern that excessive nutrients in fresh water diverted to the basin during proposed diversion operations could runoff into the Gulf during flooding events and storms. The commenter reported that this occurred in Texas during Hurricane Harvey, when storm-induced flooding inland caused polluted fresh water to travel to coral reefs more than 100 miles offshore in the Gulf. The commenter expressed concern that excess nutrients brought into the Barataria Basin from the Mississippi River via the diversion could add to the already ongoing problems of the hypoxic zone in the Gulf due to runoff events during flooding and storm events, which are becoming more frequent and intense because of climate change.**

**Response ID: 16437**

The issues raised by the commenters were considered in the Draft EIS. As discussed in Chapter 4, Section 4.5.5.5 in Surface Water and Sediment Quality, the proposed Project is not projected to cause monthly dissolved oxygen concentrations to fall below the water quality criterion of 5 mg/L during the 50-year analysis period throughout the Barataria Basin. In fact, dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase during the analysis period compared to projections for the No Action Alternative modeled by the Delft3D Basinwide Model. The Delft3D Basinwide Model accounts for the influence of algal growth on nutrient and dissolved oxygen concentrations. The Delft3D Basinwide Model results do not suggest that a significant hypoxic zone would form in the Barataria Basin due to proposed Project implementation. Language to this effect has been added to Section 4.5.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS.

As explained in Section 4.25.5.2 in Cumulative Impacts, Surface Water and Sediment Quality, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

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**Concern ID: 62282**

**Diversion impacts, including land loss in the birdfoot delta, would make lower Plaquemines more vulnerable to storms.**

**Response ID: 15805**

Draft EIS Chapter 4, Section 4.6.5 in Wetlands and Waters of the U.S. described the projected acceleration of wetland loss in the birdfoot delta caused by the proposed Project and Section 4.20.4.2 in Public Health and Safety acknowledged lower Plaquemines' increased vulnerability to storm hazards that would result from operation of the proposed Project. While the Draft EIS acknowledged the role that land loss plays in increased storm hazards, it did not explicitly acknowledge the role this accelerated land loss in the birdfoot delta could play in increased storm hazards. Section 4.20.4.2.2.2 in Public Health and Safety has been edited in the Final EIS to include acknowledgement that this accelerated loss

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of wetlands in the birdfoot could increase storm hazard vulnerability depending on the storm path and intensity.

In the LA TIG's Draft Restoration Plan, the LA TIG recognized the potential collateral injuries associated with the Project, including potential land loss in the birdfoot delta. In selecting the Applicant's Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide what it believed to be the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the Final Restoration Plan for more information about the LA TIG's selection of the Applicant's Preferred Alternative.

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**Concern ID: 62298**

**Flood management decisions throughout the basin are piecemeal by varied agencies.**

**Response ID: 15811**

Draft EIS Section 3.20 Public Health and Safety acknowledged the varied entities responsible for federal and non-federal storm and flood risk reduction infrastructure, as well as state and local government roles in emergency response and evacuations, and local land use decisions (such as zoning) that affect flooding risks faced by homeowners and businesses.

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**Concern ID: 62414**

**The government can prevent widespread economic or environmental losses by imposing higher restrictions on state and federal permits issued to companies asking for permission for dredging of canals, diverting construction projects, or the oil/gas expedition drilling within the state and federal waters. With all the new restrictions, nothing stopped the biggest man-made disastrous oil spill from the BP explosion on April 20, 2010.**

**Response ID: 15860**

Comment noted, but is outside the scope of this EIS. This EIS is focused on evaluating and disclosing the potential environmental impacts associated with the proposed Mid-Barataria Sediment Diversion Project.

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**Concern ID: 62430**

**Almost the entire Upper Mississippi River watershed has also been developed to enhance agricultural productivity including extensive use of a drainage system used to load water off landscapes as quickly as possible. This development exacerbates flood damages by preventing the landscape from naturally retaining and slowing the release of rainfall and impacts the river's ability to filter pollution, such as nitrogen and phosphorus.**

**Response ID: 15863**

Comment noted, but is outside the scope of this EIS. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta in Louisiana.

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**Concern ID: 62544**



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**The commenter expressed concern that adding more volume of fresh water from the Mississippi River into the Barataria Basin would not stop south Louisiana from sinking. Marsh islands, sand dunes, and estuaries provide protection of the shoreline from erosion, but even they would not stop south Louisiana from sinking. The commenter questioned how to solve this problem of subsidence as sea levels continue to rise in the Gulf.**

**Response ID: 16408**

The commenter's concerns related to ongoing regional subsidence were considered in the Draft EIS in Chapter 3, Section 3.2 Geology and Soils. To clarify, an additional background description of regional subsidence has been added to Chapter 3, Section 3.4.1.1 Relative Sea-level and Subsidence of the Final EIS. While subsidence would continue during Project operations, the Project would help offset some of its impacts. Sea-level rise and subsidence were explicitly accounted for in the Delft3D Basinwide Model over a 50-year analysis period, as described in the Draft EIS Appendix E Delft3D Modeling, Sections 3.2.4 and 3.2.3, respectively. Chapter 4, Section 4.2 Geology and Soils explains and illustrates in detail how long land-building benefits of the proposed Project would endure during that 50-year period against a background of ongoing sea-level rise and subsidence.

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**Concern ID: 62660**

**Commenters stated that the proposed Project will not provide the benefits described in the Draft Restoration Plan and EIS. The proposed Project will not stop the problems of sea-level rise and marsh erosion.**

**Response ID: 16633**

How sea-level rise and marsh erosion would affect the proposed diversion's land-building capability has been considered in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils. In addition, sea-level rise and subsidence are explicitly accounted for in the Delft3D Basinwide Model projection of Project impacts, as described in Sections 3.2.4 and 3.2.3, respectively, of EIS Appendix E (Delft3D Modeling).

The potential benefits of the Project and how those benefits relate to sea-level rise and marsh erosion have also been considered in the LA TIG's Draft Restoration Plan. The LA TIG agrees that the Project would not stop sea-level rise, subsidence or other erosive forces that result in marsh erosion. However, the Project is designed to counteract these forces by transporting sediment from the Mississippi River to create thousands of acres of marsh that would be sustained over decades, even in the face of erosion and rising sea levels (see Section 3.2.1.6 [Benefits Multiple Resources] in the Restoration Plan).

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**Concern ID: 62661**

**The Mississippi River is currently not capable of building land as it used to, in part because it does not carry as much sediment as it used to, and thus the proposed Project will fail. If it were capable of building land, there would be a large land mass at its current outlet.**

**Response ID: 16634**

The capability of the Mississippi River to support land building has been considered in the Draft EIS. For example, Chapter 3, Section 3.4.2.5 Sediment Transport discusses the available sediment in the Mississippi River, noting that studies had shown downward trends in

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sediment supply in the river through the 1990s, but that since then the volume of sediment (coarse and fine) in the water column has remained fairly constant. The river still carries a massive sediment load, but not as massive as before. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in the EIS in Chapter 3, Section 3.4.2.5 Sediment Transport. The EIS takes this diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin via the proposed diversion. This is described in detail in Section 5.2.2 (River Discharge and Sediment Rating Curve) of Appendix E (Delft3D Modeling) to the EIS.

The LA TIG acknowledges the comment and understands the commenters' concern, and this was considered in the LA TIG's Draft Restoration Plan. The Mississippi River does carry a large plume of sediment into the Gulf of Mexico each year. A large delta exists at the mouth of the river, often requiring dredging to maintain navigation. Crevasses have been used to supplement land building in the birdfoot delta, confirming the ability of the river to build and maintain land. The size of the delta is limited by a number of factors, including the depth of the water at the mouth of the Mississippi River and the constant erosive forces affecting the Gulf of Mexico. By comparison, the Project is proposed to be constructed at RM 60.7 of the Mississippi River because this location is capable of capturing and retaining the sediments transported into the Barataria Basin by the Project (see EIS Chapter 2, Section 2.4.1.3 Application of Additional considerations to Potential Alternative Locations in Upper, Middle, or Lower Barataria Basin). As noted above, these issues and analyses are included in the EIS, and are also considered by the LA TIG in its identification of its Preferred Alternative in the Restoration Plan.

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**Concern ID: 62671**

**The Project benefits may last only a few decades.**

**Response ID: 16629**

The potential duration of Project benefits was considered in the Draft EIS. For example, the Project's long-term influence on land building and wetland creation are modeled extensively and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS.

The potential duration of Project benefits has also been considered in the LA TIG's Draft Restoration Plan. For example, as described in 2.3 (Screening for a Reasonable Range of Alternatives) of the Restoration Plan, the LA TIG determined that a sediment diversion is the best way to achieve a self-sustaining marsh ecosystem in the Barataria Basin. Compared to other restoration methods (for example, marsh creation through the placement of dredged material), sediment diversions offer the greatest long-term sustainability. The Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 62689**

**Commenters noted the breadth of the injury from the fresh water released to help push back oil from the DWH spill on Louisiana's resources, including marsh islands, wetlands, crabs, white and brown shrimp, oysters and oyster reefs, dolphins, finfish and many species of birds.**

**Response ID: 16504**

The impacts of freshwater releases during the DWH response were considered in the Draft EIS. More specifically, Chapter 3, Section 3.14.3 (Oyster Fishery) and Section 3.10 (Aquatic Resources) of the EIS acknowledge the impact of the oil spill response on aquatic resources, including SAV, shrimp, oyster fisheries, and fish.

The LA TIG agrees with the commenters that the impacts of the DWH, including the oil spill and the response actions, were an ecosystem-level injury affecting multiple resources and species. This includes the impacts from the releases of fresh water from Caernarvon and Davis Pond to push oil out of estuaries to reduce oil impacts to these habitats and the species that reside in them. Unlike the proposed Project, however, the release of fresh water in response to approaching oil was not planned in a way that allowed for a functional transition to a restored ecosystem. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin, which would benefit multiple resources. Injured resources not addressed in this Restoration Plan have either been addressed by previous restoration plans or are intended to be the focus of future restoration plans issued by the LA TIG.

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**Concern ID: 62708**

**The release of polluted river water into the Barataria Basin would create harmful algal blooms and/or large areas of low dissolved oxygen that could negatively affect aquatic fauna including mortality of adults and juveniles that may not be able to escape impacted areas.**

**Response ID: 16086**

As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, the input of nutrients from the Mississippi River is generally anticipated to be beneficial to the food web, although there is an acknowledged potential for harmful algal blooms. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and well-mixed by wind and tidal action, such that it is not typically prone to stratification that promotes hypoxic (dissolved oxygen of less than 2 to 3 mg/L) conditions. Further, as discussed in Section 4.10.4.4 in Aquatic Resources, the Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below 5 mg/L on an average monthly basis; therefore, although sporadic and limited areas of low dissolved oxygen may occur, mainly in the summer months, no large or prolonged periods/layers of low dissolved oxygen are projected by the Delft3D Basinwide Model, nor anticipated based on the Barataria Basin's identification as a largely well-mixed estuary. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to Project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2), which has been updated for the Final EIS in response to public comments, includes CPRA's plan to implement a monitoring program for phytoplankton species composition, including harmful cyanobacterial/algal bloom species (and associated toxins) (see Sections 3.7.3.10 and 3.7.3.11 of Appendix R2 of the Final EIS).

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The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62709**

**The 2019 opening of the Bonnet Carré Spillway caused significant impacts to aquatic fauna from the release of river water, and resulted in a declared fisheries disaster of at least \$58 million.**

**Response ID: 16087**

A summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment, including area fisheries. This summary is available in Appendix U of the Final EIS. However, it is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. The anticipated impacts of the proposed Project on aquatic fauna from the release of river water is discussed in detail in Chapter 4, Section 4.10 Aquatic Resources.

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**Concern ID: 62763**

**While there are positive effects of flood pulses associated with hurricanes that help flush the bays and estuaries of oyster diseases, massive freshets, such as those from high amounts of rain water (including tropical storms) or the proposed Project, can cause elevated levels of oyster mortality.**

**Response ID: 16141**

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Consistent with the commenter's statements, there would be both positive and negative effects on oysters from the salinity changes projected to occur during operation of the proposed Project, with the overall impact of freshwater input on oysters anticipated to be major and adverse. The effects of altered salinities, including prolonged decreases in salinity, on oysters are further discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62764**

**The diversion is intended to restore and rebuild marsh, but would affect the existing flora/fauna in the basin during operations, which the designers say could adapt and survive in the modified environment.**

**Response ID: 16142**

As described throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, operation of the proposed Project would affect the existing flora and fauna of the Barataria Basin in both beneficial and adverse ways, with the overall impacts to a given species being dependent on that species habitat preferences and tolerances.

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**Concern ID: 62765**

**Without the oyster reefs, which would die in the fresh water, the commenter questioned how the ecosystem would be filtered.**

**Response ID: 16143**

As described in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS, wetlands improve water quality by removing organic and inorganic toxic materials, suspended sediments, and nutrients via plant uptake and sedimentation. Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. identifies a projected maximum wetland gain of 17,100 acres associated with the proposed Project at year 2060 before dropping to 12,700 acres at year 2070 in the Barataria Basin. The increase in wetlands, when compared to the No Action Alternative, would continue to filter the ecosystem. In addition, Section 4.10.4.2.2 in Benthic Resources of the Final EIS has been supplemented to describe the increase in freshwater filter feeders that would also work to partially offset the water filtration capacity lost due to the decrease in oyster abundance.

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**Concern ID: 62766**

**A community model for oysters can be used to quantify the ecological benefits of an oyster reef in an ecosystem restoration project. This technical note describes additional benefits to consider during restoration planning: <https://erdc-library.erdc.dren.mil/jspui/bitstream/11681/4023/1/TN-EMRRP-ER-01.pdf>.**

**Response ID: 16144**

The benefits of oyster reefs are qualitatively discussed in Chapter 3, Section 3.10.5.2.11 Eastern Oysters. This section has been supplemented in the Final EIS with the identified reference to further clarify the benefits of oyster reefs. However, the stated intent of the referenced study is to provide information to planners on the economic benefits provided by oyster reef restoration, so that the full range of benefits can be considered when planning and evaluating oyster restoration projects. Restoration processes beyond assessment of the proposed delta restoration are outside the scope of this EIS.

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**Concern ID: 62767**

**Reefs provide both ecological and economic benefits. Ecological benefits result from the water quality, erosion prevention and stabilization, and habitat services provided by reefs (Wilber 2002).**

**Response ID: 16145**

The benefits of oyster reefs are qualitatively discussed in Chapter 3, Section 3.10.5.2.11 Eastern Oysters; however, this section has been supplemented in the Final EIS with the identified reference (Wilber 2002) to further clarify the benefits of oyster reefs.

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**Concern ID: 62768**

**USACE needs to conduct a spatial analysis of future suitable areas for oyster reef creation and restoration, which should include additional data, not investigated in this MBSD study, such as temperatures, bottom conditions, water mixing, and diversion modeling.**

**Response ID: 16146**

As discussed in Chapter 1, Section 1.6 Scope of the EIS, the EIS was developed to assess the environmental and socioeconomic impacts of the proposed Project. The Mitigation and Stewardship Plan (Appendix R1), which has been revised for the Final EIS in response to public comments, describes CPRA's mitigation and stewardship measures, including those measures proposed to partially offset some of the anticipated adverse impacts on oysters. Those mitigation and stewardship measures rely upon further sampling once the diversion begins operations (if permits are issued) to understand the most suitable locations for restoring oyster reef areas. Implementation of mitigation and stewardship measures would be led by CPRA. USACE would not participate in oyster mitigation measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62785**



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**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or

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adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62813**

**The waters of the Barataria Basin would be so full of contamination that no one would be able to live there.**

**Response ID: 16386**

As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the EIS, the Mississippi River water quality subsegment LA070301\_00 at the diversion intake structure location fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. The LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the Mississippi River location of the intake structure. Language has been added to Chapter 4, Section 4.5.5.11 Hazardous Spills in the Mississippi River in Surface Water and Sediment Quality of the Final EIS to clarify this.

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**Concern ID: 62970**

**Commenters suggested that alternative off-bottom oyster culture is not a viable mitigation strategy for the oyster fishers who will be harmed by the diversion.**

**Response ID: 16536**

Off-bottom culture is not intended to fully offset impacts on oysters from the Project. Rather, CPRA would fund alternative culture techniques as one piece of a multi-pronged strategy for establishing a long-term, sustainable oyster fishery. This would allow for individual decisions with regard to strategies that are most effective in a particular area. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS

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Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62983**

**There will be ongoing and continuing costs to maintain the structure. Will there be sufficient funds to maintain the Project into the future? Commenters questioned who would have responsibility for the Project's maintenance throughout its operation.**

**Response ID: 16621**

As the Project Implementing Trustee, CPRA would ensure that there is sufficient funding to operate and maintain the Project into the future. Roles and responsibilities regarding the Project are set forth in the EIS in Sections 2 and 3 of Appendix R2 Monitoring and Adaptive Management Plan. CPRA has primary responsibility for the operations, maintenance, and monitoring of the Project.

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**Concern ID: 63027**

**Saltwater grasses and marsh would die when exposed to (or inundated by) fresh water, and would cease protecting the public.**

**Response ID: 16035**

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledges that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations; those impacts would be offset by later marsh building in the area. While saline and brackish species are associated with salinity ranges of greater than 18 ppt and between 18 and 5 ppt, respectively (see Chapter 3, Section 3.6.1.2 in Estuarine Wetlands of the EIS), brackish marsh can fluctuate from fresh to saline conditions depending on tidal movement, and species such as *Spartina alterniflora* are common in both salt and brackish marsh (Connor and Day 1987). Salt is a stressor affecting osmosis and cell structure. Plants occurring in saline and brackish marshes have developed adaptations to either exclude uptake or excrete salt; however even salt marsh species grow better at lower salinities (Mitsch and Gosselink 2000; Teal et al. 2012). Therefore, salt and brackish marsh

vegetation would not be subjected to direct mortality due to the lower salinity of transported water. Chapter 3, Section 3.6.2.1 of the EIS was revised to include additional information regarding the salinity tolerance of brackish and salt marsh vegetation.

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**Concern ID: 63061**

**Identify the amount of water and sediment diverted during the 2019 Bonnet Carré Spillway opening and describe the creation/restoration of wetlands from those diverted sediments.**

**Response ID: 16067**

The Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological response. A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes additional discussion on the Bonnet Carré Spillway, is available in Appendix U of the Final EIS.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on “Effects of Low Salinity Exposure on Bottlenose Dolphins,” 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>

Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. *Scientific Reports* 10:21979.

McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). *Journal of Zoological and Botanical Gardens* 1:61-75.

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the

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Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement.

Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63810**

**Commenters raised concerns about the consequences if the Project fails and who will pay to compensate those harmed by a failed project, including the tourism and seafood industries.**

**Response ID: 16653**

Each of the Alternatives analyzed in the EIS, except for the No Action Alternative, are expected to meet the purpose and need of the Project, and uncertainties in the quantum of impacts of the Project, both beneficial and adverse, are incorporated into the analyses included in Chapter 4, Environmental Consequences of the EIS. More specifically, salinity impacts of the Project are assessed using the Delft3D Basinwide Model, and this model's projections of future conditions include uncertainties. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties. Uncertainties related to the Marine Mammals impact analysis are summarized in detail in Chapter 4, Section 4.11.3.1 Marine Mammals, General Caveats to Impact Analysis Approach.

The LA TIG expects the proposed Project to succeed for several reasons, which are discussed in Chapter 3, Section 3.2.1.4 (Likelihood of Success – Alternative 1) of the Restoration Plan.

With regard to fisheries impacts, the LA TIG notes that major, adverse impacts to shrimp and oyster fisheries are anticipated with or without the proposed Project. While the timing of those impacts may be somewhat accelerated with the proposed Project, major adverse impacts to shrimpers and oyster harvesters are likely regardless of whether the Project is constructed.

CPRA, as a member of the LA TIG, has chosen to focus its mitigation strategies and expenditures on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses. The LA TIG believes that the provisions of its fishery mitigation plan, valued at

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approximately \$54 million, along with other restoration actions being funded by the LA TIG, as well as other programs funded by the State through LDWF, would help to achieve that goal and address the impacts of the proposed Project.

CPRA's fishery mitigation plan can be found in the Mitigation and Stewardship Plan included as Appendix R1 to the EIS. Although not being implemented to mitigate the effects of the MBSD, examples of separately funded restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery, and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries.

Expected Project impacts on recreation and tourism are summarized in Table 4.16-5 (Summary of Potential Impacts on Recreation and Tourism from Each Alternative) of the EIS. The Mitigation and Stewardship Plan (Appendix R1 to the EIS) includes funding to increase access to recreational fishing sites.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63853**

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**Louisiana wetlands provide habitat for 5 million migratory waterfowl during the winter months. Other migratory birds depend on the natural habitats of wetlands, marsh islands, estuary crabs, white/brown shrimp, finfish species, and oysters.**

**Response ID: 16203**

Chapter 3, Section 3.9.2.1 in Terrestrial Wildlife and Habitat of the Draft EIS identified the importance of area habitats and resources to migratory, and other, birds in the Barataria Basin. In addition, Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S. and 4.9 Terrestrial Wildlife and Habitat, discussed the benefits of the additional wetland creation that would be anticipated with the proposed Project, including the benefits of those wetlands on waterfowl. There would be both adverse and beneficial impacts on the food resources listed for migratory birds, including adverse impacts on brown shrimp, oysters, and some finfish, and beneficial impacts on blue crab, white shrimp, and certain finfish, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources.

In addition, the potential benefits of the proposed Project to multiple resources in the Gulf are described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Correspondence ID:40355**

Michael McIver

Our surroundings need to be considered part of our responsibility, Alternative 5 provides this at best and 1 secondly. We should consider much more than economic, or social concerns, but also those values which will last till the end of time. Nature will only be integrated with human living through conscious effort to do so.

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statues, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant's Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40356**

Luke Butler

I would like to know if the water that sediment and water that will be running off will be cleared of the runoff fertilizer in the river. It would suck to do all of this and then completely over fertilize the plants in that area that are necessary to hold the sediment in place.

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**Concern ID: 62867**

**The Final EIS should not be published unless there are commitments to monitor the following parameters at the diversion site or in Barataria Bay: Project operations, the flow and quality of the water flowing through the diversion, wetland type coverage over time, water surface elevation, water quality in the basin, salinity, contaminant concentrations in diverted sediments, fish and shellfish abundance, oyster reef parameters, benthic community composition and abundance, SAV coverage, finfish and oyster contaminant concentrations, and shellfish harvest restrictions. These same data should also be collected in two reference basins.**

**Response ID: 16676**

Basin-side monitoring of water surface elevation, water quality in the basin, salinity, fish and shellfish abundance, and benthic community composition and abundance to evaluate how the Project is meeting Project objectives were included in the Monitoring and Adaptive Management (MAM) Plan of the Draft EIS (Appendix R2 ). Riverside monitoring parameters include river discharge, suspended sediment concentrations, nutrient concentrations in water conveyed to the Barataria Basin, sedimentology of the Alliance South sand bar, and Mississippi River sediment load were also included in the MAM Plan of the Draft EIS. Additionally, in the Fish and Wildlife Coordination Act Report (CAR) section of Chapter 5 (Consultation and Coordination) of the Draft EIS, CPRA accepted USFWS' recommendation on pre- and post-construction periodic sampling of Contaminants of Concern in fish, shellfish, and wildlife from the outfall area and the Mississippi River (see Section 3.7.3.23 of the MAM Plan [Appendix R2 to the EIS]). Therefore, no changes were made in the Final EIS on these issues. The Louisiana Department of Health will continue to monitor shellfish harvest restrictions. Additionally, the majority of the parameters above are collected via the State's System Wide Assessment and Monitoring Program that will allow comparison of the Project variables within and among other estuarine basins across the Louisiana coast.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section

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10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40357**

Matthew Roberts

Thank you for the opportunity to comment. As a resident of New Orleans, I suggest the adoption of Alternative 5, with Alternative 1, the Preferred Alternative, as a second choice. Alternative 5 provides for more land-building and would restore a larger area.

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statues, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

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**Correspondence ID:40358**

Harley Winer

The claims of benefits are greatly exaggerated and the potential harm is minimized. The land created could be large but it could also be eradicated by tropical storms. The Barataria Estuary, while continuing to erode is a very productive estuary and that productivity will be greatly diminished by this proposed project.

I am a retired Corps of Engineers engineer and was chief of the Coastal Engineering Section. My opinion is that the sediment delivery function of the Mississippi River needs to be separated from the navigation function of the Mississippi River (which is extremely important indeed) . I wrote a 2006 paper in which I proposed "A New Paradigm for Managing the Lower Mississippi River." I hope that you will read this paper give consideration to its arguments.

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**Concern ID: 61831**

**The commenter questioned the level of certainty of land-loss estimates under the No Action Alternative over the 50-year period of analysis. Commenter further questioned how that level of certainty compares to the level of certainty of some of the adverse impacts that are projected to occur from the proposed Project.**

**Response ID: 16478**

It is correct that the Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties were incorporated into the Draft EIS impact conclusions and are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Hurricanes were not modeled as part of the Delft3D Basinwide Model; they were, however, modeled as part of the ADCIRC modeling conducted for the Draft EIS, Chapter 4, Section 4.20 Public Health and Safety, Including Storm and Flooding Risk Reduction. The rationale for that omission and explanation of how it was accounted for are provided in Appendix E Delft3D Basinwide Modeling, Section 8.1. The land-change uncertainty bounds were not included in the summary in Section 4.1.3.3. In response to this comment, a summary of land-change uncertainty has been added to that section in the Final EIS. The USACE and LA TIG agree that the model uncertainties should be clearly stated in the EIS with respect to the Model's quantitative results. A footnote has been added to the Executive Summary and to Table 4.2-6 in Section 4.2 Geology and Soils of the Final EIS providing the uncertainty bounds for land-change projections. Uncertainties related to the Marine Mammals impact analysis are summarized in detail in Chapter 4, 4.11.3.1 (Marine Mammals, General Caveats to Impact Analysis Approach).

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 62286**

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**The commenter requested that the sediment delivery function of the Mississippi River be separated from the navigation function of the Mississippi River and requested that the USACE review the article:**

**Harley S. Winer, 2007. A New Paradigm for Managing the Lower Mississippi River, Coastal Engineering 2006, World Scientific Publishing Co., Inc. Hackensack, NJ. pp. 2000-2011.**

**Response ID: 16446**

The USACE has reviewed the Winer (2007) article and agrees that reengineering the Mississippi River's water and sediment delivery system to allow more land and marsh building in Atchafalaya Bay is an innovative concept. However, the proposed Project would not have more than negligible impacts on the Atchafalaya Bay, and the EIS analysis is centered on the Project area (where more than negligible impacts of the Project would occur), particularly on the Barataria Basin and the birdfoot delta, as described in Chapter 1, Purpose and Need of the EIS. Therefore, the recommendation in the article is outside the scope of the MBSD Project. No related edits have been made to the Final EIS.

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**Correspondence ID:40360**

Ann Steinhardt

OAS urged the adoption of Alternative 5, with Alternative 1, the Preferred Alternative, as a second choice. Alternative 5 provides for more land-building and would restore a larger area.

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statues, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

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**Correspondence ID:40361**

James Marlowe

To whom it may concern.

My name is Jim Marlowe and I live at [REDACTED] Waveland MS.

I live 3 houses from the beach I have resided there for 35 years.

The MS Gulf Coast is a great place to raise kids. I raised all 3 here. They all learned how to fish here. They love it as much as me.

It has not been that long since they corps opened up the spillway. The coast has still not completely recovered from it. It stinks when you wake up every morning and look off your porch to see the poison river water kill everything. The impact on oysters, fish, and Dolphin was staggering. It was especially upsetting to see so many die. Worst was to see one swimming around another dead one while it is about to die too. Very Upsetting.

The proposed Breton Diversion will be like having the slipway all year long!

Why spend so much money for such small results for Louisiana land building? There are many other ways to do this that are environmentally friendly. If they build it it will devastate the MS Gulf Coast. My grad-kids will not be able to enjoy it and all of the property values will plummet. Why does MS not have a seat at the table or a voice in this as it will effect us the most. Even Louisiana LT Governor Billy Nungesser is opposed to the diversions in his 6/2/2021 letter.

Please do not destroy our coast. Y'all got plenty of money to do your land building in an environmentally safe way.

Thank you.

James E Marlowe

[REDACTED]

[REDACTED]

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**Concern ID: 62367**

**The Mid-Breton Sediment Diversion would have devastating impacts to the Mississippi Gulf Coast, similar to the opening of the Bonnet Carré Spillway.**

**Response ID: 15898**

The focus of this EIS is the proposed Mid-Barataria Sediment Diversion. The impacts of the proposed Mid-Breton Sediment Diversion are considered in this EIS as part of the cumulative impacts analysis, which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). However, there would be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion at such time the USACE releases the Draft EIS for that proposed project.

The proposed Project is not anticipated to have measurable impacts on ecological resources within the State of Mississippi, including distributaries of the Mississippi River.

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**Concern ID: 62786**

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**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:40362**

Kristy Wallisch

The Mid-Barataria Sediment Diversion is a crucial component in restoring the Gulf Coast and in protecting both habitat and human life. Although homes and businesses will undoubtedly be adversely impacted by this project and the people involved should certainly be recognized and compensated, this is a case where the few will be required to sacrifice for the many and the present will be required to sacrifice for the future. Rejecting the diversion project will not mean that things will continue as they are at this moment; it will mean continued loss of coastal land, continued hardship for the people of Louisiana, and disaster down the road. We must act quickly and we must think big.

I urge the adoption of Alternative 5 since it will restore a larger area of land. If it is determined that Alternative 5 is not feasible, I urge the adoption of Alternative 1, the preferred alternative.

Thank you for requesting comments on this important issue.

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.**

**Response ID: 15944**

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40364**

Milton Grishman

I'm concerned about the potential negative environmental effects this project will have on the waters of the Mississippi Sound. The natural salinity levels may be altered to an extent that dolphin and other species will be negatively impacted. I don't think enough study has been done on the long-term impacts of this project.

Thank you for considering my views.

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**Concern ID: 63072****The EIS should include an analysis of the potential impacts of the proposed Project on bottlenose dolphins in the Mississippi Sound.****Response ID: 16595**

While Figure 3.11-1 of the Draft EIS showed the distribution of bottlenose dolphin stocks in southeast Louisiana, including the Mississippi Sound Stock, it was not meant to imply that all depicted stocks would be affected by the Project. The figure has been updated to clarify this point in the Final EIS. The Project would divert fresh water, sediment, and nutrients into the Barataria Basin on the western side of the Mississippi River. The Barataria Basin has no hydrological connection to Mississippi Sound, and the Mississippi Sound Stock does not extend into the Barataria Basin, or any other area that would be affected by the Project. Therefore, the Mississippi Sound Stock is not included in the analysis of the impacts of the Project.

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**Correspondence ID:40365**

Restoration Systems, LLC

George Howard

June 3, 2021

Via Comment Portal

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement - Restoration Systems, LLC Comments

Dear Sir/Madam:

I am writing on behalf of Restoration Systems, LLC, a leading environmental restoration and mitigation banking firm, to provide comments on the Mid-Barataria Sediment Division (the "MBSD") Draft Environmental Impact Statement ("DEIS"). We support the Coastal Protection & Restoration Authority of Louisiana's ("CPRA") efforts to restore habitat and ecosystem services impacted by the Deepwater Horizon oil spill by implementing a large-scale sediment diversion project in the Barataria Basin. However, the mitigation proposed by CPRA ("self-mitigation") is inconsistent with federal law and fails to consider and give priority to credits from mitigation banks.

For the reasons discussed below, we respectfully request that the U.S. Army Corps of Engineers (the "Corps") consider CPRA's mitigation plan and determine: (i) compensatory mitigation is required to offset the permanent, direct impacts to jurisdictional wetlands within the project's construction footprint; and (ii) these permanent, direct impacts to jurisdictional wetlands will be mitigated through the purchase of released in-kind and in-basin mitigation bank credits, which are available from Jesuit Bend Mitigation Bank. Any other decision by the Corps threatens the integrity of the compensatory mitigation policy that is vital to Louisiana's coast and people.

**BACKGROUND****A. Restoration Systems and Jesuit Bend Mitigation Bank**

Restoration Systems has more than ninety (90) mitigation banks and turn-key restoration sites in nine states, including Louisiana. Jesuit Bend Mitigation Bank, owned and operated by Restoration Systems, has available in-kind, in-basin credits. Jesuit Bend is located within the Barataria Basin near the proposed MBSD construction footprint, and currently has 89.85 acres/33.24 Average Annual Habitat Units ("AAHUs") of fresh-intermediate marsh credits available on the "RIBITS" Website. An additional 49.40 acres/18.28 AAHUs could be made available as early as 2023.

Jesuit Bend was constructed in 2015, where approximately 1.3 Million cubic yards of sediment was dredged from the Mississippi River, transported over five (5) miles, and deposited throughout an approximate 240-acre open water area. Vegetative plantings were also conducted along with the enhancement of an existing marsh and the protection of a high-



quality cypress swamp. The site is protected by a perpetual conservation servitude and to date, all success criteria have been met. If Jesuit Bend is successful – and threshold regulatory decisions do not undermine demand for properly conducted mitigation – Restoration Systems plans to expand the mitigation bank and explore additional opportunities to restore habitat and ecosystem services in coastal Louisiana.

**B. Mid-Barataria Sediment Diversion – Construction Impacts to Jurisdictional Wetlands and Proposed Compensatory Mitigation**

During the construction of the MBSD, jurisdictional wetlands in the construction footprint will be dredged or filled resulting in permanent loss of wetland function and area. DEIS, p. 4-211. These wetlands will not be restored following construction and will no longer provide ecosystem functions, including flood control, water quality improvement, and wildlife habitat. DEIS, p. 4-212. As a result, 182.9 acres of jurisdictional wetlands within the MBSD construction footprint and the functions they provide will be permanently lost as a result of the MBSD. *Id.*

It appears that CPRA is considering using some of the sediment dredged for construction of the MBSD for beneficial use placement and upland reuse (e.g., filling existing borrow pits). DEIS, App. R, p. 17. However, this dredged sediment would first be used for construction of the project components and only be used for beneficial reuse “if suitable” and “to the extent practicable.” DEIS, 4-973. CPRA acknowledges that “[b]ecause the amount of dredge material suitable for placement in the beneficial use sites is currently unknown, the benefits cannot be calculated or considered as a mitigation offset.” DEIS, p. 4-473.

CPRA takes the position that the MBSD is “self-mitigating” and no compensatory mitigation is required to offset the direct, permanent impacts to 182.9 acres of jurisdictional wetlands in the construction footprint. DEIS, p. 4-973.

**C. 1990 EPA-Corps Memorandum of Agreement**

In 1990, the Environmental Protection Agency (“EPA”) and the Corps entered into a Memorandum of Agreement to articulate the policy and procedures to be used in determining the type and level of mitigation necessary to demonstrate compliance with the Clean Water Act Section 404(b)(1) Guidelines (“the 1990 MOA”). The 1990 MOA restates the goal of achieving no overall net loss of values and functions to aquatic resources, and in particular wetlands, by striving to avoid adverse impacts and offset unavoidable impacts to existing aquatic resources. Appropriate and practicable mitigation is required. The 1990 MOA recognizes that the goal of no net loss may not be fully met “where the mitigation measures necessary to meet this goal are not feasible, not practicable, or would accomplish only inconsequential reductions in impacts.”

The 1990 MOA also reinforces the methods and sequence of evaluating Section 404 permit applications. The Corps will evaluate information about all aspects of a project, including potential compensatory mitigation, at the same time. The Corps will first make a determination that potential impacts have been avoided, to the maximum extent practicable, and remaining unavoidable impacts will be minimized and mitigated to the extent appropriate and practicable. The 1990 MOA recognizes that the Corps may deviate from this sequence under certain limited circumstances, including where “EPA and the Corps agree that the proposed discharge can reasonably be expected to result in environmental gain or insignificant environmental losses.”

#### D. The 2008 Final Rule

On April 10, 2008, the Corps and the Environmental Protection Agency (“EPA”) published a final rule for compensatory mitigation for losses of aquatic resources. 73 Fed. Reg. 19594 (Apr. 10, 2008) (the “2008 Final Rule”). The 2008 Final Rule was designed to create a uniform set of rules and create equal standards for all forms of compensatory mitigation. To reduce risk and uncertainty and help ensure that the required compensation is provided, the 2008 Final Rule established a preference hierarchy for mitigation replacing the on-site preference. Under the 2008 Final Rule, the preferred option is mitigation bank credits. Mitigation banks are the first priority because they involve the least risk and provide the opportunity to perform aggregate mitigation for damage done to aquatic resources in a watershed. Mitigation banks are also preferred because they decrease enforcement and monitoring costs and typically provide mitigation before the wetland impacts occur. The preference hierarchy established by the 2008 Final Rule is intended to ensure that a mitigation option is selected with the highest probability of delivering successful, high-quality mitigation among the available options.

Pursuant to the 2008 Final Rule, when evaluating compensatory mitigation options, District Engineers consider what would be environmentally preferable, taking into account the likelihood of ecological success and sustainability, the location of the compensation site relative to the impact site and their relative significance within the watershed, and the costs of the compensatory mitigation project. The District Engineers may only override the preference for mitigation banks in limited circumstances, and such decisions must be documented. The 2008 Final Rule allows District Engineers to override the preference hierarchy in situations where the reasons underlying the preference do not apply. For example, the preference may be overridden if an approved in-lieu fee program has released credits available or a permittee with a proven track record is proposing a compensatory mitigation project that will restore an outstanding resource based on rigorous scientific and technical analysis. In other words, District Engineers may override the preference for mitigation banks only if other compensatory mitigation options would involve less risk and uncertainty and provide greater ecological value to the watershed.

#### DISCUSSION

According to the 2008 Final Rule and for the reasons discussed below, “self-mitigation” is not an option, especially for the MBSD, and the Corps should require CPRA to purchase available in-kind and in-basin mitigation bank credits to offset the permanent, direct impacts to jurisdictional wetlands within the project’s construction footprint.

#### A. CPRA’s Proposed Mitigation Plan Fails to Comply with Federal Law and Policies.

Compensatory mitigation is a critical tool in helping the federal government to meet the longstanding national goal of “no net loss” of wetland acreage and function. The standards and requirements set forth in the 2008 Final Rule are not discretionary – they are mandatory: All compensatory mitigation projects must comply with the standards in this part, if they are to be used to provide compensatory mitigation for activities authorized by DA permits, regardless of whether they are sited on public or private lands and whether the sponsor is a governmental or private entity.

73 Fed. Reg. at 19673 (quoting 33 C.F.R. § 332.3(a)(3)).

1. The MBSD will result in a net loss of aquatic functions, and the timing and uncertainty of any environmental benefits as a result of the proposed discharge cannot justify deviating from the requirement that unavoidable impacts will be mitigated to the extent appropriate and practicable.

As discussed above, it is known and undisputed that: (i) during construction of the MBSD, jurisdiction wetlands will be dredged and filled; (ii) this will result in a permanent loss of wetland function and area; (iii) these wetlands will not be restored following construction and will no longer provide ecosystem functions; and (iv) as a result, 182.9 acres of jurisdictional wetlands within the MBSD construction footprint and the functions they provide will be permanently lost as a result of the MBSD.

In an attempt to avoid compensatory mitigation requirements, CPRA claims that the MBSD is “self-mitigating.” DEIS, p. 4-973. CPRA claims that there will be “no net loss” of wetlands because wetland losses during construction would be offset by the anticipated creation of wetlands during operation of the MBSD. Draft EIS, p. 4-212. The uncertainty and timing of these environmental benefits cannot justify disregarding the Clean Water Act’s longstanding and well-established requirement that unavoidable impacts be minimized and mitigated.

Notwithstanding a project may have net beneficial effects on jurisdictional wetlands, the permittee must still provide compensatory mitigation that complies with the requirements of 2008 Final Rule to offset permanent impacts to jurisdictional wetlands. The Corps acknowledges that Section 404 of the Clean Water Act requires compensatory mitigation:

After consideration of all enforceable avoidance and minimization measures outlined in this section, Section 404 requires CPRA to offset any remaining unavoidable impacts on jurisdictional wetlands or special aquatic sites with compensatory mitigation.

Draft EIS, p. 4-973. There is nothing that justifies the Corps deviating from this requirement. The permanent loss of 182.9 acres of jurisdictional wetlands and the functions they provide is not an insignificant loss. It’s a significant loss whether viewed in isolation or the context of the MBSD. Further, based on the uncertainty and timing surrounding the anticipated environmental benefits of the MBSD, these benefits cannot be reasonably expected to offset the significant losses of jurisdictional wetlands and their functions within the construction footprint.

CPRA’s proposed plan to mitigate the permanent impacts of 182.9 acres of jurisdictional wetlands is to rely on the MBSD project itself pointing to the projected overall benefits associated with accretion and deltaic land-building processes over the a 50-year period. CPRA, however, concedes that these “projected” benefits will evolve over time. Draft EIS, p. 4-231. As shown in Table 4.6-5 of the DEIS, the project will not have net positive effects on jurisdictional wetlands until 2040, and that’s assuming that the project works as modeled. There is no compensatory mitigation proposed before or concurrent with the impacts as required by the 2008 Final Rule. Rather, CPRA claims that sometime in the next 50 years (potentially 2040 or later) fresh and intermediate marsh is anticipated to be established, and this will mitigate the known, immediate, permanent loss of 182.9 acres of jurisdictional wetlands. CPRA does not dispute that there will be a significant temporal loss of aquatic function. This temporal lag in the creation of wetlands (even assuming that the MBSD works as projected, which is highly uncertain) cannot justify deviating from compensatory mitigation requirements. As required by the 2008 Final Rule, this temporal loss must be addressed,

quantified and mitigated through the purchase of available in-kind and in-basin mitigation bank credits or other well-established mechanisms.

Not only would there be a long temporal lag in any environmental benefits of the MBSD, such benefits are highly uncertain. As acknowledged by CPRA, CPRA's proposed self-mitigation involves a high degree of uncertainty. The Delft3D Basinwide Model was used to analyze five decades of MBSD operations from 2020 to 2070 by simulating changes in hydrodynamics, sediment transport, water quality, and vegetation within the Mississippi River Delta and its estuaries. The model was used to assess impacts of the project alternatives in the Barataria Basin and the Birdfoot delta from implementation of the project alternatives, including the no action alternative. CPRA recognizes the uncertainties associated with modeling a dynamic system over a long-period of time, stating:

Uncertainty in models comes from many sources – uncertainty in the observed data used for model calibration, validation, and initialization; assumptions and numerical averaging in the computer model; and sensitivity to model parameters. These uncertainties can impact model results, changing where and by what amount impacts are projected.

Draft EIS, p. 4-13. Uncertainties are not limited to the model itself; additional uncertainties exist with model inputs and model boundary conditions, including, but not limited to, regional sea level rise, subsidence, rainfall, wind field, hydrographs of the Mississippi River and other rivers, freshwater hydrograph from other diversions, sediment load, nutrient load, parameters used to simulate vegetation growth and mortality, and landscape evolution. Draft EIS, App. E, pp. 39-40. Typically, scientific literature is used to quantify the uncertainties associated with these modeling inputs, but in the case of such a complex project such as the MBSD, "the scientific knowledge of these phenomena is constantly evolving." Draft EIS, App. E, p. 40. These uncertainties significantly increase when forecasting several decades or more into the future. Draft EIS, App. E, p. 43. As CPRA recognizes, "there is no way to accurately predict future conditions." Draft EIS, p. 4-211.

To account for uncertainty, CPRA relies on an adaptive management plan. Draft EIS, App. R, Draft Mitigation and Stewardship Plan, p. 25 ("[G]iven the dynamic conditions of any estuarine system, and the uncertainty around future conditions, some of the mitigation measures will rely on data from the MBSD Adaptive Management Plan to appropriately site and scale the measures based upon post-operational conditions."). Thus, not only will the "self-mitigation" not occur before or concurrent to the impacts, it is uncertain to happen at all. Rather, CPRA takes the position that it cannot be predicted how MBSD will work, but mitigation, if necessary, will be determined decades after the impacts occur.

The MBSD involves a high degree of risk and uncertainty and unknown and undefined self-mitigation, if any, decades after the impacts occur. This is not sufficient to override the requirement for compensatory mitigation. There will be a net loss of jurisdictional wetland values and functions, and these losses must be mitigated through the purchase of available in-kind and in-basin mitigation bank credits or other well-established mechanisms.

2. Mitigation of the permanent impacts to jurisdictional wetlands in the construction footprint of the MBSD is feasible, practicable and appropriate and will result in consequential reduction in impacts.

The purchase of mitigation bank credits (or mitigation through some other well-established mechanism) is feasible, appropriate and practicable. The purchase of in-kind and in-basin

mitigation bank credits will offset the values and functions of the impacted jurisdictional wetlands. It should also be undisputed that the purchase of such credits is practical. It is capable of being done after considering “cost, existing technology, and logistics in light of overall projects purposes.” See 40 C.F.R. § 230.3(l). The costs of compensatory mitigation must be considered in the context of the known unavoidable impacts. The cost of in-kind and in-basin credits is de minimis relative to the MBSD costs and scale and scope of impacts. CPRA is proposing to construct an unprecedented large-scale diversion project (estimated construction costs exceeding \$2 billion), which will permanently destroy 182.9 acres of jurisdictional wetlands within the MBSD construction footprint.

3. It is inappropriate to compare the MBSD to “typical” marsh creation projects.

Although under certain circumstances the Corps has the limited discretion to not require compensatory mitigation when a proposed discharge is reasonably expected to result in environmental benefits, the anticipated benefits of the MBSD cannot justify the Corps exercising this discretion.

The MBSD is different than a typical marsh creation project where the Corps sometimes determines that compensatory mitigation is not required. First, unlike a typical marsh creation project, the impacts to jurisdictional wetlands in the construction footprint will not be a result of sediment discharge, but will be more permanent. These wetlands will be filled with concrete. Second, the areal extent of impacts (182.9 acres associated with the construction footprint) is much larger than a typical marsh creation project. Third, unlike a typical marsh creation project and as discussed above, the environmental benefits associated with the MBSD are highly uncertain. The MBSD is unprecedented and modeling a highly dynamic system over decades results in a high degree of uncertainty. Fourth, unlike a typical marsh creation project and perhaps most importantly, any environmental benefits of the MBSD will not be realized until decades after the impacts occur.

Exercising its discretion to not require compensatory mitigation to offset the impacts to 182.9 acres of jurisdictional wetlands in the construction footprint would violate the Clean Water Act and its implementing regulations and would set an alarming precedent.

4. “Self-mitigation,” as proposed by CPRA, is not an option under the 2008 Final Rule and is unlawful.

The 2008 Final Rule provides three mechanisms to mitigate unavoidable impacts to jurisdictional wetlands: (1) mitigation bank credits; (2) in lieu fee program credits; and (3) permittee-responsible mitigation. The 2008 Final Rule establishes a hierarchy for these mitigation alternatives with mitigation bank credits the preferred option. “Self-mitigation” is not an option.

5. CPRA’s proposed “self-mitigation” must comply with the requirements of the 2008 Final Rule.

The 2008 Final Rule clearly requires that compensatory mitigation be implemented before the activity causing the authorized impacts.

Implementation of the compensatory mitigation project shall be, to the maximum extent practicable, in advance of or concurrent with the activity causing the authorized impacts. The district engineer shall require, to the extent appropriate and practicable, additional

compensatory mitigation to offset temporal losses of aquatic functions that will result from the permitted activity.

33 C.F.R. § 332.2(m) (emphasis added). CPRA acknowledges that “implementation of the compensatory mitigation should be in advance or concurrent with the impacts.” Draft EIS, App. R, Draft Mitigation and Stewardship Plan, p. 6. Within CEMVN’s district, a Section 404 permit will not be issued unless the permittee has an approved compensatory mitigation plan that complies with the Clean Water Act and its implementing regulations. Further, the Corps is mandated to require “additional” mitigation when temporal losses to aquatic function will result.

Despite this requirement, CPRA is proposing to permanently destroy 182.9 acres of jurisdictional wetlands. CPRA’s proposed plan to mitigate these permanent impacts is to rely on the MBSD project itself pointing to the projected overall benefits associated with accretion and deltaic land-building processes over the a 50-year period. CPRA and the Corps, however, concede that these “projected” benefits will evolve over time. Draft EIS, p. 4-231. As shown in Table 4.6-5 of the DEIS, the project will not have net positive effects on jurisdictional wetlands until 2040, and that’s assuming that the project works as modeled.

Each of the mitigation mechanisms set forth in the Final 2008 Rule, including permittee-responsible mitigation, must also comply with mitigation plan requirements.

After addressing any comments provided by the district engineer, the permittee must prepare a final mitigation plan, which must be approved by the district engineer prior to issuing the individual permit. The approved final mitigation plan must be incorporated into the individual permit by reference. The final mitigation plan must include the items described in paragraphs (c)(2) through (c)(14) of this section, but the level of detail of the mitigation plan should be commensurate with the scale and scope of the impacts. As an alternative, the district engineer may determine that it would be more appropriate to address any of the items described in paragraphs (c)(2) through (c)(14) of this section as permit conditions, instead of components of a compensatory mitigation plan. For permittees who intend to fulfill their compensatory mitigation obligations by securing credits from approved mitigation banks or in-lieu fee programs, their mitigation plans need include only the items described in paragraphs (c)(5) and (c)(6) of this section, and the name of the specific mitigation bank or in-lieu fee program to be used.

73 Fed. Reg. at 19677 (33 C.F.R. § 332.4(c)(1)(i)) (emphasis added). CPRA’s proposed “self-mitigation” fails to comply with these requirements.

The 2008 Final Rule requires a description of the legal arrangements and instrument, including site ownership, that will be used to ensure the long-term protection of the compensatory mitigation project site. 73 Fed. Reg. at 19678 (33 C.F.R. § 332.4(c)(4)). The 2008 Final Rule provides:

(a) Site protection. (1) The aquatic habitats, riparian areas, buffers, and uplands that comprise the overall compensatory mitigation project must be provided long-term protection through real estate instruments or other available mechanisms, as appropriate. . . .

33 C.F.R. § 337(a)(1). The goal of the 2008 Final Rule is to ensure permanent protection of all compensatory mitigation project sites. Although the 2008 Final Rule provides flexibility in how this protection is secured, it requires some form of long-term protection. The purpose of the 2008 Final Rule’s long-term protection requirement is to ensure that the conservation

objectives of the mitigation project are not compromised by incompatible uses. It is reasonable to expect that the Corps will require long-term protection of created or restored areas when they support ecological gains and receive credit for compensatory mitigation.

CPRA intends to rely on the projected creation or restoration of approximately 13,000 acres of marsh as a result of the project. Despite the requirements of the 2008 Final Rule, CPRA and the Corps do not address whether a single acre of this land will be provided long-term protection. Not only is there no guarantee that the project will successfully result in the creation of these acres, even if the project is successful, there is nothing in place to prevent the conservation objectives of the project being compromised by incompatible uses. As a result, the proposed mitigation for the MBSD is not in compliance with the 2008 Final Rule requirements and is unlawful.

Further, the 2008 Final Rule requires that the mitigation plan describe the number of credits to be provided, including a brief explanation of the rationale for this determination. 73 Fed. Reg. at 19678 (33 C.F.R. § 332.4(c)(7)). As set forth CEMVN's Compensatory Mitigation Standard Operating Procedures, the amount of required compensatory mitigation cannot be determined until "an appropriate assessment of the project site wetlands has been completed." Because CPRA has not prepared a mitigation plan in compliance with the 2008 Final Rule's 12-step analysis, it is not possible to calculate the required mitigation credits.

The 2008 Final Rule also requires that the mitigation plan establish ecologically-based performance standards that will be used to determine whether the compensatory mitigation project is achieving its objectives. 73 Fed. Reg. at 19678 (33 C.F.R. § 332.4(c)(9)). These performance standards "must be based on attributes that are objective and verifiable." 33 C.F.R. § 332.5(a). As discussed in more detail below, because there is so much uncertainty in the MBSD (both in modeling and input parameters), the Corps and CPRA have not adequately established performance standards.

The mitigation plan must also provide a description of the type and amount of financial assurances to be provided as necessary to ensure a high level of confidence that the compensatory mitigation project will be successfully completed, in accordance with its performance standards. 73 Fed. Reg. at 19678 (33 C.F.R. § 332.4(c)(13)); see also 33 C.F.R. § 332.3(n). CPRA has relied on contingent funding from the Deepwater Horizon Louisiana Trustee Implementation Group to purportedly satisfy financial assurance requirements. Contingent funding for the MBSD does not satisfy the financial assurance requirements of the 2008 Final Rule.

CPRA's proposed "self-mitigation" fails to comply with the requirements of the 2008 Final Rule and is unlawful.

6. If it's considered permittee-responsible mitigation, CPRA's "self-mitigation" is also inconsistent with CEMVN's Permittee-Responsible Mitigation Plan Template.

Prior to conducting permittee-responsible mitigation within CEMVN's jurisdiction, the permittee is required to prepare and execute permittee-responsible mitigation plan. The plan addresses a number of requirements for permittee-responsible mitigation, which are similar to requirements established for mitigation banks, including, but not limited to:

- To claim compensatory credits for a project, the claimed credits need to be base-lined, identified, graded, selected, approved in advance and protected by a perpetual conservation servitude placed on it by the landowner, who further agrees to keep the property lien-free;
- The permittee must assume the responsibility for the long-term management, maintenance, monitoring, and protection of the mitigation site;
- The permittee must assume the responsibility for maintaining all records, monitoring the Mitigation Site for success, conducting remedial action as necessary to ensure success, and providing this information to CEMVN in reports documenting mitigation site usage and the results of monitoring;
- The permittee must establish clear and merchantable title to the property;
- The permittee must provide detailed specifications and work descriptions for the proposed compensatory mitigation project;
- The permittee must provide a detailed description of what maintenance work will be required and schedule of required maintenance to insure the continued viability of the resource following initial construction and prior to long-term milestone;
- The permittee must incorporate the performance standards identified in the mitigation work plan templates used for mitigation banks for the habitat type intended to be restored;
- The permittee must incorporate the monitoring and reporting requirements identified in the mitigation work plan templates used for mitigation banks for the habitat type intended to be restored; and
- The permittee must provide financial assurances sufficient to ensure satisfactory completion for the work described in the mitigation plan and any future adaptive management plan(s).

CPRA has not complied with any of these requirements placed upon every other applicant who seeks to utilize a permittee-responsible mitigation plan. If the Corps provides CPRA a “free pass,” CPRA will not be the last applicant to request such favorable treatment. CPRA is required to mitigate the unavoidable impacts of the MBSD and such mitigation should be through the purchase of available in-kind and in-basin credits. If CPRA provides adequate justification to override the preference for mitigation banks (it cannot), its permittee-responsible mitigation plan should be held to the same standards as all other applicants.

7. “Self-Mitigation” for the MBSD is not environmentally preferable.

Not only does CPRA’s proposed “self-mitigation” not meet the requirements of the 2008 Final Rule or CEMVN’s requirements for permittee-responsible mitigation, it is not environmentally preferable. Mitigation bank credits are the preferred option under the 2008 Final Rule. There is no basis for the Corps to override the preference for compensatory mitigation through available in-kind and in-basin mitigation bank credits.

District Engineers may only override the preference for mitigation banks in limited circumstances, and such decisions must be documented. The 2008 Final Rule allows District Engineers to override the preference hierarchy in situations where the reasons underlying the preference do not apply. For example, the preference may be overridden if an approved in-lieu fee program has released credits available or a permittee with a proven track record is proposing a compensatory mitigation project that will restore an outstanding resource based on rigorous scientific and technical analysis. 73 Fed. Reg. at 19673. In other words, District



Engineers may override the preference for mitigation banks only if other compensatory mitigation options would involve less risk and uncertainty and provide greater ecological value to the watershed. These circumstances are not met by CPRA's proposed self-mitigation.

As acknowledged by CPRA and discussed above, CPRA's proposed self-mitigation involves a high degree of uncertainty. Draft EIS, p. 4-13 and App. E, pp. 39-40, 43. Not only are the environmental benefits of the MBSD uncertain, there is decades-long temporal lag. The project will not have net positive effects on jurisdictional wetlands until 2040, and that's assuming that the project works as modeled. Draft EIS, Table 4.6-5. There is no compensatory mitigation proposed before or concurrent with the impacts as required by the 2008 Final Rule.

The MBSD involves more risk, greater uncertainty and unknown and undefined mitigation decades after the impacts occur. This is not sufficient to override the preference for available in-kind and in-basin mitigation bank credits.

8. USFWS recognizes that "self-mitigation" is not an option under federal law and policies.

CPRA anticipates that the MBSD will result in the creation of approximately 13,000 marsh acres over a 50-ye

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**Concern ID: 62191**

**The mitigation proposed by CPRA ("self-mitigation") is inconsistent with federal law and fails to consider and give priority to credits from mitigation banks; USACE should consider CPRA's mitigation plan and determine that compensatory mitigation is required for construction footprint impact through the purchase of released in-kind and in-basin mitigation bank credits, which are available from Jesuit Bend Mitigation Bank**

**Response ID: 16403**

The direct wetland impacts associated with the proposed Project are disclosed in the EIS and will be evaluated by USACE in accordance with 33 CFR §320.4(r) in its permitting decision. If compensatory mitigation were required, options consistent with 33 CFR Part 332, including banks within the appropriate watershed with available credits, would be considered. If a permit is issued, any potential compensatory mitigation requirements would be provided in the ROD.

The term "self-mitigating" was used in Chapter 4, Section 4.27.2.1 Compensatory Mitigation, Jurisdictional Wetlands and Waters of the U.S. to indicate that CPRA believes the marsh creation benefits of the Project would offset the wetland impacts. However, since publication of the Draft EIS, CPRA has committed to constructing wetlands within the designated beneficial use area with excavated material that, according to Wetland Value Assessment (WVA) modeling, would at minimum be equivalent to the identified Average Annual Habitat Units (AAHUs) lost from Project construction. Edits have been made to Final EIS Chapter 2, Section 2.8.1.1 Project Design Features to reflect this Project feature. Final EIS Section 4.6.5.3 Wetland Resources and Waters of the U.S., Wetland Value Assessment has been updated with the Interagency Habitat Evaluation Team's WVA calculation of the AAHUs that would be created in these beneficial use areas, and Section 4.27.2.1 Compensatory Mitigation, Jurisdictional Wetlands and Waters of the U.S. has been edited to summarize the

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wetland impacts and describe the projected benefits that would be provided by these beneficial use marsh creation sites and other wetland benefits of the Project.

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**Concern ID: 66934**

**It appears that CPRA is considering using some of the excavated material for construction of the MBSD for beneficial use placement and upland reuse (for example, filling existing borrow pits). However, this material would first be used for construction of the Project components and only be used for beneficial reuse “if suitable” and “to the extent practicable.” CPRA acknowledges that “[b]ecause the amount of dredge material suitable for placement in the beneficial use sites is currently unknown, the benefits cannot be calculated or considered as a mitigation offset.”**

**Response ID: 16861**

Since publication of the Draft EIS, CPRA has determined that it would construct a beneficial use component to the proposed Project and has submitted information concerning the design and location of the beneficial use sites such that the benefits in terms of acreage and Average Annual Habitat Units (AAHUs) can now be calculated. These beneficial use areas would be located near the proposed outfall transition feature. According to Wetland Value Assessment (WVA) modeling, these constructed wetlands would at minimum be equivalent to the identified AAHUs lost from Project construction. Edits have been made to Final EIS Chapter 2, Section 2.8.1.1. Project Design Feature) to reflect this Project feature. Final EIS Chapter 4, Section 4.6.5.3 Wetland Resources and Waters of the U.S., Wetland Value Assessment has been updated with the Interagency Habitat Evaluation Team’s WVA calculation of the AAHUs that would be created in these beneficial use areas, and Section 4.27.2.1 Compensatory Mitigation, Jurisdictional Wetlands and Waters of the U.S. has been edited to summarize the anticipated wetland impacts and anticipated benefits of the proposed Project that include these marsh creation sites and other wetland benefits of the Project.

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**Concern ID: 66935**

**CPRA claims that there will be “no net loss” of wetlands because wetland losses during construction would be offset by the anticipated creation of wetlands during operation of the MBSD. The uncertainty and timing of these environmental benefits cannot justify disregarding the requirement that unavoidable impacts be minimized and mitigated. Based on the uncertainty and timing, these benefits cannot be reasonably expected to offset the significant losses of jurisdictional wetlands and their functions within the construction footprint.**

**Response ID: 16862**

CPRA has determined that it will construct wetlands within the designated beneficial use area with excavated material, which, according to Wetland Value Assessment (WVA) modeling, would at minimum provide equivalent Average Annual Habitat Units (AAHUs) to the identified AAHUs anticipated to be lost due to direct impacts from Project construction. The proposed Project beneficial use wetland creation feature would be constructed concurrently with overall construction of the proposed Project.

CPRA is not relying on diversion marsh creation performance to replace the permanent loss of wetlands that would result from Project construction. Because the beneficial use marsh creation Project feature would be constructed using typical marsh creation construction

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methods, uncertainty regarding the success and environmental benefits of this Project feature would be minimized. Edits have been made to Final EIS Section 2.8.1.1. Project Design Features to reflect this Project feature. Final EIS Section 4.6.5.3 Wetland Resources and Waters of the U.S., Wetland Value Assessment has been updated with the Interagency Habitat Evaluation Team's WVA calculation of the AAHUs that will be created in these beneficial use areas, and Section 4.27.2.1 Compensatory Mitigation, Jurisdictional Wetlands and Waters of the U.S. has been edited to summarize the anticipated wetland impacts and benefits of the proposed Project to include these beneficial use marsh creation sites and other wetland benefits of the Project.

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**Concern ID: 66936**

**CPRA claims that sometime in the next 50 years (potentially 2040 or later) fresh and intermediate marsh is anticipated to be established, and this will mitigate the known, immediate, permanent loss of 182.9 acres of jurisdictional wetlands. CPRA does not dispute that there will be a significant temporal loss of aquatic function. This temporal lag in the creation of wetlands (even assuming that the MBSD works as projected, which is highly uncertain) cannot justify deviating from compensatory mitigation requirements. As required by the 2008 Final Rule, this temporal loss must be addressed, quantified and mitigated through the purchase of available in-kind and in-basin mitigation bank credits or other well-established mechanisms.**

**Response ID: 16863**

CPRA is not relying on diversion marsh creation success to replace the anticipated permanent loss of 193.1 acres of wetlands resulting from Project construction. The permanent loss of 1193.1 acres of jurisdictional wetlands would be replaced through construction of at least 402 acres of marsh through beneficial use of excavated material concurrent with construction of the proposed Project.

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**Concern ID: 66937**

**As acknowledged by CPRA, CPRA's proposed self-mitigation involves a high degree of uncertainty. To account for uncertainty, CPRA relies on an adaptive management plan. Thus, not only will the "self-mitigation" not occur before or concurrent to the impacts, it is uncertain to happen at all.**

**Response ID: 16864**

CPRA is not relying on diversion marsh creation success to replace the anticipated permanent loss of 193.1 acres of wetlands resulting from Project construction. The permanent loss of 193.1 acres of jurisdictional wetlands would be replaced through construction of at least 402 acres of marsh through beneficial use of excavated material concurrent with construction of the proposed Project.

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**Concern ID: 66938**

**The purchase of mitigation bank credits (or mitigation through some other well-established mechanism) is feasible, appropriate and practicable. The purchase of in-kind and in-basin mitigation bank credits will offset the values and functions of the impacted jurisdictional wetlands.**

**Response ID: 16865**

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Should compensatory mitigation be required, the purchase of mitigation bank credits and potentially other mitigation options would be considered in accordance with 33 CFR Part 332.

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**Concern ID: 66939**

**It is inappropriate to compare the MBSD to “typical” marsh creation projects. Although under certain circumstances the Corps has the limited discretion to not require compensatory mitigation when a proposed discharge is reasonably expected to result in environmental benefits, the anticipated benefits of the MBSD cannot justify the Corps exercising this discretion.**

**Response ID: 16866**

CPRA has determined it would construct wetlands within the designated beneficial use area with excavated material that, according to WVA modeling, would at minimum produce sufficient AAHUs to replace the anticipated AAHUs that would be lost due to Project construction. USACE’s determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance, including the 1990 USEPA & USACE MOA Concerning the Determination of Mitigation.

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**Concern ID: 66940**

**The Corps is mandated to require “additional” mitigation when temporal losses to aquatic function will result.**

**Response ID: 16867**

CPRA has determined that it would construct a beneficial use marsh creation component concurrent with Project construction. The WVA model considers the temporal losses to aquatic function in its calculations regarding Project impacts and marsh creation construction benefits.

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**Concern ID: 66941**

**Despite the requirements of the 2008 Final Rule, CPRA and the Corps do not address whether a single acre of this land will be provided long-term protection. Not only is there no guarantee that the Project will successfully result in the creation of these acres, even if the Project is successful, there is nothing in place to prevent the conservation objectives of the Project being compromised by incompatible uses. As a result, the proposed mitigation for the MBSD is not in compliance with the 2008 Final Rule requirements and is unlawful.**

**Response ID: 16868**

Benefits to be derived from marsh reestablishment have been evaluated through the WVA model which considers temporal losses to and gains in aquatic function. The beneficial use of excavated material to create marsh is a component of the Project and would be constructed concurrently with proposed Project. USACE’s determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance. If compensatory mitigation were required, banks within the appropriate watershed with available credits would be considered.

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**Concern ID: 66943**

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**If the Project is considered permittee-responsible mitigation, CPRA’s “self-mitigation” is also inconsistent with CEMVN’s Permittee-Responsible Mitigation Plan Template.**

**Response ID: 16869**

The beneficial use component of the proposed Project is not considered permittee-responsible mitigation; it is a Project feature. USACE would not require that the marsh creation component to use the Permittee-Responsible Mitigation Plan Template. USACE’s determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance, including the 1990 USEPA & USACE MOA Concerning the Determination of Mitigation.

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**Concern ID: 66945**

**“Self-Mitigation” for the MBSD is not environmentally preferable. Not only does CPRA’s proposed “self-mitigation” not meet the requirements of the 2008 Final Rule or CEMVN’s requirements for permittee-responsible mitigation, it is not environmentally preferable. Mitigation bank credits are the preferred option under the 2008 Final Rule. There is no basis for the Corps to override the preference for compensatory mitigation through available in-kind and in-basin mitigation bank credits.**

**Response ID: 16870**

The beneficial use component of the proposed Project is not considered permittee-responsible mitigation. USACE’s determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance. If compensatory mitigation were required, banks within the appropriate watershed with available credits would be considered.

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**Concern ID: 66946**

**The USFWS recognizes that the anticipated marsh to be created by the Project would not “self-mitigate” for the indirect impacts the proposed Project would cause in the birdfoot delta and therefore has recommended that CPRA provide additional mitigation in the form of wetland creation through crevasse construction in the birdfoot delta. The Project’s direct impacts to 182.9 acres of jurisdictional wetlands should similarly be offset through wetland creation.**

**Response ID: 16871**

The anticipated direct impacts to 182.9 acres of jurisdictional wetlands due to Project construction would be replaced through construction of at least 400 acres of marsh through beneficial use of excavated material concurrent with construction of the proposed Project. Because the beneficial use marsh creation Project feature would be constructed using typical marsh creation construction methods, uncertainty regarding the success and environmental benefits of this Project feature would be minimized. CPRA has also agreed to the conservation recommendations of the USFWS, including the construction of crevasse projects that may include terracing to offset the indirect losses on the Delta NWR and the Pass A Loutre (PAL) WMA. Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10 million of additional funding for wetland preservation and restoration work in the Delta NWR and the PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional

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restoration work sponsored by the LA TIG (for example, construction of the E&D work discussed in the DWH LA TIG's Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area.

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**Concern ID: 66497**

**For the purpose of determining in-kind mitigation for degraded wetlands, one needs to determine the wetland habitat that existed prior to the degradation. The majority of emergent wetlands habitat that existed prior to degradation of wetlands within the Project's construction footprint was fresh/intermediate marsh. Emergent wetlands delineated within the Project footprint include soils associated with historic marsh, specifically Lafitte and Westwego soil series.**

**Response ID: 16872**

The comment is acknowledged. USACE's determination in its permitting decision whether to require compensatory mitigation would be made in accordance with 33 CFR §320.4(r), 33 CFR Part 332 and applicable USACE guidance. If compensatory mitigation were required, banks within the appropriate watershed with available credits would be considered.

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**Correspondence ID:40366**

Paula Flynn

Hello,

I am writing in support of Alternative 5. I believe it is the best plan for rebuilding our wetlands for the greater good of our area overall.

Thank you,

Paula Flynn

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant's Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40367**

Another Gulf Is Possible

Jayeesha Dutta

It is imperative that the management plan for the river diversions being proposed include continual adaptive mitigation for unavoidable impacts to critical habitat of all aquatic species.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40368**

Edgewater Construction LLC

Lynwood Ridge Jr

We are writing in today to save our home in Myrtle Grove Marina Estates. We built it in 2004 to 2005, finishing just weeks before Hurricane Katrina. We followed all guidelines in place by our subdivision, parish, state and federal agencies. Our brand new home was substantially damaged. We rebuilt and raised our children in our home and have always been full time residents. Over the years, we went on experience several other high wind storms and flooding events and through it all we rebuilt and endured. Now a diversion is being proposed that will make the homes in our subdivision irreparable, unsellable and likely minimally insured or uninsurable. Not only will we have restricted access to and from our home during the high water times of the diversion, we will not be able to have family or friends to visit as they will not be able to access our home nor green space for our pets. We bought our lot and built our home with the opportunity to boat, fish and catch shrimp and crabs right from our home. The damages to the ecosystem will likely be ruined for rest of our lives. There have been many other land restoration projects that have proven land regeneration without the widespread and substantial devastation this diversion is going to cause. Why is the only land restoration plan being seriously considered one proposed by what appears to be the good old boy network once again. The people of Plaquemines and St. Bernard were sacrificed in the past to save New Orleans and Jefferson Parish and now you are proposing we be sacrificed again, along with the entire ecosystem and way of life for many people, in the name of an unproven land restoration project.

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**Concern ID: 62778****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.****Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels

due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Correspondence ID:40369**

Rábago Energy LLC

Karl Rabago

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

As someone who advocates for affordable energy in Louisiana, I also advocate for energy security. Power outages and hurricanes go hand in hand - a restored coast will help provide energy security through the protection it provides by weakening storms and lowering storm surge. A more protected power grid also means less repairs, which should translate to lower rates.

A crucial component to restoring the coast is reconnecting the Mississippi River to the surrounding marshes. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Centering community needs in planned mitigation and stewardship efforts should also be a priority. Plans to help communities deal with impacts of the projects should be clearly stated and fully funded.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH

restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:40370**

Terri Timmcke

I am OPPOSED to this diversion project because it will destroy natural resources including fish, wildlife, and plants.

I would propose replacing sediment by dredging as a safer alternative.

[https://www.theadvocate.com/baton\\_rouge/opinion/article\\_062be400-bf1f-11eb-83c8-9fede5d3f370.html](https://www.theadvocate.com/baton_rouge/opinion/article_062be400-bf1f-11eb-83c8-9fede5d3f370.html)

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.



Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40371**

William Cooksey

As a lifelong sportsman, and especially as a Mississippi flyway duck hunter, I am writing today to express my support for the Mid-Barataria Sediment Diversion. Habitat loss in Louisiana is being felt by sportsmen throughout our nation, and we are behind those seeking to reverse this trend. Thank you for taking the time to read these comments.

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**Concern ID: 63338**

**The proposed Project would bring back vital habitat along the Gulf Coast, including wetlands that would support a huge variety of birds and other wildlife.**

**Response ID: 16295**

The commenter's support for the proposed Project is noted. Chapter 4, Section 4.9 Terrestrial Wildlife and Habitat of the Draft EIS explained the beneficial (and adverse) impacts of the proposed Project on various avian and terrestrial species. As also explained in the LA TIG's Restoration Plan in Section 3.2.1.6, the proposed Project is intended to improve habitat for birds and other coastal and living marine resources.

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**Correspondence ID:40372**

Morgan Wood

This is a poorly planned diversion. 2 Billion Dollars in spending requires more research into the effects than what has been done. I fully agree with Lt. Governor Billy Nungesser in saying that this money could be better spent. The effect on our fisheries will be devastating. If this diversion is so positive, then why are these questioning it being denied answers?

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62783**

**Commenters noted that the cost of designing and building the proposed MBSD Project is too high for the small amount of land anticipated to be built.**

**Response ID: 16365**

The commenter's opposition to the cost of the proposed Project is noted. Under NEPA, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that the permit applicant has conducted its own economic evaluation of a proposed project. Consequently, a cost-benefit analysis is not relevant to USACE's permitting decisions. As part of evaluating the proposed Project, the LA TIG considered the costs associated with developing, constructing, and managing the Applicant's Preferred Alternative consistent with the Restoration Plan alternatives evaluation criteria in 15 CFR §990.54. This discussion is in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

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**Concern ID: 62789**

**The cost of designing and building the proposed MBSD Project is too high for a project that has undependable results.**

**Response ID: 16370**

The commenter's opposition to the proposed Project is noted. With respect to the dependability of the future benefits of the proposed Project, the Draft EIS acknowledged that the Delft3D Basinwide Model projections of future conditions includes uncertainties, which are incorporated into the EIS impact conclusions. These uncertainties are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties. However, in addition to the modeled data, Chapter 4 - Environmental Consequences -includes analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in preparing the EIS. As part of developing the EIS, the USACE, together with the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the EIS impacts analysis of the alternatives.

Consistent with OPA regulations (15 CFR §990.54), the LA TIG's Restoration Plan evaluated multiple alternatives based on a number of criteria, including the cost of the alternative. For more information see Section 3 of the LA TIG's Final Restoration Plan. The costs associated with developing, constructing, and managing the Applicant's Preferred Alternative are discussed in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

**Correspondence ID:40373**

Vanishing Paradise

Erin Brown

To whom it may concern,

I am writing today regarding the Mid-Barataria Sediment Diversion. I have been a resident and a sportsman of South Louisiana my entire life. I grew up with a father who was a commercial fisherman and is currently a wetland biologist. He showed me the beauty of South Louisiana, the marsh, and the bounty of what is in our backyard. I have seen so many changes over my lifetime. I have been working in the restoration world for the past 6 years, and understand what this diversion could mean to the Barataria Basin. We have and are currently losing so much of our rich fishery habitat, and I believe that with the proper management of this diversion, we could offset some of this loss. With proper management, we can sustain our fisheries and livelihoods that depend on them (shrimp, fish, oyster), while addressing the issues of coastal erosion and restoration for flood protection, and the fish and wildlife habitats that make Louisiana the "Sportsman's Paradise".

Thank You.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40374**

Antoinette Theriot-Heim

I appreciate the opportunity to provide comments on the Mid Barataria Sediment Diversion.

As a resident of Jefferson Parish and a life-long native of Louisiana's coast, I believe this return to using the river to return to a more natural system is what is needed to combat our devastating land loss and that is why I support the preferred alternative in the draft environmental impact statement for the Mid Barataria Sediment Diversion.

I understand and emphasize that some aspects of our coast will be negatively impacted in the short and long term, but a future without action is far more devastating. Both during and after construction, we should prioritize people of these coastal communities and provide robust solutions and mitigation measures to help alleviate these impacts.

Finally, I believe this is a proper expenditure of restoration dollars to help mitigate the damage from the 2010 oil spill, from which our coast will be forever impacted from and is still recovering. Making an investment in our coast such as the Mid Barataria Sediment Diversion is a true game changer for Louisiana.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63337**

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**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40375**

Acme Management Group, inc./ dba Acme Oyster House

Paul Rotner

I oppose the Barataria diversion. This will destroy the fishies and wildlife habitats in the area with no proven science that it will even work. There is better ways proven to build land as in dredging or pumping sand without killing off the fisheries with massive amounts of freshwater full of contaminates.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.



Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPR and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these

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diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40376**

Tish Williams

As executive director of the Hancock County

Chamber of Commerce, our members are deeply concerned about the impact of this project to the Mississippi Gulf Coast. We need assurance that it will not destroy our waters, our seafood industry and negatively impact our cities and county.

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**Concern ID: 62786**

**Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.**

**Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:40377**

Sara Wood

I am no one but a concerned Louisiana citizen and I am against the Mid-Barataria Sediment Diversion because it is a poorly researched and therefore will be a poorly executed plan that will have a devastating effect on our natural resources in Louisiana, while its proponents and cronies make bank. It is only because they are using \$1-2Billion of TAXPAYER dollars that the proponents are so haphazard and irresponsible because as sure as the day is long, we would not be to this point if it were solely a private investment. There would certainly be more deliberation and at a minimum be a full impact study and consideration of other more natural options with less risk and more beneficial to the area overall. According to the MS River Delta Organization, which is pro diversion, it admits "that there will be changes to the basin" but glosses over or fails to inform the public of the alarming loss of fisheries, including massive loss of dolphin life that are likely to result, plus the fact that the storm protection will be minimal and not long lasting. Typically, they use terms to confuse the public. "Freshwater" diversion is misleading when in fact, it will be a dirty river diversion, just consider the massive dead zone in the Gulf. Louisiana's economy relies heavily on the seafood industry not to mention tourism of which being a "Sportsman's Paradise" is key. The dirty water diversion will negatively affect our economy and thus trickle down to the quality of life here in Louisiana. Our lieutenant governor, Billy Nungesser is at the forefront of speaking out against the Mid-Barataria Sediment Diversion and I have read and heard the debate from both sides, and I agree with out Lt. Governor Nungesser.

[https://www.theadvocate.com/baton\\_rouge/opinion/article\\_062be400-bf1f-11eb-83c8-9fed5d3f370.html](https://www.theadvocate.com/baton_rouge/opinion/article_062be400-bf1f-11eb-83c8-9fed5d3f370.html)

I urge you to listen to the people who will be affected by your decision the most, the citizens of Louisiana, and I urge you to ignore the paid interests involved and reject the CPRA's application for the Mid-Barataria Sediment Diversion. Thank you.

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider

public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62790**

**Diversion of polluted and nutrient-laden waters into the Barataria Basin would result in harmful algal blooms (HABs) and expansion of the dead zone.**

**Response ID: 16371**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L.

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Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model’s dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section has been added to Sections 4.5.5.3.2 and 4.5.5.4.2 of the Final EIS. Finally, the EIS acknowledges the potential for up to major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful

cyanobacterial/algal bloom species) in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide

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the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Correspondence ID:40378**

Davor Tomasevic

I am completely against freshwater diversion for Plaquemines parish and St. Bernard, it will destroy the fishing industry the sport fishing industry and recreational water activities .The toxins in the river water will destroy the marsh it would be a disaster for everyone that lives and works in this area. This is my opinion.

Davor

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the

Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40379**

Parker Care Corp

Patricia Williams

I would like to know more about this project and the areas that will essentially be included in the project, I will have to admit that I have not heard of this project before and I am not sure if it is associated under maybe a different name. Please send relevant information, pictures, or notices , thanking you in advance,

Patricia

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**Concern ID: 62369**

**The commenter stated that they need more information on the Project to know what areas would be impacted.**

**Response ID: 15877**

Information on the proposed Project, including the Draft EIS and Draft Restoration Plan, has been made available through several venues, including Project websites (<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>; <https://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>), media stories, and public libraries. For a summary of public outreach efforts related to the Draft EIS refer to Chapter 7 Public Involvement of the EIS and for restoration planning see Section 1.8 of the LA TIG's Restoration Plan. See Chapter 2 of the EIS for a description of the proposed Project and the Project footprint to better understand the areas that would be directly impacted by the Project's construction.

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**Correspondence ID:40380**

Zachary Elkins

My name is Zachary Elkins, I currently live at [REDACTED], Pass Christian, MS. I grew up in Bay St. Louis and spent countless hours in boating, fishing and camping at Cat Island, Biloxi Marsh and Chandeleur Islands with my brother and father. The time with them and the life lessons I learned while doing this were invaluable.

We also had a camp in Pointe à la Hache until the fishing there was devastated by the Mardi Gras Pass Diversion. The Breton Diversion will have the same devastating impacts on the places I grew up fishing.

The prolonged opening of the spillway was devastating to the MS Gulf Coast and to the Biloxi Marsh. The impact on the water ways I grew up on still have not completely recovered. The impact on oysters, fish and Dolphin was astonishing. I do not understand how dumping river water into the habitat of dolphin, porpoises, speckled trout, and countless other marine animals, as a means to build land is an option, it is truly staggering.

The proposed Breton Diversion will be similar to having the spillway open all of the time and will effectively destroy the marine life I was lucky enough to enjoy with my Father, brother and friends. It will literally rob me of the opportunity to do the same with my daughters.

Why does Mississippi not have a voice in this matter, ultimately our Gulf Coast will be impacted the most by this diversion. Property values will plummet, oyster beds and our fisheries will be destroyed but most importantly to me I will lose the opportunity to take advantage of this great resource as a source for raising my daughters. Please don't rob me of this opportunity.

Zachary Elkins  
[REDACTED]  
[REDACTED]

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**Concern ID: 62367****The Mid-Breton Sediment Diversion would have devastating impacts to the Mississippi Gulf Coast, similar to the opening of the Bonnet Carré Spillway.****Response ID: 15898**

The focus of this EIS is the proposed Mid-Barataria Sediment Diversion. The impacts of the proposed Mid-Breton Sediment Diversion are considered in this EIS as part of the cumulative impacts analysis, which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). However, there would be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion at such time the USACE releases the Draft EIS for that proposed project.

The proposed Project is not anticipated to have measurable impacts on ecological resources within the State of Mississippi, including distributaries of the Mississippi River.

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**Concern ID: 62786****Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.****Response ID: 16368**

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The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

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**Correspondence ID:40381**

Frank Adair

To whom it may concern. My name is Carl Adair and I live at 423 Dewey Ave Ocean Springs MS, I live two blocks from the beach and have resided there for 6 years and 15 years on the coast. Access to the bountiful and beautiful gulf coast is the reason why I relocated from the DC metropolitan area to be able to raise my children with access to fishing, sightings of marine mammals and the overall abundance of life. It has not been long since the Corps of engineers opened the spillway which has wreaked havoc on the marine environment, killing dolphins, oysters and saltwater species of fish. The Breton sound diversion will make this an everyday occurrence and the Mississippi gulf coast will be devastated. Please find a more environment friendly way to rebuild land in Louisiana and do not ruin the Mississippi Gulf coast. Even Louisiana Lt Governor Nungesser is opposed to the Idea of the Breton Diversion, that says a lot!

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**Concern ID: 62367****The Mid-Breton Sediment Diversion would have devastating impacts to the Mississippi Gulf Coast, similar to the opening of the Bonnet Carré Spillway.****Response ID: 15898**

The focus of this EIS is the proposed Mid-Barataria Sediment Diversion. The impacts of the proposed Mid-Breton Sediment Diversion are considered in this EIS as part of the cumulative impacts analysis, which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). However, there would be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion at such time the USACE releases the Draft EIS for that proposed project.

The proposed Project is not anticipated to have measurable impacts on ecological resources within the State of Mississippi, including distributaries of the Mississippi River.

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**Concern ID: 62786****Multiple commenters expressed concern with the impacts of diverted waters on the economy and natural environment of the State of Mississippi.****Response ID: 16368**

The proposed Project is not anticipated to have discernable effects on resources outside of the Project area, which is limited to Louisiana, and particularly the Barataria Basin and the Mississippi River birdfoot delta (as defined in Chapter 3, Section 3.1.1 in Introduction and the subsections entitled Area of Potential Effects for each resource heading in Chapter 4 Environmental Consequences). Because these resource-specific areas of potential effects were determined based on the anticipated limits of discernable impacts, negligible to no impacts on the natural or human environment are anticipated in the State of Mississippi from the construction and operation of the proposed MBSD Project.

**Correspondence ID:40382**

Harold Barnett

WILL THIS HELP MCCALL CREEK . IN THE LATE 1800 MCCALL CREEK MS WAS USED TO SHIP COTTON AND LUMBER TO THE MISSISSIPPI RIVER

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**Concern ID: 62368**

**The commenter asked whether the proposed Project would help McCall Creek. This creek was used to ship cotton and lumber to the Mississippi River in the late 1800's.**

**Response ID: 15901**

McCall Creek is outside the area of influence, and thus the area of analysis, for the proposed Project. The Project is not intended to benefit McCall Creek. The scope of this EIS is limited to areas in which the Project is expected to have more than negligible effects on the environment, particularly the Barataria Basin and the Mississippi River birdfoot delta. The proposed Project is not anticipated to have measurable impacts on ecological resources within the State of Mississippi, including tributaries of the Mississippi River.

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**Correspondence ID:40387**

Kathy Motes

I DO NOT support the Mid - Barataria Sediment Diversion. It is not beneficial to our parish nor the state

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40390**

James Karst

I support the Mid-Barataria sediment diversion and have previously submitted others comments stating same.

I have an idea for a component of mitigation to help people who have been negatively impacted by the diversion - - i.e. fishermen, shrimpers, oystermen, business owners and residents. One of the main concerns expressed by people belonging to this group is that future generations will not be able to follow in the same careers or live in the same homes, and while I support the diversion, I share this concern for future generations. It seems obvious that natural resources may one day run out and that because of climate change, places along our coast will cease to exist.

I am a former resident of Alaska, where political leaders had a similar concern in the 1970s during the boom years when a pipeline was built across that state. They recognized that a lot of oil worth a lot of money was flowing then, but that it wouldn't last forever and that this source of money for the state and its residents would dwindle away and one day disappear.

Through a constitutional amendment, they created what is known as the Alaska Permanent Fund, a stream of money set aside and then invested by a corporation that was created to manage it.

The fund grew very large, and eventually the state began paying a dividend to all Alaskans (adults and children). It's still paid to all Alaskans, but the amount fluctuates from year to year.

What I am proposing is something similar in Louisiana - - not to be created for all residents of the state, though, but only those facing the most negative impacts as a result of this diversion. I'm not sure how many people that would be, but presumably there would need to be some sort of a stringent screening process to ensure the disbursement of money is subject to fraud.

Let's say a chunk of mitigation money would be set aside - - \$40 million for the sake of example. It would be invested by an entity created to manage it. After the sediment diversion is completed (or perhaps at some other stage), people negatively affected by the diversion would fill out applications. For those that are approved, a check would come every year - - perhaps every year for many years. As is the case in Alaska, people who qualify for the funds would not necessarily \*always\* qualify for the funds; i.e., if you move away from Alaska, you no longer can legally collect a permanent fund dividend. Likewise, perhaps a person would no longer qualify if they move from coastal Louisiana to, say, Mississippi.

Through this strategy, the pot of money set aside for mitigation may help people now and for decades to come.

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54

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and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63946**

**Public comments asked to create a fund specifically for those impacted as a result of the diversion and develop a screening process where people can qualify each year to receive mitigation funds.**

**Response ID: 16586**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to the No Action alternative in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and agency input about the proposed mitigation efforts, CPRA has expanded and refined the mitigation and stewardship measures. However, CPRA's mitigation and stewardship strategies do not include direct payments to fishers. Rather, CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The updated fishery mitigation plan, valued at approximately \$54 million, along with other restoration actions and programs being funded by the LA TIG and by the State through LDWF, address the impacts of the Project. The fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS). These measures utilize programs and techniques familiar to members of the fishing industry. CPRA and LDWF would develop eligibility criteria as part of finalizing the programs which focus on fishers of Barataria Basin.

These programs would also benefit businesses other than commercial fishers that are directly or indirectly dependent on a successful commercial fishery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

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Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40391**

Commenter

I am against the diversions and favor berms along the coast line to help reduce coastal flooding. I believe the berms will hold back the soils and help build the land behind them.

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**Concern ID: 61976**

**Instead of the diversion, consider using berms or living shorelines along the coast line to help reduce coastal flooding. The berms would hold back the soils and help build the land behind them.**

**Response ID: 15976**

The Draft EIS considered a shoreline protection alternative (including berms and living shorelines) as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.3 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS.

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**Correspondence ID:40392**

Andrea Declouet

I have lived almost half my 62 years in Ironton, a 200 year-old African American community established by former slaves located on the west bank of Plaquemines Parish. My husband and I also work in this parish; have raised our children, and their children, who attend some of the best schools in the southeast region. I know all of my neighbors and their families. Our church is in the heart of this hamlet we call HOME.

We have survived the ravages of natural disasters such as Hurricane Katrina, Isaac, and others. Every storm has made us stronger and more resilient. I wish I could say the same for our coastline. And yet, I'm not convinced that building a fresh water diversion is the answer to restoring our coastal wetlands; It could become a detriment to our ecosystem and negatively impact our way of life geographically, environmentally, socially, and economically.

The losses outweigh the benefits. The creation of the diversion will forever change the map of Plaquemines Parish. According to the Comprehensive Master Plan for this region, that change seems intentional and part of a larger agenda. I'm just sayin'.

Furthermore, in the event of a possible 20-25ft. storm surge, there are NO GUARANTEES that Ironton will be protected and the diversion will only exacerbate the problem.

Therefore, I am totally against the construction of the Mid-Barataria Fresh Water Diversion. Come up with something better.

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**Concern ID: 62292****Ironton will be at risk from storm surge which would be made worse by the diversion.****Response ID: 15810**

As described in the Draft EIS Chapter 2, Section 2.8 Action Alternatives Carried Forward for Detailed Analysis, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events.

Draft EIS Chapter 4, Section 4.20.4.2 in Public Health and Safety provided projected changes in storm surge elevation due to the proposed Project, including increased storm surge elevation in the vicinity of the portion of the NOV-NFL Levee system which provides risk reduction to Ironton. Depending upon the strength and path of a given storm, storm surge could overtop the NOV-NFL Levee, both with or without the proposed Project; however, as described in Section 4.20.4.2, the proposed Project would increase the risk and volume of potential overtopping.

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**Concern ID: 62778****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

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contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40393**

Ben Gegenheimer

I grew up fishing down in Plaquemines Parish as boy and teenager, from Myrtle Grove, to Happy Jack, Lake Hermitage, and Empire. I want for nothing more than the wetlands to be restored in and around those areas. But I do not believe that this project is the way to go about doing so. It will devastate too many lives and families in the immediacy of the project. I hope that other avenues will be explored instead of this expensive and devastating project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

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**Correspondence ID:40394**

Coastal Communities Consulting, Inc (CCC)

Sandy Nguyen

U.S. Army Corps of Engineers  
2021

June 3,

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

To Whom It May Concern,

The board and staff of Coastal Communities Consulting, Inc. (CCC), a 501(c)3 organization headquartered in Gretna, believe that the Mid-Barataria Sediment Diversion (MBSD) project can and should exemplify community leadership in restoration decision-making. The next decade is a significant opportunity for Louisiana to establish itself at the vanguard of community-level environmental adaptation planning and restoration mitigation. CCC feels strongly that our state government, elected officials, the Coastal Protection and Restoration Authority and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the MBSD. This will open the door to creating a truly equitable restoration landscape; one where communities impacted by the MBSD and future coastal restoration projects are proactively engaged and consulted as restoration projects are planned, designed, and implemented. CCC is well positioned to be a valued partner to the State of Louisiana in charting a renewed path forward. We are pleased to submit these comments to the U.S. Army Corps of Engineers, New Orleans District, as part of the Draft Restoration Plan and Environmental Impact Statement: Mid-Barataria Sediment Diversion public comment period.

**About Coastal Communities Consulting and its Clients**

CCC supports the economic and environmental stability of coast-dependent small businesses in Southeast Louisiana. For a decade, we have provided technical assistance, economic development, environmental education, and continued disaster assistance to over 2,000 residents (fisherfolk, their families, and other coast-dependent businesses and individuals) of Orleans, St. Bernard, Plaquemines, Jefferson, Lafourche, and Terrebonne parishes. Our clients are members of Southeast Asian American, Central American, Black, Cajun, and Croatian communities whose homes and families and businesses overwhelmingly are located in low-income areas. Southeast Louisianas fisheries-dependent residents have endured more overlapping disasters in one generation than anyone can reasonably expect of a community. They have suffered the levee breaches of Hurricane Katrina, the Deepwater Horizon oil spills ongoing impacts on fish stock, the historic flood events of 2019, and COVID-19. Many of these same fishers have also survived forced refugee flight from Southeast Asia.

CCC understands the MBSD is designed to build land, and thus, increase the environmental and economic resilience of Southeast Louisiana to be sustainable through future disasters. As a non-profit dedicated to the futures of the regions commercial fisheries, however, we also understand that while restoration projects like the MBSD are discursively designed to protect fisherfolk and the ecosystems they depend on, in practice, the planning of these projects

often leave out the regions most vulnerable coast-dependent residents. We commend the efforts made by CPRA and other agencies to include fishers, at the behest of organizations like CCC, in meetings and discussions and planning processes. However, we would challenge all government agencies involved with MBSD to do more in order to overcome decades of rift and distrust between commercial fishers and policymakers.

We cannot emphasize enough that in spite of these tensions, commercial fishermen and coastal residents are not against restoration. CCCs clients have fought to defend their ecosystems, from resisting the land-wasting effects of exploratory oil drilling to working with agencies and academics to make their fishing techniques more environmentally sound. At the same time, they have cried out for coastal restoration for decades. The tension between fishers and coastal projects has always arisen not because of the projects intended goals, but given the processes used to develop and implement coastal restoration projects.

CCCs clients arent environmental justice communities; they are communities experiencing environmental injustice. Environmental justice demands that all communities who are vulnerable to racial, ethnic, economic, and ecological violence are not just considered, but meaningfully involved in the development, implementation, and enforcement of environmental laws, regulations, and policies. This is the purpose of NEPA, the DEIS, and ultimately, of the CPRA, whose mandate is to establish a safe and sustainable coast that will protect our communities, the nations critical energy infrastructure and our bountiful natural resources for generations to come . For years, fishers have watched CPRA and other agencies debate the merits of allowing the Mississippi River to inundate the fish, crab, shrimp, and oyster ecosystems they rely on. For them, it is clear that the diversion will make fishing more economically vulnerable in favor of building marsh land-a trade-off that makes their families particularly susceptible to poverty, environmental instability, and resettlement. Not surprisingly, fisherfolk are scared.

The Coastal Master Plan and MBSD are huge undertakings with a myriad of needs and best outcomes to consider. We get it! But this means little to a shrimper who is worried about what a devastated brown shrimp population will mean for his daughters finishing college or her ailing mother who has accrued acute healthcare costs. Fishing is not just our clients livelihoods-its their lives. In light of this, and coupled with rapidly moving disasters and environmental shifts, we believe that doing business as usual is no longer an option.

Therefore, we recommend an aggressive program of mitigation, adaptation support, and MBSD-adjacent coastal support. To carry out effective socioeconomic and place-based planning, we recommend that CPRA build coalitional partnerships across state agencies and parish governments. This includes partnering with community leaders to educate all agency partners about the current state of each fishery, what is being taken into consideration when designing mitigation measures, and the ways the mitigation measures forwarded in the DEIS will be implemented. It also means consistently sharing this information with impacted communities and community-based organizations, and collaborating with them to ensure that their needs are met in light of dynamic impacts to their lives and livelihoods.

In the eight years since our board and commercial fishing clients made us aware of the proposed sediment diversions in Barataria Bay and Breton Sound, CCC has listened to and followed Southeast Louisianas coast-dependent communities expertise. Through our daily work and engagement with fisher families and business owners, it was not difficult to locate where we could begin to proactively address the potential impacts of MBSDs design and

implementation on fishing-dependent communities. While commercial fishers don't like change, CCC has helped several families begin to adapt their businesses and lives ahead of MBSDs likely impacts to the industry. Our adaptation strategies include much of the DEIS and draft Restoration Plans mitigation and stewardship measures. As the MBSD moves forward, CCC looks forward to working with, educating, and engaging CPRA and others about effective adaptation. Together, we can effectively develop an equitable and just adaptation and mitigation program for not just MBSD, but ongoing restoration throughout the coast. In this collaborative effort, our organizations ultimate goal is to establish a comprehensive Community Master Plan that will be implemented alongside CPRAs Coastal Master Plan.

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### CCC's Recommendations

Below, we have identified three primary areas of support that are necessary to equitably help fisheries and other coast-dependent communities adapt to the impacts of the proposed MBSD. Under each area, we offer specific programming and/or approaches that will allow for their effective implementation. We have identified these equitable mitigation measures in concert with the over 200 fishing-dependent residents in MBSDs impact zone who have submitted their own public comments, as well as a myriad of collaborators with expertise in community support, environmental change, and strategic planning.

#### I. MITIGATION PLAN

The mitigation measures proposed in the DEIS and draft Restoration Plan are a good first step. However, to equitably mitigate the impacts of the MBSD, it is important for vulnerable communities to contribute to how CPRA identifies and mitigates the diversions likely effects on their lives and livelihoods. This includes establishing dedicated and effective funding streams to support all communities, small businesses, and workers impacted by MBSD, from construction to regular operation. Importantly, if the MBSD has as little negative impact on commercial fisheries as possible, this funding is less likely to be exhausted or need to be refreshed regularly.

" Establish and maintain an MBSD Fisheries Mitigation Fund - Mitigation programs currently identified in the draft EIS and LA-TIG Restoration Plan include retrofitting boats, training in new fields, and training in marketing. Establishing funding for fishers to take advantage of these programs as it suits their needs is the most effective way of both spending much of the \$33 million currently identified for fisheries mitigation and supporting the industry through MBSDs impacts. Throughout the first five years of MBSDs operation, and with the option to extend its timeline, the Fisheries Mitigation Fund will pay out annually to fishery-dependent business owners and workers.

o Recipients of the funding will be able to identify how best to use this funding, be it for skills training or boat upgrades, at their discretion.

o Annual payments should be based on losses, as evidenced in fishers trip tickets-this information is collected by the Department of Wildlife and Fisheries.

" Adaptive management planning - MBSDs operations, management, and monitoring will critically shape how decisions are made regarding adaptation. To ensure both state transparency and the incorporation of valuable coastal expertise, fishery leaders must be contracted to participate in planning and executing the adaptive management of the MBSD.

" Identify equitable, future-looking approaches to home and business buyouts - Coast-dependent communities will experience diversion-induced flooding and other impacts to both their homes and businesses. To this end, mitigation measures should include establishing an equitable approach to assessing just compensation and buyout programs for homes and other structures throughout Southeast Louisiana-this process should allow residents to buy equivalent or better businesses and homes elsewhere. This funding should also ensure that every resident in the impact area can raise their homes without incurring personal cost.

" Identify for whom job buyouts might be necessary - In lower Plaquemines Parish, buyouts may be a bigger necessity than expected, especially for the families who rely on oyster work. We understand that CPRA has begun the process of relocating oyster leases. However, leaseholders represent a very small group of wealthy people that can easily relocate their businesses and homes. Their workers, who make up the bulk of the fisheries labor, cannot. For them, buyouts may be the only option. CPRA must consider job buyouts or other measures that justly compensate workers who rely on but have no economic control over their fishery.

" Create fisheries-specific grant and loan opportunities - This will help businesses and workers who will be impacted by MBSD adapt in anticipation of the diversion going live, as well as during its implementation.

" Support workforce development - This includes implementing policies that require contracting entities to hire local residents and fishermen to work on building and managing the MBSD.

- o Encourage and fund area colleges and universities to build out curriculums and train younger fishermen for new careers and job opportunities should they want to transition out of the industry. (CCC & Delgado have been running one such program for two years)

- o Develop scholarships to help pay for tuition.

- o Develop more opportunities for fishermen's wives to work and/or start small businesses to create an alternative income stream for their families.

- o Develop certifications and incentivize youth to choose water-base careers.

## II. ONGOING BUSINESS ADAPTATION PLANNING & SUPPORT

While the DEIS and draft Restoration Plan offer a series of mitigation measures to support fisheries, they do not comprehensively address the complex effects MBSD is likely to have on fishers and other vulnerable coast-dependent communities. As it is the first project of its kind, the true impacts of the MBSD will not be known until the structure begins operation. However, what is known today is that our fisheries and navigational waterways will absolutely be affected, and may be altered forever. While our fishing communities may continue to advocate against the MBSD, most understand that, historically, a project that the government puts this much money and effort into will happen.

For more than two years, CCC has collaborated with clients to create adaptation planning that reflects fishers' expertise of the land and water they rely on. The fact that fisheries-dependent families have already begun piloting the adaptation measures included below is evidence that CPRA and other agencies should allay impacted communities' fears by proactively funding such strategies. Most importantly, they should look to fishers to identify their own specific adaptation needs. To do this, CPRA should immediately begin partnering with community-

based organizations (CBOs), who have robust technical assistance and community service expertise, and who have been designing and implementing adaptation planning for several years. Federal and state agencies should partner with CBOs to carry out extant adaptation planning and programs. In this process, CBOs should be compensated for their adaptation work and the resulting adaptation plans should be funded by the state.

" Information Sharing and Education - In order to properly adapt and plan, CPRA and other agencies need to transparently collaborate with residents who will be impacted by the MBSD. This includes circulating consistent, up-to-date, and accessible information regarding the MBSDs progress-toward-implementation and its likely impacts to coast-dependent businesses and communities.

- o CPRA to develop a public relation/community outreach office within the agency.
- o Include community-based organizations (CBOs) in every stakeholder group that CPRA has created within its decision-making structure, and in regard to the MBSD in particular. This will make CPRAs approach to decision-making more equitable by ensuring that communities, not just large stakeholders, are represented throughout the Coastal Master Plan process.
- o Fund CBOs who have the respect and trust of their communities to do outreach and education regarding restoration. Conducting outreach and education includes designing community meetings, supporting community members in participating in decision-making processes, and elevating community expertise that has historically been overlooked.
- o Outreach materials, presentations, and meetings should be translated not only into several languages, but should be presented in plain language that is accessible to laypeople, whose stakes in understanding the MBSD are highest.

" Fund community engagement and adaptation planning; community-based organizations - CBOs like CCC devote the majority of their funding to make technical assistance (TA) accessible (linguistically, culturally, geographically, and financially) to the regions most vulnerable residents. While TA is essential to the MBSD rollout (see above), it has not historically been funded by agencies carrying out large-scale projects in vulnerable communities. As such, when they have reached out to communities to finalize extant plans, CPRA and others have not elicited the information they are looking for. However, CBOs know how to provide the direct assistance residents need to help them participate in surveys, understand programs, requirements, and processes, and complete applications to be awarded benefits and grants. They also know how to design and carry out effective adaptation planning. To address this, CPRA and LA-TIG can use a percentage of their mitigation budget to ensure that CBOs can continue to carry out extant adaptation planning and mitigation efforts that align with the DEIS. Additionally, this funding can and should address the gaps in community TA support throughout the MBSD impact area to ensure that all impacted residents have access to information and direct engagement.

" Pilot fisheries technology and innovation - To make fishers more adaptive, it is important that they have access to technologies that enhance their productivity and reduce the cost of their operations. Funding should be allocated for R&D dedicated to collaborating with fishers to innovate and change the way their operations work. This includes how harvesting is carried out, either by means of shrimp pots, lighter boats, additional refrigeration, and more. Additionally, salinity tanks for finishing oysters, mechanisms for

moving baskets of oysters away from flooding, and a bevy of other potential innovations can mitigate losses for commercial fisheries, improve the quality of the harvest, and may bolster the industry as a whole.

" Make broadband internet available coast-wide - COVID-19 has shown us that internet is not a luxury; it is a utility. Louisiana must make broadband accessible and low-cost for all residents. Fisherfolk who have never been required to use technology before have begun to both in light of the pandemic and to access more technical business and social support. It can do so by partnering with federal agencies and NGOs who are already implementing more robust rural broadband access in anticipation of the proposed US Infrastructure Bill.

" Invest in economic development - By investing in industry sectors, such as tourism/ecotourism and more, and further diversifying the regional economy, the state can help create jobs to support displaced fisherfolk and other coast-dependent workers. It will also enhance the cultural viability of the region, as fishers of varying backgrounds share their cultures and knowledge with tourists, who will in turn support communities maintaining their generational practices. Examples include cultural immersion fishing tours, recreational fishing and cooking classes, and tours designed to teach visitors about ecosystem change and restoration. This is a win for the job seeker and also for local parishes and the state as new revenues can be generated by new industries.

### III. MBSD-ADJACENT COASTAL SUPPORT

This area of support identifies actions that CPRA and other state and federal agencies can carry out to bolster fishing-dependent communities stability in the present and future. Applied concurrent to the MBSDs construction and operation, these approaches will ensure that the project is carried out justly and equitably overall.

" Establish governmental coalition-building and inter-agency education - To better develop and implement effective mitigation programs and adaptation support, CPRA should take the lead on educating and informing other inner state agencies about the MBSDs design, as well as its implications for and impacts on coast-dependent communities. Involving more agencies with a variety of expertise in implementing MBSD will mobilize a variety of resources to help CPRA effectively implement and mitigate the diversion. Whats more, this will make more resources available to help affected residents adapt and make use of more effective and equitable mitigation programs. Examples include partnering with LED to develop and offer fisheries-specific loan products, and ensuring that the Louisiana Department of Wildlife and Fisheries do not raise license fees up to 300%. Further, collaborating with HUD to help residents with raising homes as well as establishing a first- time home buyers program to assist with relocation.

" Address needed changes to fisheries permitting, licensing, and compliance - More than 80% of the states much larger skimmer fleet will experience a reduction in their catch due to the fresh water driven by the MBSD. In light of this, the Louisiana DWF and NOAA must make major changes in how they administer and regulate federal fishing permits and licenses. As MBSD promises to shift where shrimp and other species are in the basin, adapting to this will require most fishers to go out further from shore and/or further east or west than they currently do. To ensure that fishers have the best chance of maintaining their industries over the life of the MBSD, restrictions that prevent them from working in federal waters must be lifted.



- o The federal shrimp permit has been under moratorium since 2006. NOAA should lift the moratorium and grant open access to the permit and/or the state should extend the state line further from shore.
- o The majority of our states shrimp fleet are Asian American immigrants. While they are legal permanent residents, federal law prohibits anyone who is not a US citizen from operating a vessel outside state waters. Obtaining citizenship can take a year or more, making this rule incredibly restrictive for residents who work seasonally. Lifting this restriction is critical for immigrant fishers potential to maintain their fisheries as the MBSD begins operation.
- " Promote Louisiana seafood - While one-on-one marketing support is included in the DEIS, it is imperative that the state effectively supports and promotes its fisheries. To this end:
  - o Collaborate with LA restaurants, seafood distributors, farmers markets, and grocery stores to create a market for LA seafood.
  - o Actively enforce House Bill No. 335/Act 372: Restaurant Notice of Foreign Seafood, which requires restaurants to disclose the origin of the seafood they serve.
  - o Create a national network of LA seafood champions to promote LA seafood in major cities.
- " Carry out smaller coastal restoration projects
  - o Work with impacted parishes to build safe haven sites, which will protect boats against the potential impacts of the MBSD or other sudden disasters.
  - o Plaquemines Parish has lost fisheries business because many shrimp boats cannot easily or dependably get through canals or lock infrastructure. This forced shrimpers to take their catch elsewhere. To avoid this and other safety concerns, the state must dredge commercial fishing waterways going to and from docks and fishing grounds.
- " Provide other kinds of governmental support
  - o Create standards to control and/or cap the price of shrimp and other seafood paid to fishers at the docks.
  - o Provide diesel subsidies for working boats.

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To conclude, the construction, implementation, and operation of the first large-scale river sediment diversion must meaningfully include and honor the generational and place-based knowledge of coast-dependent residents.

As an organization that has devoted itself to the economic, cultural, and environmental health of Southeast Louisianas fisheries, CCC believes that fisheries are a meaningful part of Louisianas present and future. The above mitigation, adaptation, and MBSD-adjacent governmental support strategies emerge directly from our clients own comments and the expertise they have shared with us for over a decade about the land and water they love. We want to make their lives more livable, and we look forward to working with CPRA, LA-TIG, and many other agencies to ensure this.

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Please reach out to us with any questions regarding these comments. We look forward to hearing from you.

Sincerely,

Sandy Ha Nguyen

Executive Director

Coastal Communities Consulting, Inc. (CCC)

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**Concern ID: 61929**

**Commenters expressed that southeast Louisiana’s fisheries-dependent residents have endured more overlapping disasters in one generation than anyone can reasonably expect of a community. They have suffered the levee breaches of Hurricane Katrina, the DWH oil spill’s ongoing impacts on fish stock, the historic flood events of 2019, and COVID-19. Many of these same fishers have also survived forced refugee flight from Southeast Asia. Fishing is not just their livelihoods-it’s their lives. One commenter suggested that at a very general level the Applicant’s Preferred Alternative should be implemented when low-income, vulnerable fishing communities see a rebound in their profitability to a point where they can financially prepare for the proposed MBSD Project.**

**Response ID: 16280**

As noted in the purpose and need, the proposed Project is intended to support coastal restoration projects. Such projects may reduce the impacts of tropical events such as hurricanes and associated flooding. Without the Project, adverse impacts on commercial shrimp, oyster, crab, and certain finfish fisheries are anticipated due to reduced marsh habitat and increased salinity over the long term (that is, 50 years), but more rapidly after 2050 for shrimp and oyster, as discussed in Chapter 4, Section 4.14 Commercial Fisheries. It is anticipated that as the coastal areas, including wetlands in the Barataria Basin, continue to erode, communities would be increasingly vulnerable to environmental disasters and the economic effects of declining fisheries. While the proposed Project would not stop subsidence and sea-level rise and associated impacts in the Barataria Basin, by 2070, the proposed Project is projected to create approximately 13,400 acres of land in the Barataria Basin and result in the loss of 3,000 acres of land in the birdfoot delta as compared to the No Action Alternative.

CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG’s Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61959**

**State government, elected officials, CPRA and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the proposed MBSD Project. This would open the door to creating a truly equitable restoration landscape; one where those impacted by the proposed MBSD Project and future coastal restoration projects are proactively engaged and consulted as restoration projects are planned, designed, and implemented.**

**Response ID: 15905**

Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to their concerns regarding proposed MBSD Project. More recently, CPRA has engaged the public through meetings with the communities impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities including fishers. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings and additional outreach can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and

Stewardship Plan in Appendix R1 for mitigation and stewardship measures that CPRA states it would implement as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public

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through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSB Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

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The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as

special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63132**

**Organizations, such as GNO, Inc., Coastal Communities Consulting, and community-based organizations should serve as connectors between CPRA, other state and federal agencies, and fishers and the seafood industry to plan and implement mitigation, and to ensure mitigation reflects environmental, economic, and community needs and changes over time. Mitigation should include funding for community-based organizations to provide this support in developing and carrying out mitigation.**

**Response ID: 16516**

CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations including Coastal Communities Consulting to assist in engaging minority fishers in reviewing and commenting on the Draft EIS, and soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded. CPRA also plans to create outreach materials in easy to read and understand formats for distribution to the public. This would include translated materials for members of the community who do not speak or read English.

CPRA's Mitigation and Stewardship Plan does not currently provide for use of community-based organizations to distribute mitigation funds or to implement mitigation and stewardship measures. However, community-based organizations have been engaged to assist in providing information to community members regarding available programs, to assist in developing eligibility criteria, and to assist in completing any application processes. CPRA will continue to coordinate with community-based organizations in implementing the Final Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS

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Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63254**

**To ensure that fishers have the best chance of maintaining their industries over the life of the MBSD Project, restrictions that prevent them from working in federal waters must be lifted.**

**Response ID: 16530**

The federal moratorium will be up for renewal in 2025, and NOAA is committed to reviewing all relevant facts and circumstances at that time; however, adjustment to federal fishing moratoria is outside the purview of NRDA actions and USACE permitting actions.

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**Concern ID: 63703**

**Commenters request that the agencies involved with developing the EIS meaningfully engage with affected EJ communities/organizations to inform the development of EJ mitigation measures. Specifically, it was requested that relevant materials are translated and presented in plain, non-technical language.**

**Response ID: 16508**

CPRA engaged the communities potentially impacted by the Project, including low-income and minority communities, through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback from low-income and minority community members on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). CPRA will continue to engage with potentially impacted communities and organizations with EJ concerns concerning the implementation of the mitigation and stewardship measures.

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Additionally, CPRA has and will continue to provide requested translation and provide key documents and information on the Project in English, Spanish, and Vietnamese.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID: 40395**

Louisiana Wildlife Federation

Rebecca Triche

Louisianas coast is critical to not only the people who live, work, and recreate here, but to the entire nation. World-class fishing attracts people from all over the world. Our ports are a major player in international trade. The nations energy needs are largely supported by the oil and natural gas industry located along our coast.

Our coast is disappearing. It is vital that bold action is taken to help protect communities, businesses, and natural resources from the devastating effects of hurricanes, storm surge, and sea level rise. The single biggest thing that can be done to help mitigate some of this loss - and address this crisis - is to allow the Mississippi River to do what its done for thousands of years: build land with its sediment and nutrient-rich water.

Levees constructed along the river with the goal of flood protection and promoting easier navigation have cut off the rivers ability to sustain the delta, resulting in continued land loss - about 4800 square kilometers in less than 100 years, and almost a quarter of that was in Barataria Bay. Hurricane Katrina only compounded the problem. Additionally, in 2010, The Deepwater Horizon oil spill exacerbated our coastal crisis even further and severely impacted wildlife that depend on our estuaries. Approximately 95% of the marsh oiling along the Gulf occurred in Louisiana - the heaviest of that oiling was in the Barataria Basin. The basin was especially hard hit with land loss rates doubling or tripling after the oil spill. Since the 1930s, Barataria Basin has lost more than 276,000 acres of land; if nothing is done, that number will nearly double in just 50 years. Without the Mid-Barataria Sediment Diversion (MBSD) project, this basins estuary will collapse.

A problem of this magnitude requires innovation. The MBSD project is one of the largest environmental infrastructure projects in U.S. history. Leveeing of the Mississippi River resulted in a saltier Barataria Basin, causing saltwater species to make a northward shift; without restoration, these changes will continue, resulting in a loss of species that rely on productive freshwater and intermediate wetland habitats. Reconnecting the river to the basin will maintain vital wetlands and restore the health and vitality of the entire ecosystem.

Using diversions as a method of coastal restoration has been studied for over 35 years; the results of these studies over the last few decades has made it clear that reconnecting the river to the delta is the most viable option to combat coastal land loss. We dont have decades more to waste.

LWF supports the preferred alternative as outlined in the draft Environmental Impact Statement for the MBSD as well as the draft Restoration Plan to use funds from the Deepwater Horizon Oil Spill settlement to implement this project, which will help to restore the overall health of the ecosystem that was injured as a result of the oil spill.

The Mid-Barataria Sediment Diversion is the cornerstone of Louisianas Coastal Master Plan - which LWF has always supported - and will help support and enhance the lifespan of other coastal restoration and protection projects. Combined with other proposed restoration projects, the MBSD would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the oil spill. It is exactly the scale needed to address the very serious challenges facing Louisianas coast.

As the project advances, it is important that federal and state decision makers center community needs in planned mitigation and stewardship efforts. This project will have many positive, long-term benefits, including increased storm surge protection, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. The Trustees must work proactively and collaboratively with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation, and be as detailed and transparent as possible throughout the process.

LWF encourages the development and implementation of a robust adaptive management program that incorporates knowledge gained from monitoring of the project over time and considers input from key stakeholders.

A future without the Mid-Barataria Sediment Diversion is a future we cannot afford, which is why LWF supports the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the projects construction and associated mitigation and stewardship activities.

The MBSD will be a game-changer for the long-term health of communities and wildlife habitat in the Mississippi River Delta, including places where alligators, crawfish, red drum and largemouth bass abound.

Our Sportsmans Paradise attracts people from all over the world with its fisheries, wildlife, and abundant natural resources. That paradise is in serious peril and needs large-scale restoration projects like the MBSD. This project is critical to turning the tide on the states land loss crisis and protecting vulnerable communities from hurricanes and sea level rise, while also ensuring the long-term health of the ecosystem and wildlife in the face of a changing climate and coast. Simply put, the Mid-Barataria Sediment Diversion is our best hope for a sustainable future.

Louisiana Wildlife Federation is a statewide conservation organization representing more than 6,500 members and 19 affiliate organizations supported by hunters, anglers, hikers, paddlers, birders, campers and other outdoor enthusiasts.

Sincerely,

Rebecca Triche

Executive Director

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**Concern ID: 62157**

**Since the 1930s, the Barataria Basin has lost more than 276,000 acres of land; if nothing is done, that number will nearly double in just 50 years.**

**Response ID: 16180**

The commenter's concerns regarding the rates of land loss in the region were considered in the Draft EIS in Chapter 3, Section 3.1.4 Overview and History of the Project Area and in Section 3.2.1 Geology, Topography, and Geomorphology. To clarify, a discussion has been added to further explain currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This

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discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62732**

**Leveeing of the Mississippi River resulted in a saltier Barataria Basin, causing saltwater species to make a northward shift; without restoration, these changes will continue, resulting in a loss of species that rely on productive freshwater and intermediate wetland habitats.**

**Response ID: 16110**

The commenter correctly notes the impacts from the No Action Alternative, as discussed in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter,

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including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63052**

**Combined with other proposed restoration projects, the proposed MBSD Project would build and preserve more than 17,000 acres of wetlands over the next 30 years to restore critical wetland habitat injured by the DWH oil spill.**

**Response ID: 16058**

The Draft EIS disclosed the projected maximum wetland gains of 17,100 acres associated with the proposed Project at year 2060 before dropping to 12,700 acres at year 2070 in the Barataria Basin; these wetland gains over time are quantified in Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. and are consistent with the commenter's statement. When considered with other reasonably foreseeable future projects, cumulative wetland gains in the Barataria Basin could be greater, as presented in Section 4.25 Cumulative Impacts, Wetland Resources and Waters of the U.S. of the Draft EIS.

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**Concern ID: 63337**

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**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID: 40396**

MGHOA

Melinda Guccione

My husband and I are homeowners and permanent residents of Myrtle Grove. It is an idyllic neighborhood with a small but diverse population. We fish and crab off of our docks, watch the wildlife, water fowl and bottlenose dolphins. Our boats are docked in our backyards. It is a lifestyle that you cannot put a "fair market value" on. We chose to live here and face mother nature. It can be a harsh environment at times. Hurricane season, high tides etc. It all comes with the territory, but manmade disasters are another matter.

The CPRA with the Army Corp of Engineer's blessing wants to ruin lifestyles, destroy protected species, ruin fishing, oyster harvesting and livelihoods, to restore 27 square miles over a 50 year period. So much more restoration could and should be done, so much further out and right now. Not over a 50 year period. We are expected to give up so much for so little. I don't support this in any way.

Sincerely,

Melinda Guccione

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in

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Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.



The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures

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contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40397**

Commenter

The state's restoration plans are inadequate to meet the challenges of coastal restoration and the climate crisis. While the state dithers on real climate action, thousands of acres of our coast wash away each week. Though this diversion project will restore some crucial land, more attention should be paid to the political economy of coastal restoration, which serves corporate interests in the navigation and fossil fuel industries.

The Walton Family Foundation would like me to speak to those corporate interests, specifically in support of the preferred alternative in the Draft EIS and to encourage the use of Deepwater Horizon settlement funds. While I agree with both these priorities, the ability of corporate interests to tilt the agency's decision by flooding it with supportive public comments undermines the fairness, transparency, and ultimate success of this project. The Army Corps and NPS should be aware of the impacts of corporate-funded advocacy campaigns in support of this diversion.

Louisiana needs much more substantial protection to weather the crisis of climate change than the Mid-Barataria Sediment Diversion can possibly provide. The project is a stopgap, enabling oil and gas and navigation industries to extract every drop of value from this land and these communities before drowning them in the Gulf.

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**Concern ID: 61958**

**The ability of corporate interests to tilt the agency's decision by flooding it with supportive public comments undermines the fairness, transparency, and ultimate success of this proposed Project. USACE and NPS should be aware of the impacts of corporate-funded advocacy campaigns in support of this diversion.**

**Response ID: 15904**

Comment acknowledged. Public participation is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

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**Concern ID: 62665**

**Commenters suggested that the proposed Project would achieve some benefits relative to the No Action Alternative, but that even if the modeling is correct (which it probably is not), the projected benefits provided by the Project would be very small compared to amount of habitat that is expected to be lost in the Barataria Basin over 50 years. If the models used for the EIS turn out to be accurate, more than 43 percent of the land in the Barataria Basin will have disappeared even with the Project in 30 years. During that time, 105,000 acres of land will be lost, with the Project sustaining only 17,300 more acres than the No Action Alternative (5 percent of the basin's current land area). Because of this background of large land loss, the proposed Project could only be considered a stop-gap measure. Further, commenters cited sources indicating ongoing debate about the effectiveness of large-scale sediment diversions as a land-building strategy and recommended those uncertainties be addressed in the Draft EIS**

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(Blaskey, 2020; Blum and Roberts, 2009; Chamberlain et al., 2018; DeLaune et al., 2013; Suir et al., 2014; Turner et al., 2019).

**Blaskey, D. 2020. Modeling of distributary channels formed by a large sediment diversion in broken marshland. Dissertation, University of New Orleans, Louisiana. 112 pages.**

**Blum, M.D., and H.H. Roberts. 2009. Drowning of the Mississippi Delta due to insufficient sediment supply and global sea-level rise. Nature Geoscience Letters 2:488-491.**

**Chamberlain, E.L., T.E. Törnqvist, Z. Shen, B. Mauz, and J. Wallinga. 2018. Anatomy of Mississippi Delta growth and its implications for coastal restoration. Science Advances 4:eaar4740.**

**DeLaune, R.D., M. Kongchum, J.R. White, and A. Jugsujinda. 2013. Freshwater diversions as an ecosystem management tool for maintaining soil organic matter accretion in coastal marshes. Catena 107:139-144.**

**Suir, G.M., W.R. Jones, A.L. Garber, and J.A. Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. U.S. Army Corps of Engineers Mississippi River Geomorphology & Potamology Program, Report No. 2. 37 pages.**

**Turner R.E., M. Layne, Y. Mo, and E.M. Swenson. 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. Restoration Ecology 27(6):1231-1240.**

**Response ID: 16624**

The issues raised by the commenters were considered in the Draft EIS. For example, the proposed Project's long-term influence on land building and wetland creation has been modeled extensively through engineering and design and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS. With regard to modeling conducted to determine impacts of the proposed Project, the Delft3D Basinwide Model projections of Project impacts include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainty in model results is recognized in Table 4.2-4 found in Section 4.2.3.2.2.1 Geology, which indicates that land areas are considered accurate within +/- 200 acres and that the error in land gains is +/-300 acres.

As part of developing the EIS, the USACE, together with members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. The cited studies were reviewed and included in relevant analyses in the Draft EIS.

The LA TIG acknowledges the commenters' concerns. As described in the LA TIG's Draft Restoration Plan, the Project would reestablish deltaic processes that deliver sediment, fresh

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water, and nutrients; improve the function of existing habitats; and develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The LA TIG agrees that, with or without the Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts. All citations referenced by the commenters were included in the Final EIS and thus were considered by the LA TIG in the Final Restoration Plan.

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**Correspondence ID:40398**

CCA

Charles Elkins

CCA Mississippi is opposed to this diversion project. We feel the immediate damage will far outweigh any potential benefit.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG’s Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG’s Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the “assessment of natural resource damages.” See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter “NRDA regulations” at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG’s Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation

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is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Correspondence ID:40399**

John Cope

As a long-term resident of New Orleans with a science education and an appreciation of nature, I am philosophically aligned with the concept that guided natural processes be employed in the restoration of ecosystems disrupted in part, or wholly, by human activities. I have been following at arms length both the progress of the Restoration Plan and the debates focused thereon for some years, and have recently clarified my own thoughts on the subject. As stewards of Creation, we must, in my grandmothers words, put our best foot forward in our drive to maximize the value of our efforts in caring for what we are so fortunate to share.

Per the Plans title, attention is focused on the sediment delivery of 281,000,000 metric tons of sediment over its 50 year operational life, while the means to achieve that result is the throughput of 75,000 cfs of Mississippi River water for an average of 110 days each year (per Draft Phase I; Phase II provides no figure for days). Using a range of published sediment densities, I calculated an expected range of volume/volume ratios to determine the efficiency of this effort; the results range from 6200 ft<sup>3</sup> H<sub>2</sub>O per 1 ft<sup>3</sup> sediment, for a sediment composed of flowing mud (108 lb/ft<sup>3</sup>), to 6,840 H<sub>2</sub>O per 1 ft<sup>3</sup> sediment, for a sediment composed of wet sand (119 lb/ft<sup>3</sup>). To me, this is a Water Diversion which happens to sweep along a tiny proportion of sediment; a very inefficient result, particularly given that the negative repercussions from the diversion are driven by the effects borne by the water in terms of:

- 1) A salinity differential, impacting commercial and threatened species by its suddenness and magnitude;
- 2) Dissolved fertilizers and industrial effluent, which are known to have led to oxygen-depleting algal blooms even in less-restricted environs; and
- 3) Local rise in water level, creating a potential for infrastructure and human endangerment, especially during storm events.

A truly alternative design incorporates a means of separating a large proportion of the water from the sediment by capturing sediment in basins within the channel bottom, while curving the main channel back to the Mississippi River to return the majority of river water to the Mississippi, while delivering a more sediment-focused slurry to Barataria Bay via a separate outfall channel. A dredge operating in the basins, powered by river current, would move the captured sediment, under well-controlled conditions, the short distance from the basins to the outfall channel. If additional hydraulic head is needed to keep the sediment flowing Bayward, water from Barataria Bay can be pumped in, again using the Mississippi as a power source, and directed to promote flow toward the bay. Over time, as the Barataria ecosystem adjusts to decreased salinity, and documentation is made regarding the adjustment of species to changing conditions, determination can be made whether to increase the fraction of river water allowed to enter the Barataria system.

This scheme will minimize item 1)s salinity shock at the Projects outset, while allowing for the controlled variation of both the volume and salinity of outflow waters as deemed appropriate though observation of the attendant environmental impacts.

Regarding especially item 2) above, it appears that a political effort involving two Canadian Provinces and thirty-one of our United States (the Mississippi River watershed area) is required in order to provide for the understanding of each jurisdictions contribution to what are

essentially wasted resources which cumulatively result in the stunting of fisheries throughout the Gulf of Mexico, if not beyond. If undertaken soon, with an eye toward the value added: to the farmer, of conserving fertilizer; to industry, of identifying potential uses for another's byproduct; to fishers, of maintaining the abundance and predictability of their catches; and to all, of lowering acidity in, and removing reproductive disruptors from, aquatic ecosystems, there is an opportunity to improve the quality of the Mississippi's fresh water by the time it is appropriate to ramp up its addition to the Barataria basin.

The life-threatening effects of item 3) will also be minimized through the application of a more limited proportion of water vs sediment, since the local water level will not rise as much as under the current Plan, and therefore, shutoff of the outflow in preparation for a storm event will allow the Project areas water level to relax more quickly toward a normal state.

The current Plan expects a yield of about 18.2% sand-sized particles, with 81.8% combined silt- and clay-sized particles. Being denser, sand tends to stay in place better once it arrives in a calm environment. Also, the property of high cation exchange capacity (CEC) for clay minerals means that they adsorb other cations from their surroundings. This can benefit agriculture, as when fertilizers are added to the soil. However, it can also mean that clays can trap pollutants, such as heavy metals, and thus transport them as the lightweight clay particles are moved by the flow of water. It may behoove us to minimize the percentage of clay minerals in our sediment transfer to the Barataria Basin; it so happens that a well-designed system of basins will preferentially capture the denser fraction of the sediment, similar to the operation of a gold mining flume.

In addition, the overall project should involve the planting of a variety of soil-stabilizing plants. Willows, which are salt-tolerant and pollutant-extracting, as well as black mangroves, which develop fish nurseries, should be introduced as soon as practical after emergent land appears, and faster-growing species are established.

Lastly, thinking more regionally, some additional small siphons placed broadly to the north of this Diversion would allow for the gradual freshening of the overall Project area above and including Barataria Bay. This would provide a slowly moving salinity gradient, detectable by many inhabitant species which can then more easily adjust via a gradual migration.

In summary, I understand the temptation to create a large impact quickly using familiar practices. However, the downside risks can be minimized by creating a split system to capture and concentrate sediment in one stage, followed by a transfer of the captured sediment to a separate second stage which delivers that sediment with a reduced volume of water having a chosen composition in terms of salinity and nutrients.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic "dead zone" in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

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The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-hf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of

the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62291**

**A commenter expressed concern that the amount of land building would be inefficient given increased water level and flood risk.**

**Response ID: 15807**

One objective of the Project is the delivery of fresh water, nutrients and sediment beyond the outfall area. The ability of a large-scale diversion to deliver sufficient amounts of sediment and nutrients to sustain existing and created marsh was a factor that led to its selection as the Applicant's Preferred Alternative. The EIS's evaluation of alternatives, which includes the potential impact of sea-level rise, is discussed in Chapter 2. As part of its decision, USACE

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will conduct a public interest review, which weighs the probable harms that would be caused by a project against its prospective benefits.

See Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5, of the LA TIG's Restoration Plan for a discussion regarding the LA TIG's evaluation of the range of alternatives and identification of the LA TIG's Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative.

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**Concern ID: 62731**

**The acute and significant change in salinity resulting from Project operation would adversely affect commercial species.**

**Response ID: 16109**

The projected change in salinity from the proposed Project is discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, which indicates that impacts on a particular species (whether commercially important or not) from salinity changes would be dependent on the salinity tolerance of that species, but that species intolerant of the lower salinities in the outfall area would likely shift their habitat usage to areas further south. The adverse impacts of decreased salinity on certain commercially-harvested species are discussed in Section 4.10.4.5 in Aquatic Resources; decreased salinity is noted as a driving factor of adverse impacts on brown shrimp and oysters, and would have a lesser effect on southern flounder. Other commercially important species, such as white shrimp, blue crab, bay anchovy, and Gulf menhaden, would likely experience overall beneficial effects from the Project, despite the projected changes in salinity. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 63121**

**The negative repercussions from the diversion are influenced by a salinity differential in the source and receiving waters, impacting threatened and endangered species by its suddenness and magnitude.**

**Response ID: 16272**

Chapter 4, Section 4.12 Threatened and Endangered Species of the Final EIS has been revised to discuss the potential impact of an acute change in salinity on special status species, as applicable. However, because the impacts on special status species discussed in the Biological Opinions are within the range of impact identified in the Draft EIS, no changes were warranted to the determinations provided in the Draft EIS.

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**Concern ID: 64005**

**Consider an alternative that creates a split system to capture and concentrate sediment in one stage, followed by a transfer of the captured sediment to a separate second stage which delivers that sediment with a reduced volume of water having a chosen composition in terms of salinity and nutrients. This can be accomplished by**

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**capturing sediment in basins within the channel bottom, while curving the main channel back to the Mississippi River to return the majority of river water to the Mississippi, and delivering a more sediment-focused slurry to Barataria Bay via a separate outfall channel. A dredge operating in the basins, powered by river current, would move the captured sediment, under well-controlled conditions, the short distance from the basins to the outfall channel.**

**Response ID: 15997**

This suggested alternative would not meet the goals and objectives as stated in the purpose and need as described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. The purpose of the project is to reestablish sustainable deltaic processes between the Mississippi River and Barataria Basin through the delivery of sediment, fresh water, and nutrients from the Mississippi River into the Basin. Details as submitted by the commenter regarding this alternative are lacking making it difficult to evaluate. Based on the description provided by the commenter, it seems that this alternative would transport primarily coarse-grained sediments (for example, larger sediments and sand) collected in the Mississippi River and conveyance channel into the Basin, but, due to the collection method, would not convey substantial finer grained sediments (for example, clay and silt) that are necessary to sustain existing wetlands in the Basin. Also, with the significant reduction in fresh water transported into the Basin, this alternative would not transport sufficient fresh water or nutrients to meet the purpose and need. Further, it is unclear whether or how the proposed alternative would mobilize the collected coarser-grained sediments. As explained in Section 2.4.3.2 Application of Additional Considerations to Capacity Alternatives of the Final EIS, a sufficient volume of water is needed to mobilize and entrain coarser-grained sediments and transport them into the Basin. The commenter's description of the alternative suggests a significant reduction in the volume of water that would pass through the diversion channel. Absent diversion flows, the commenter did not explain how this alternative would transport these coarser sediments to the Basin other than to mention a "dredge operating in the basin." Marsh creation through dredging was evaluated in the Draft EIS and eliminated from detailed consideration. See Section 2.3.5 Large Scale Marsh Creation of the Final EIS. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Correspondence ID:40400**

MGHOA

Ronald Guccione, Jr.

My wife and I are opposed to the Mid-Barataria Sediment Diversion. It's my thinking that the cost of 2 billion dollars to possibly gain 27 square miles of land is out of line. Seems that 27 square miles could be added by dredging in a much shorter period of time at a much lower cost. Dredging wouldn't affect our neighborhoods, the fisheries, etc. My wife and I worked our entire lives to be able to live in this development. Living here IS our retirement plan. In fact, we have lived on both sides of the Myrtle Grove community. Not sure how the CPRA can put a dollar value on both the property and a way of life. I DO NOT give permission to the Corp of Engineers to flood my property at their discretion! This diversion will have permanent and detrimental effects on my neighborhood.

Respectfully,

Ronald J. Guccione, Jr.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the

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Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after

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approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are

greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40401**

WeAretheNews USA

Matthew Matulich

The proposed "Sediment Diversion" is a State-funded psuedoscientific hoax to disposses Louisianans of their coastal properties all in the name of "Coastal Restoration." If the State were truly interested in preserving the integrity of our land and water, it would employ some of the REAL science applied by Viktor Schauberger to revolutionize the field of hydrodynamics, reduce coastal erosion, and increase the efficiency of vessel transport. Schauberger used to Nature of water to control it: the "Sediment Diversion" which fights water. It is an environmentally reckless venture which will, without a doubt, destroy the coastal ecosystem of South Louisiana.

Anyone endorsing this train wreck should consider their political career OVER in the State of Louisiana.

[www.WeAreTheNewsUSA.com](http://www.WeAreTheNewsUSA.com)

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**Concern ID: 62809**

**If CPRA were truly interested in preserving the integrity of the land and water, it would employ some of the real science applied by Viktor Schauberger to revolutionize the field of hydrodynamics, reduce coastal erosion, and increase the efficiency of vessel transport.**

**Response ID: 16382**

Although the ideas of Viktor Schauberger (and the books later developed from his ideas) were not reviewed during the development of the EIS, the EIS analysis was developed using the best information and data available to USACE and the LA TIG at the time of writing and the EIS considers the beneficial and adverse impacts of the proposed Project. As noted in Chapter 2, Section 2.2 Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS, the proposed Project was identified in the 2017 Coastal Master Plan.

According to CPRA, the Coastal Master Plan used best information, data, and engineering available to it to work to achieve long-term sustainability of Louisiana's coast and ecosystem, relying where possible on natural processes and cycles. The projects identified in the Coastal Master Plan were the result of extensive public input, review, and vetting. The EIS and Coastal Master Plan generally incorporated more recent studies and publications than those ideas developed Viktor Schauberger during his life (1885-1958); therefore, no related edits to the Final EIS have been made.

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**Correspondence ID:40403**

Melissa Dublan

I strongly urge you to vote NO to this

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40404**

Dean Blanchard Seafood Inc

Dean Blanchard

Proposal for this diversion is certainly not agreed upon. To destroy any species natural habitat or any persons home or way of life is never an agreeable proposal.

Basically, by destroying an ecosystem of one place in order to sustain another is not only unfair and unjust but morally wrong.

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**Concern ID: 62851****Destroying an ecosystem or place in order to sustain another is not only unfair and unjust but morally wrong.****Response ID: 16397**

Comment noted. Chapter 4 Environmental Consequences of the Draft EIS acknowledged the range of potential adverse and beneficial impacts on the assessed resources, including transition of portions of the ecosystem to different salinity regimes (see Chapter 4, Section 4.10 Aquatic Resources) and changes in the potential for tidal flooding in certain areas (see Chapter 4, Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction).

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**Comments on the Draft Environmental Impact Statement and  
Louisiana NRDA Trustee Implementation Group  
Draft Phase II Restoration Plan #3.2: Draft Restoration Plan for the Mid-  
Barataria Sediment Diversion project  
Submitted by Healthy Gulf, June 3, 2021**

On behalf of Healthy Gulf I am submitting the following comments on the Draft Environmental Impact Statement (DEIS) and Louisiana Trustee Implementation Group (LA TIG) Draft Phase II Restoration Plan #3: Draft Restoration Plan for the Mid-Barataria Sediment Diversion project. Healthy Gulf's purpose is to collaborate with and serve communities who love the Gulf of Mexico by providing research, communications and coalition-building tools needed to reverse the long-pattern of over exploitation of the Gulf's natural resources. Healthy Gulf has members throughout the Gulf States, including Louisiana.

While we applaud the Project's purpose, Healthy Gulf has serious concerns regarding various aspects of the DEIS' analysis of the environmental impacts of the Mid Barataria Diversion and LA TIG Restoration Plan and Appendix R-2: Mitigation and Stewardship Plan for the Proposed Mid-Barataria Sediment Diversion (MBSD) Project.

**PURPOSE, NEED AND PROPOSE PROJECT**

The Army Corps of Engineers ("USACE") determined that the Project's purpose is to

restore for injuries caused by the Deep Water Horizon oil disaster ("DWH") by implementing a large-scale sediment diversion in the Barataria Basin that would reconnect and re-establish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. The proposed Project is needed to help restore habitat and ecosystem services injured in the northern Gulf of Mexico as a result of the DWH oil disaster.

DEIS, pp. 1-9 to 1-10

We applaud the CPRA's ground-breaking approach to a long-standing problem. The Mid-Barataria Sediment Diversion is the first project-level attempt at systemic ecosystem restoration to one of the world's treasures, the Mississippi River Delta. The world's most river-dominated delta, the estuary cannot be sustained through 2067 without engaging the land-building processes that created it originally. Rather than a traditional Army Corps "Diversion" project, this is truly a "river restoration" project. Given the acceleration of sea level rise after 2040, more sediment modelling projects like this one are sorely needed. The future of the Gulf Coast, Louisiana, and

the Mississippi River & Tributary system, depends on the modeling and permitting decisions in projects like this. This type of approach is good not only for the Mississippi, but the Atchafalaya River and Floodway Project, and even ecosystems in the Texas Coastal Study, and the coast impacted by the Mobile Harbor projects.

Many of the benefits of the project, in terms of soil creation and microbial process, are not captured in the engineering of the modelling behind the DEIS, which has focused on the transport of heavy sands in order to avoid legal conflicts with the federal shipping channel. Many of the fine sediments transported by the diversion cannot be dredged, but are critical soil components. LA CPRA has outlined how projects are designed to work together<sup>1</sup>. But we have seen the immediate creation of viable habitat for fish, fowl, and insects in the wake of similar projects, such as the West Bay Sediment Diversion (MR-03), and the Delta Wide Crevasses project (MR-09), and many positive habitat benefits of crevasses like Mardi Gras Pass. We recognize that these ecological benefits do not appear as rapidly as do the effects of restoration projects from the placement of dredged river sands, however, we recognize that the benefits of reconnecting the river are critical to the sustainability of restored wetlands.

### **CHAPTER 3: THE AFFECTED ENVIRONMENT**

#### **The future without action is a future of increasing oil and gas leaks into the Barataria Basin.**

We believe that many or most of the ongoing environmental harms to the Barataria Basin are not mentioned in the DEIS. The DEIS mentions over 2,600 miles of hazardous liquid pipelines, and over 4,990 "unplugged", (Townsend-Small et al, 2016)<sup>2</sup>, inactive wells, 15,979 plugged wells, and 799 active wells. Many of these unplugged, unproductive wells are likely leaking methane into the upper atmosphere.

These pipelines and wells present a significant present risk to the natural resources of Barataria. According to a review of PHMSA pipeline incident data<sup>3</sup>, the rate of crude oil spills to water in coastal Louisiana is increasing-- 67 major crude spills from 1980-2000, and 142 since 2001, with the largest number in the year 2005. In the years since the DWH Disaster, over 516 barrels (21,672 gallons) of crude have leaked into coastal Jefferson and Plaquemines Parishes. According to National Response Center data<sup>4</sup>. There are roughly 20 major oil releases to the waters of

<sup>1</sup> Dredging and Diversions GAC.pdf 10-04-2016 Simoneaux, Rudy; Meselhe, Ehab GOVERNOR'S ADVISORY COMMISSION DIVERSION SUBCOMMITTEE

<sup>2</sup> Geophysical Research Letters Amy Townsend-Small, Thomas W. Ferrara, David R. Lyon, Anastasia E. Fries, Brian K. Lamb Emissions of coalbed and natural gas methane from abandoned oil and gas wells in the United States 20 February 2016 <https://doi.org/10.1002/2015GL067623>

<sup>3</sup> <http://phmsa.dot.gov/pipeline>, U.S. Pipeline Incident Analysis by Richard Stover, PhD online at <http://www.icogitate.com/~oildrop/>

<sup>4</sup> <https://nrc.uscg.mil/>, downloaded May 2021 via alerts.skytruth.org

Barataria annually, with annual averages increasing since 2012, and peaking in 2019. One company, Hilcorp, has spilled oil and produced waters into Barataria and the Mississippi River Delta 142 times since January 2012, for a total of over 10,000 gallons released. Hilcorp's oil can be seen covering over 9 miles of Barataria Bay in the July 25th, 2016 MODIS imagery.

Although most of these releases are claimed to have no environmental impact, no Natural Resource Damage Assessments has been completed. We would assert that these ongoing releases do indeed impact the health of the natural resources of the Barataria Basin, including marine mammals, fisheries, and endangered species. Yet, the DEIS discusses these releases in the context of its discussion of the potential impact of the continuing releases on the affected environment or in terms of their potential impact on the project.

- The Louisiana Coastal Planning and Protection Authority (CPRA) and the LA TIG must consider how existing oil and gas infrastructure and associated releases of pollution will impact the Project.
- CPRA and the LA TIG must also acknowledge that future projects and permits that excavate or oil marshes are inconsistent with the Project.

### **The ongoing legacy of oil and gas canals**

Barataria Basin is host to thousands of miles of unused oil canals, whose neglect has altered local hydrology to the detriment of marshes within 2 kilometers of the "spoil banks" constructed of the cast aside materials from canal excavation. The DEIS does not consider these hydrologic alterations as significant. However, in our experience the cumulative impact of small canal projects can be significant.

In our research in 2013, we found that spoil banks of inactive canals in Upper Barataria affected over 3,330 acres of marsh *directly*; restoration of inactive canals within the project area would likely have an indirect impact one order of magnitude beyond the direct footprint of the canals themselves.

- CPRA and the LA TIG should work with willing landowners and users on the closure of these canals, in order to increase the benefits of the Project locally.
- The CPRA and the LA TIG must consider how the existing oil and gas infrastructure harms the Project; and must acknowledge that projects and permits that excavate marshes are inconsistent with the Project.



## CHAPTER 4. ENVIRONMENTAL CONSEQUENCES

### Water Quality

According to the DEIS, nitrogen and phosphorus (resulting in potential algae blooms and low oxygen levels) from the Mississippi River will have “overall minor to moderate, permanent impacts” to the Barataria Basin. The models used in the DEIS show increases in both nitrogen and phosphorus in most areas of the basin, increasing with proximity to the proposed diversion.

Despite this, the potential impacts to the basin are understated. Yet, when fully acknowledged this finding could support proactive efforts at reduction of nutrients throughout the Mississippi River Basin. This in turn could result in a cleaner Mississippi River and Barataria Basin.

In order to get a good look at the potential impacts of increased nitrogen and phosphorus pollution in the project area, the DEIS, in part, relies on Louisiana Department of Environmental Quality (LDEQ) water quality criteria. This is problematic in 3 ways:

1. It is not explained how N:P ratios indicate the health of waters. While a portion of LDEQ’s narrative nutrient criteria calls for the maintenance of ‘natural’ N:P ratios, this does not account for the fact that while ratios might remain relatively constant, the loading of N and P will certainly increase. This will most likely result in increased algal growth, which could result in toxic algae blooms and hypoxic areas.
2. The DEIS only refers to a portion of LDEQ’s narrative nutrient criteria. For some reason, the DEIS only refers to the first two sentences of these criteria, leaving out “Nutrient concentrations that produce aquatic growth to the extent that it creates a public nuisance or interferes with designated water uses shall not be added to any surface waters.” (L.A.C 33:IX.1113.B.8) This DEIS authors have not done their due diligence, as they have ignored half of the criteria that LDEQ has set forth. Moreover, this portion of the criteria is arguably the most important, as it refers to the actual impacts of nitrogen and phosphorus pollution.
3. The DEIS also does not consider EPA or other proposed numeric criteria. The DEIS does not give the public a numeric threshold where nitrogen and phosphorus concentrations would be harmful to the Barataria Basin. While science regarding nutrient criteria is still evolving, EPA and other states have developed numbers that could guide decisions promoted by this DEIS. In order for the DEIS to adequately assess the impacts of nitrogen and phosphorus pollution, it must first determine the levels (loading and concentration) the state should strive for that would both allow for maximized sediment delivery and reduced nitrogen and phosphorus pollution.

While the DEIS does acknowledge that there will be minor to moderate permanent impacts due to nitrogen and phosphorus, it states that “it is unlikely that the impacts of the Applicant’s Preferred Alternative would result in non-attainment of the narrative nutrient criterion.” It is difficult to see

how the authors can make this conclusion, when no consideration was given to half of the narrative nutrient criteria and no numeric nitrogen and phosphorus goals are given.

### Water Resources and Waters of the United States (Wetlands)

The DEIS fails to fully consider the potential cumulative impact on the Project area and the Basin as a whole from the construction and operation of petrochemical facilities. There are numerous proposals, in the vicinity of the project and in surrounding communities, for petrochemical development, such as coal export, methanol export, LNG export, and crude oil export. All of the current oil and LNG export proposals come with new pipeline (crude oil, gas, or product) proposals, many of which would run through the project area from west to east, with attendant impacts on the wetlands of the Barataria basin.

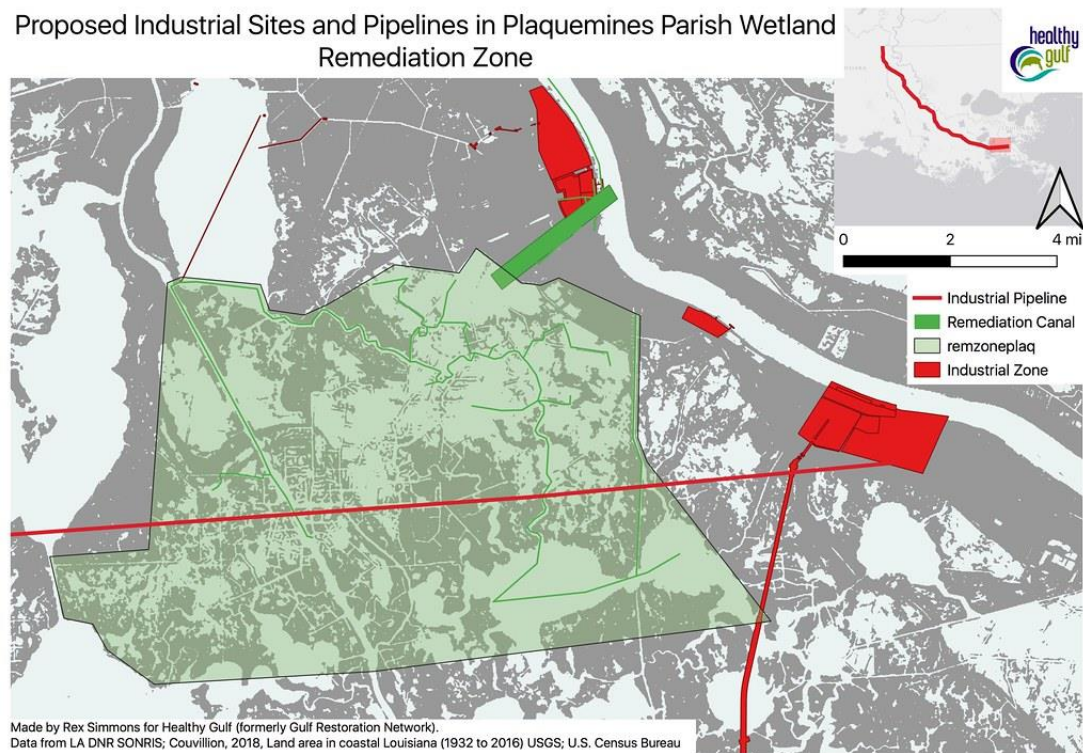


Figure 1. Proposed Industrial sites, along with a limited number of proposed pipelines associated with said facilities. Alliance Refinery is also included on this map.

For example, the previously proposed the RAM Coal export terminal, was projected to reduce the sediment-to-water ratio through the MBSD by 17%<sup>5</sup>. Although the DEIS has signed a new MOU on a new facility proposed for the same site, they admit that study is not complete. It is unclear

<sup>5</sup> RAM Terminal CFD Modeling Technical Memorandum, October 23, 2012

how the DEIS can fully assess and make conclusions about the impact of this one proposal on the Project until the sediment study is completed.

The Venture Global LNG Delta Express Project also proposes to impact the receiving marshes in major ways. It conceives of passing over 20 miles of marshes in the Project receiving area. The Venture Global LNG Gator Express Pipeline has been permitted to disturb 641.6 marsh acres in the Project area, all of which is considered "temporary." Given the long history of pipeline impacts to marshes in Plaquemines and Jefferson Parishes, we cannot rely on a system that permanently allows such "temporary" impacts.

These industrial projects will also cause major increases in emitted CO<sub>2</sub>; combined they exceed the largest source of carbon emissions in the state, CF Industries (EPA FLIGHT Data, 2019). The loss of wetlands combined with an increase in CO<sub>2</sub> is significant.

- The CPRA and the LA TIG must fully analyze how proposed and future oil and gas infrastructure will impact the project. In the future, CPRA must take the position that permits that excavate or oil marshes will impact Project success and are, therefore, inconsistent with the Project
- We request that CPRA and the LA TIG, as part of consistency with MBSD, include within the DEIS an analysis of the scale of the carbon dioxide emissions of current proposals for new petrochemical facilities and their associated infrastructure, to determine total level of emissions of CO<sub>2</sub> and the impact they on the Basin and the communities within it.

### **Marine Mammals**

#### **Analysis of the impacts of the preferred alternative on BBES Dolphins seriously flawed**

In the discussion of impacts to BBES dolphins the DEIS authors posit a caveat to their analysis:

“The model results presented here consider impacts for any given year. It does not consider repeated annual exposure to low salinity waters for over many years, which could lead to higher individual mortality risk than in the first year from initial exposure. If this is the case, the approach utilized to address impacts will likely underestimate the population-level impacts, as the models only look at single years for each decade/alternative combination.”

(C4.11.3.1 General Caveat to Impact Analysis Approach – Chp. 4, p. 4-429.)

The failure to incorporate a discussion of repeated inter-annual exposures reveals a serious flaw in the DEIS that results in significant under-estimation of the potential impact of project operation on BBSE dolphins. A recent study entitled “Predicted Population Consequences of Low Salinity

Associated with the proposed Mid-Barataria Sediment Diversion Project on Bottlenose dolphins in the Barataria Bay Estuarine System Stock”, Len Thomas et al. , Centre for Research into Ecological and Environmental Modelling, University of St Andrews, National Marine Mammal Foundation (May 2021) looked at this issue. The authors conclude that “the project (based on the Applicant’s Preferred Alternative) *will not only prevent the recovery of the BBES Stock, but it will result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area.* The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group will become severely reduced over the 50-year planning horizon of the MBSD project. “(Letter from Len Thomas at al. to the Marine Mammal Commission, May 2021) (emphasis added).

- The CPRA and LA TIG must revise their analysis of impacts on BBES dolphins in light of the new study.

### **The State errs in its reading of section 20201(b) of the Bipartisan Budget Act of 2018 (Public Law 115-123) as exempting it from the MMPA**

The CPRA and LA TIG rely heavily on CPRA’s responsibility or lack thereof under the section 20201(b) of the Bipartisan Budget Act of 2018 (Public Law 115-123), that required that the Secretary of Commerce issue a waiver of the Marine Mammal Protection Act (MMPA) and that

(b) Upon the issuance of a [Marine Mammal Protection Act] waiver ... the State of Louisiana shall, in consultation with the Secretary of Commerce [as delegated to NMFS]: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks, and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.

The CPRA, and LA TIG interpret this provision as exempting them from the need to take affirmative action to reduce impacts to marine mammals that would change CPRA’s preferred operation of the diversion and its achievement of maximum wetland restoration. In fact, within its Mitigation Plan, Appendix B, the State confirms its belief that consideration of mitigation measures that might affect the performance of the project are not required, stating “CPRA will examine operational strategies to minimize (to the extent practicable consistent with the purposes **and performance of the project**) the Project’s impact on bottlenose, Given the dynamic conditions in any estuarine system, and the uncertainty around future conditions, the minimization measures will rely on the MBSD Monitoring and Adaptive Management Plan to inform future implementation.” Mitigation Plan, p. R2-29.

The clear assumption from this language of the DEIS is that affirmative action to reduce impacts to bottlenose is not necessary because it would negatively impact project performance, whether or not the goals of the project can be achieved despite any changes in performance. This assumption pervades the DEIS and Mitigation plan. In fact, neither

the DEIS or the Mitigation Plan include any real discussion of how operational modifications might be used to mitigate impacts to BBES dolphins while still meeting the project purpose. The State's assumption in this regard is flawed -- totally ignoring the State's continuing obligation to comply with the MMPA within the constraints of Section 20201(b). As a result, the discussion of the need for mitigation to decrease the impacts to dolphins is flawed.

Section 20201(b) requires the State of Louisiana to mitigate impacts to marine mammal population stocks so long as that mitigation is practicable and consistent with the purposes of the project. An action is practicable when it "can be brought to fruition or reality without any unreasonable demands."<sup>6</sup> In this case that would mean any action that does not unreasonably burden achievement of the project purpose. As discussed within the DEIS, the underlying purpose and need for the project is:

Consistent with the LA TIG's Strategic Restoration Plan and Environmental Assessment #3 and the Louisiana Coastal Master Plan, the purpose is to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin that will reconnect and re-establish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. The proposed Project is needed to help restore habitat and ecosystem services injured in the northern Gulf of Mexico as a result of the DWH oil spill.

DEIS, pp. 1-9 to 1-10.

Nowhere does Section 20201(b) state that allowable mitigation can have no effect on performance of the project, it merely cannot interfere with construction and operation of the project needed to meet the project goal, namely re-establishing "deltaic processes ...to support long term viability of existing and planned coastal restoration efforts." Id.

This interpretation is supported by the statement made by the National Marine Fisheries Service (NMFS) in granting the waiver:

Nonetheless, separate from issuance of the waiver, Congress directed the State of Louisiana to minimize impacts on marine mammal species and stocks and to monitor and evaluate any impacts of the projects...

<sup>6</sup> The Law Dictionary Featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed, thelawdictionary.org.

**NMFS looks forward to consulting with the State on ways to minimize impacts on the affected species and stocks and on measures to monitor and evaluate the impacts of the three projects on the affected species and stocks. (emphasis added)**

[https://media.fisheries.noaa.gov/dam-migration/mmpawaiver\\_decisionmemo\\_opr1.pdf](https://media.fisheries.noaa.gov/dam-migration/mmpawaiver_decisionmemo_opr1.pdf)

Additionally, the Marine Mammal Commission recommended “that NMFS seek agreement with the State or otherwise clarify that **“the requirements of section 20201(b) are ongoing responsibilities with consultations between the State and NMFS continuing as needed throughout all construction, operations, and maintenance activities.”**

[https://media.fisheries.noaa.gov/dam-migration/mmpawavierconsultation\\_mmccomments\\_12march2018\\_opr1.pdf](https://media.fisheries.noaa.gov/dam-migration/mmpawavierconsultation_mmccomments_12march2018_opr1.pdf)

In short, CPRA and the LA TIG’s analysis of impacts of the project on BBSE dolphins is inadequate, as is its consideration of actions that could be taken to reduce impacts to BBSE dolphins. Additional concerns about proposed mitigation of impacts to BBES dolphins will be included in our comments on the Mitigation Plan later in this document.

- The CPRA and LA TIG need to revisit their discussion of actions that could be taken to reduce impacts to BBES dolphins.

### **Endangered Species**

While the main goal of the Project is to build land and habitats, the DEIS does not adequately address adverse effects on Threatened and Endangered Species (“TES”). This oversight should be remedied in the final DEIS and a section be added to the Mitigation Plan addressing plans for mitigating the impacts, before the Project is approved and built. The Project should be built to benefit the most number of TES, to the highest degree possible, and adversely impact the least number. Where there are adverse impacts to TES, the Mitigation Plan should clearly state the action that will be intended to reduce those impacts.

The DEIS (sections 3.12.1-2) lists fourteen species that are either federally listed as Threatened or Endangered, or that have special status at the state level (Table 1). Of these, the DEIS determined that there are likely to be adverse effects to at least six species from construction and/or operation of the project. Specifically, the Project is likely to have minor to moderate adverse impacts on three different sea turtle species (Kemp’s Ridley, Green, and Loggerhead), moderate adverse impacts on the Pallid Sturgeon and the Saltmarsh Topminnow, and up to moderate adverse impacts on Bald Eagles. The Saltmarsh Topminnow is analyzed in the Draft Feasibility Report (section 3.2.1.6.2, p. 3-42), which concludes that the Project will have both beneficial and adverse

effects to this species; while the conclusion of the DEIS is that the Project will provide “minor to moderate benefits” to the Saltmarsh Topminnow. The findings of the DEIS and the Draft Feasibility Report should be reconciled. Moreover, CPRA must plan for different scenarios in terms of the balance of adverse and beneficial outcomes for the Saltmarsh Topminnow. Mitigation plans need to be in place for such a contingency.

While the DEIS considers the impacts of project alternatives on TES, there is no in-depth discussion of mitigation measures outside of passing references to best management practices in section 4.25.12.3-4 either in the DEIS or in the Mitigation Plan. The CPRA must prepare detailed plans to mitigate adverse effects to all endangered, threatened, and special-status species, including mitigation for impacts to the habitats of adversely affected TES species. Consideration of impacts must be given to all of the following species.

| <b>Species</b>                                                   | <b>Federal Status</b>         | <b>State Status</b>   |
|------------------------------------------------------------------|-------------------------------|-----------------------|
| <i>3.12.1 Federally Listed Threatened and Endangered Species</i> |                               |                       |
| West Indian Manatee                                              | Threatened (Critical Habitat) | Endangered            |
| Green Sea Turtle                                                 | Threatened (Critical Habitat) | Not Listed            |
| Hawksbill Sea Turtle                                             | Endangered (Critical Habitat) | Not Listed            |
| Kemp's Ridley Sea Turtle                                         | Endangered                    | Not Listed            |
| Leatherback Sea Turtle                                           | Endangered (Critical Habitat) | Not Listed            |
| Loggerhead Sea Turtle                                            | Threatened (Critical Habitat) | Not Listed            |
| Pallid Sturgeon                                                  | Endangered                    | Endangered            |
| Piping Plover                                                    | Threatened (Critical Habitat) | Threatened/Endangered |
| Red Knot                                                         | Threatened                    | Not Listed            |
| Eastern Black Rail                                               | Threatened                    | Not Listed            |

| <i>3.12.2 State-listed and Special Status Species</i> |              |                       |
|-------------------------------------------------------|--------------|-----------------------|
| Saltmarsh Topminnow                                   | Under Review | Not Listed            |
| Bald Eagle                                            | Delisted     | Endangered            |
| Brown Pelican                                         | Delisted     | Endangered            |
| American Peregrine Falcon                             | Delisted     | Threatened/Endangered |

Table 1. Endangered, threatened, and special status species potentially affected by the Project. Source: DEIS.

### **Socio-economics, Environmental Justice and Public Health and Safety**

The DEIS is insufficient in terms of its definition and analysis of affected communities, particularly low income and communities of color.

- ***Exclusion of Ironton Inappropriate***

The DEIS does not address the very real effects that the Project will have upon the community of Ironton. Yet, Ironton residents have legitimate concerns about the impacts of the construction and operation of the diversion on their community. They question whether the construction of the diversion will result in increased noise and traffic impacts. Also, how will the construction of a bridge over LA-23 be sequenced, in order to maintain a constant evacuation route during construction of the project? After construction, will Ironton Road provide access to the elevated portion of LA-23 and will the bridge impede bus and emergency services traffic? Additionally, concerns voiced by Ironton residents include, but are not limited to:

- (1) the potential for additional flood risks that a new large channel might present. In the past, hurricanes reversed storm surge in the river and overtopped the river levee in and around Ironton;
- (2) the effect the diversion will have on historic sites at St. Rosalie, including impacts to community visitation at the graves of ancestors buried there. It would appear that the MBSD will create a large physical separation between the community of Ironton and the St Rosalie sites but this is not discussed in the DEIS;
- (3) the loss of tree canopy from the MBSD footprint, as any trees provide wildlife habitat for viewing and hunting, but also provide an air quality buffer between the town and Alliance Refinery stacks and oil storage tanks; and



- (4) will the diversion's separation of Ironton from the Upper Parish create another "wall" that isolates Ironton from "the life of the Parish" and disincentivize flood protection and political and economic investment in the community?

Clearly, Ironton will be impacted by the Project and the DEIS must fully consider the potential impacts, as well as actions that can be taken to mitigate those impacts.

- **Must Include Fishers from Outside the Basin**

Similarly, it is unclear whether the DEIS' discussion of impacted fishermen, including low income and persons of color, is limited to those living in the Basin. For example, there may be Vietnamese fishermen or other fishers who reside outside the Basin but travel to the Barataria Basin to fish. Clearly these fishermen will be impacted by the Project. The state must clarify the inclusion of fishermen residing within and outside the Project boundary in both its impacts analysis and its discussion of potential mitigation for impacts to fisheries.

## **APPENDIX R2: MITIGATION AND STEWARDSHIP PLAN FOR THE PROPOSED MBSD PROJECT**

Section 6 of the Mitigation Plan addresses "Avoidance, Minimization, and Mitigation Measures," generally discussing potential mitigation measures that may be pursued by the CPRA to offset unavoidable adverse impacts resulting from construction and operation of the Preferred 1

Initially, we are concerned that the DEIS and draft Restoration Plan seem to indicate that CPRA and other entities will only begin mitigation when they have proof of impact, leaving fishers and affected communities at risk in the meantime. CPRA and TIG should presume impact and help communities begin to adapt throughout the diversion's construction so they are already in the process of adaptation as the MBSD begins operation

Additionally, we are concerned by the statement within the Mitigation Plan that "[t]he Purpose of this Mid-Barataria Sediment Diversion Mitigation and Stewardship Plan (Mitigation Plan) is to demonstrate how incidental adverse impacts of the Project will be avoided, minimized, or mitigated to the extent required under applicable federal law." (Appendix R-2: Mitigation and Stewardship Plan for the Proposed MBSD Project, p. R2-1) (emphasis added). Federal law is limited in its requirement for mitigation and, in many instances, will not cover the breadth of impacts to communities and resources that

We are also troubled by the CPRA's apparent desire, in both the DEIS and Mitigation Plan, to condition its obligation to mitigate impacts to properties and communities, through its continuing reference to the current vulnerability of those communities or the fact that those communities will become more vulnerable in the future even under the No Action alternative.

Although many areas outside levee protection are in fact vulnerable and may become more vulnerable as sea level rises and wetlands loss continues, many of those communities would not feel the full impacts for a decade or more absent the proposed diversion. Moreover, the causes of coastal wetlands loss can, at least in part, be attributable to the States' historic, and continuing, permitting of the destruction of coastal wetlands for pipeline and navigation canals, and the like. The state must ensure that it fully and fairly mitigates the impacts of this project on all affected communities.

What is clear is that neither the Mitigation Plan nor the LA TIG restoration plan makes any specific allocation of monies to mitigation. Presentations by CRPA and the LA TIG on the project discuss specific monies allocated to other mitigation topics (i.e. fisheries impacts and impacts to bottlenose dolphins.), but do not reference any specific amounts for impacted communities or other impacted resources. Although we understand that it is early in project planning, it is difficult for the public, particularly those that will be impacted by the project, to comment on the adequacy of mitigation if they are not informed of the range of funding that CPRA and/or the LA TIG intend to dedicate to this purpose. (For example, members of affected communities might have a far different belief in the adequacy of the State's mitigation if they intend to dedicate \$1 million to home elevation and storm proofing versus \$15 million.)

Combining the LA TIG Restoration Plan review with the DEIS, Mitigation and Stewardship Plan and MAMP review has created confusion. First, having two versions of the Mitigation and Stewardship Plan and MAMP with different Appendix numbers, etc. makes citation to the appropriate Appendix and various sections of the Mitigation Plan and MAMP complicated.

Additionally, there is significant confusion about funds available for mitigation versus monitoring and adaptive management. For example, when the DEIS was first issued several NGO's referenced a CPRA and the LA TIG's commitment to over \$300 million for mitigation. It is unclear where that number came from, but our presumption is that the MAM Plan proposed by the LA TIG, which commits over \$300 million to monitoring and adaptive management, was mistakenly interpreted as mitigation funding. Our reading of the MAM does not support that conclusion. In fact, the only reference we could find to funding for mitigation coming from the LA TIG was the statement in Section 8: Financial Assurances that "If the Deepwater Horizon Louisiana Trustee Implementation Group (LA TIG) decides to fund the project, that funding will include an allocation of funds adequate to ensure each component of this Mitigation Plan will be funded as part of the LA TIG's funding decision." This statement does not commit to any specific allocation of dollars.

Effective public participation and comment requires that the public be fully informed as to both the proposed actions needed, and the level of funding the CPRA feels is adequate, to fully implement its Mitigation Plan. Otherwise, the public cannot meaningfully comment on the adequacy of the proposed mitigation.

We will attempt to outline some proposals below.

### **Mitigation via Operational Changes**

Over many years, the CPRA has discussed<sup>7</sup> and modelled many alternatives to operation of the MBSD structures. Although the DEIS discusses why alternatives were rejected, it does not include any discussion of potential alternative methods of operation of the Preferred Alternative to reduce negative impacts. For example, in the past, CPRA has presented modeling on specific thresholds and triggers, but this is not discussed in the DEIS in the context of the Preferred Alternative. While we understand that thresholds change based on available data, CPRA must communicate those thresholds to the public on a regular basis.

Many of the impacts of the Project are more dramatic in the first decade of the project--after 2030, the discussion of benefits and impacts in the DEIS is based largely on a few model years. However, those model years do not acknowledge the increasing rainfall and river flooding of the past few years that can be expected to increase due to climate change. For example, it is foreseeable that a flood year like 2019 could become more normal over the next decade.

- The CPRA and/or the LA TIG must monitor sediment flow through the Project annually, particularly in the first, more critical decade of operation, in order to determine whether the goals of the project can be achieved with more efficient use of water flow in following years.
- The CPRA should communicate relevant thresholds and triggers for monitoring to the public on a regular basis.

### **Mitigating local employment losses**

We appreciate that the MBSD DEIS represents a move by CPRA away from the USACE's usual handful of dredging contractors. Expanding the field of potential contractors would allow for some price competition for coastal restoration. It would also expand the potential economic benefits of project construction. The CPRA should explore how expanding other fields of expertise, such as engineering firms or construction contractors, which could benefit achievement of project goals while also increasing the benefit of the project to local economies. For example, the CPRA should consider developing a program to employ locals to plant emergent riverine trees, like willows (*Salix nigra*), in emerging sand banks. Transplantation using local material and well-established methods could provide root material in new land in less time. Establishment of willow banks could also be strategically planned to prevent sediments from flowing into channels CPRA is trying to keep open. Willows are successful enough on new river sandbars that

<sup>7</sup> OPERATIONAL DESIGN Brad Barth | October 4, 2016 GOVERNOR'S ADVISORY COMMISSION DIVERSION SUB-COMMITTEE

Mississippi State is exploring using the plant for biomass production<sup>8</sup>- a potential additional benefit to the local economy.

Other opportunities lie in the DEIS and LA TIG discussion of Monitoring and Adaptive Management and in the Monitoring and Adaptive Management Plan. Since the Project will involve pre-construction and post-construction monitoring over decades, CPRA should work with local community and four-year colleges to prepare local graduates in these monitoring techniques. They should also select from monitoring contractors that can demonstrate the largest percentage of local, coastal hires.

### **Mitigating water quality impacts**

It is clear that pollution, especially nitrogen and phosphorus pollution, may have a negative impact on the project. We at Healthy Gulf have continually emphasized that in order to give the diversion the best chance of success, we must clean up the Mississippi River. Regretfully, levels of pollution in the Mississippi River have not gone down over the past few decades. This is largely due to the failure of states and federal agencies to prioritize nitrogen and phosphorus pollution reduction.

In order to mitigate increased nitrogen and phosphorus pollution in Barataria Bay due to additional loadings from the Mississippi River, the CPRA Mitigation Plan should prepare to mitigate those impacts by:

1. Fully funding Louisiana's *Nutrient Management and Reduction Strategy*,
2. Funding on the ground activities upstream (inside and outside of Louisiana) of the proposed project that will reduce nitrogen and phosphorus pollution in the Mississippi River,
3. Identifying and funding specific projects in other states, as identified within their nutrient reduction strategies, that would reduce nitrogen and phosphorus pollution loadings to the project area, and
4. Funding a harmful algae bloom (HAB) monitoring network in the Barataria Basin where algae blooms can be identified and monitored. It is critical that CRPA ensure systematic monitoring of algae blooms and their impacts in the Basin, both before and after project operation. Otherwise, it will be impossible to confirm CPRA's assertion that hypoxia and harmful algae blooms are an acceptable negative consequence to the Mid-Barataria Sediment Diversion.

<sup>8</sup> Publication 2653 (POD-03-19) <http://extension.msstate.edu/publications/publications/black-willow-biomass>

## **Mitigating Impacts to Property**

Within the Mitigation Plan, CPRA states that “A comprehensive inventory of potentially affected properties is progressing under the assumption that CPRA would mitigate inundations caused by the Project to properties which could take the form of

- Monitoring and adaptive management of operations
- Assisting with elevation of homes and other structures on private property
- Property rights acquisition (flowage easements or fee acquisition) and
- Structural mitigation (elevating roadways, utility, etc.)

Mitigation Plan, p. R2-24. As discussed earlier, there is no reference to the level of funding that might be available or contemplated for mitigation. Moreover, CPRA qualifies its commitment to mitigation by stating that “in the absence of project, properties in the tidal floodplain are subject to high rates of land subsidence and sea level rise”. Id. The current state of risk for properties that will suffer impacts from the project is irrelevant. Whether or not properties are currently at some level of risk or might be impacted at some point in the future without the project should not limit funding for mitigation. For example, without the proposed project, a 60 year old homeowner could have lived in their home for another 20-30 years or the remainder of their lifetime. They should not be penalized by being denied the full cost of mitigating the impacts of the diversion when the State’s project instead makes that home uninhabitable in 10-15 year. If it is established that the project increases risk to properties more rapidly than would otherwise occur, property owners must be fully and fairly compensated for that increased risk. And, fair compensation, particularly with regard to low income and minority populations, cannot be limited by traditional notions of “fair market value” or “cost benefit analysis” employed in traditional state and federal eminent domain and hazard mitigation policies. Property owners that are forced to elevate or flood proof their homes or properties must be provided with compensation adequate to cover the full costs of those enhancements. Similarly, if property owners opt for voluntary buyouts or the states takes property by eminent domain, those property owners must receive monies sufficient to purchase a comparable home/property elsewhere. These consideration must apply to all communities outside flood protection, but particularly low-income and people of color communities, that will be subject to increase surface water elevations and/or tidal duration, including but not limited to Myrtle Grove, Woodpark, Suzie Bayou/Deer Range, Hermitage, Grand Bayou, and Happy Jack identified as impacted at pp. R2-20-21. Additionally, in mitigating the impacts to communities as a whole, the CPRA must comprehensively plan for, rather than piecemeal, improvements to roads, driveways, structures and property at grade in a manner that ensures that those communities remain fully functional/inhabitable during periods of extended inundation.

## **Mitigating Impacts to Fisheries**

Neither the DEIS, LA TIG Restoration Plan or the Mitigation Plan reference any dollar amount allocated to achieve mitigation for impacts to fisheries. Slides in a presentation by CRPA and LA TIG on the MBSD reference \$33 M for mitigation for project impacts to shrimp, particularly brown shrimp, and shrimpers, and \$40 M for impacts to dolphins but neither of these amounts appear in the Mitigation Plan or in the DEIS. And there is no explanation of how the CPRA and/or LA TIG arrived at these amounts. No similar figure is referenced for mitigation of impacts to oysters or oyster fishers or any other impacted resource. As discussed before, the public cannot comment on the adequacy of mitigation unless they are informed of what the CPRA proposes to allocate to mitigation and how they arrived at that dollar figure.

## **Mitigating Impacts to Oysters and Oyster Fisheries**

The DEIS and Mitigation Plan find that oyster resources, and the fishery, are expected to experience major, permanent adverse impacts under the Project, versus No Action, primarily because of project driven reductions in salinity. However, they opine that “project related changes in salinity structure in the lower basin may also allow for rehab of historic oyster growing areas that don’t currently support oysters, which could help mitigation impacts.” Mitigation Plan p. R2 p 25.

In terms of mitigation: CRPA assumes that any potential mitigation to the oyster resources will benefit the oyster industry and may mitigate for the potential effects of the Project. The mitigation proposed is, therefore, limited to

- Re-establishing a public oyster area in the Lower Basin.
- Providing cultch material for “resource enhancement” either on public or private growing areas.
- Possible establishment of brood stock reefs if monitoring establishes the need for them, to provide larval supply to areas either separated hydrologically or located in a salinity regime that does not result in an annual recruitment.
- Supporting adjusted techniques such as “Alternative Oyster Aquaculture”, including training, possible start up assistance, and restricting use of state water bottoms for AOA.
- Marketing

It is unclear how the proposed mitigation measures for oyster resources would adequately compensate oyster fishers who continue to pursue a traditional approach to oystering. For example, these mitigation measures do not address potential increased costs of traveling to reefs lower in the basin. Or, if the project renders leased areas unproductive, will the CPRA provide lease swaps or compensation to lease holders? To ensure adequate mitigation for all impacted oystermen, CPRA must use allocated mitigation funding to offset the negative outcomes of MBSD on coast-dependent businesses over the lifetime of the project. This should include

establishment of a program to mitigate the increase in operating costs resulting from operation of the MBSD and creation and maintenance of a 10-year loan program for coast-dependent small business owners to establish a secondary or alternative small business to generate income as their primary businesses are impacted by the operation of the MBSD.

Additionally, special approaches to mitigation should be tailored for different sectors of the oyster industry. For example, elderly fisherfolk will need support to maintain current businesses for the next 5-10 years until retirement. Specific programming should be aimed at maintaining the extant operations of elder small business owners who formally identify that they will leave coast-dependent industries within the next 10 years.

Finally, the CPRA includes a statement that “DEIS projected disproportionate impact to some low income and minority commercial oystermen, CPRA is considering options to tailor these measures to ensure they reach those populations.” To accomplish this goal and ensure that measures are truly meaningful and reach these populations, CPRA must be willing to use community expertise, especially the expertise of Community Based Organizations (CBOs) to co-design effective community-specific adaptation programs for those impacted, but particularly to ensure that disparately impacted communities are able to effectively respond to MBSD’s impacts in the near- and long-term.

### **Mitigating Impacts to Shrimp**

The CPRA concludes that the project will have major adverse permanent impacts on brown shrimp and, as a result, moderate to major permanent adverse impacts to the commercial shrimp fishery. Understandably, the state is focusing mitigation strategies at the fishery, rather than the resource. Proposed mitigation strategies include:

- Grants to offset the cost of purchase and installation of vessel refrigeration
- Marketing to help increase market share of domestic shrimp; and
- Grants to offset cost of rigging vessels with different types of gear or substitute gear to increase efficiency and lower cost

R2.p 28. Sadly, the proposed mitigation is unlikely to be sufficient to address the impact to shrimp fishers of the loss of their historical catch of brown shrimp. First, although vessel refrigeration would assist with the need to transport shrimp caught lower in the Basin or in other areas, this presumes that impacted fishers have vessels large enough to house refrigeration units. This program would not mitigate impacts to fisher owners of smaller vessels. Consideration must be given to how to compensate these vessel owners. The same is true for funding for gear improvements.

Finally, it does not appear that the proposed mitigation is really intended to address the potential loss of virtually all brown shrimp catch in the Basin. The loss of brown shrimp will not increase

the availability of white shrimp or, more importantly, reduce the competition for white shrimp. If anything it will increase competition and possibly reduce catch of individual shrimpers. Access to refrigeration, gear modification and marketing will not address this impact on the fishery.

We would propose that CPRA consider the following mitigation measures proposed by potentially impacted fishers, including allocating mitigation funding to support true community adaptation, including but not limited to

- Establishing and maintaining a fund to offset the negative outcomes of MBSD on shrimp-dependent businesses over the lifetime of the project.
- Establishing a program to provide grants to shrimpers need to increase the size of vessels to be able to employ needed refrigeration and gear modifications.
- Mitigating the increase in coast-dependent businesses' operating costs in light of the MBSD.
- Creating and maintaining a 10-year loan program for coast-dependent small business owners to establish a secondary or alternative small business to generate income as their primary businesses are impacted by the operation of the MBSD; and
- Developing a program to support elderly fisherfolk in maintaining current businesses for 5-10 years until retirement. Specific programming aimed at maintaining the extant operations of elder small business owners who formally identify that they will leave coast-dependent industries within the next 10 years.

The CPRA includes a generic statement that the DEIS projected disproportionate impact to some low income and minority commercial oystermen, CPRA is considering options to tailor these measures to ensure they reach those populations.” As previously stated in reference to oysters, to accomplish this goal and ensure that measures are truly meaningful and reach these populations, CPRA must be willing to use community expertise, especially the expertise of Community Based Organizations (CBOs) to co-design effective community-specific adaptation programs for those impacted, but particularly to ensure that disparately impacted communities are able to effectively respond to MBSD’s impacts in the near- and long-term.

### **Mitigating Impacts to Marine Mammals.**

As previously discussed in these comments, the DEIS fails to fully assess the impacts of the Project on BBES dolphins. Absent action to mitigate significant reductions in salinity in multiple years, the BBES will become functionally extinct. Despite the “waiver” contained within Section 20201(b), the CPRA cannot simply sit back and let this happen because to do otherwise might affect Project performance.

Although within the mitigation plan the CPRA states that it will examine operation strategies to minimize, to the extent practicable, the impacts on BBES dolphins, the State does not discuss any



alternative operational strategies, such as reductions in diversion flow during critical months, or particular salinity thresholds, which might reduce impacts to bottlenose dolphins. Yet, as discussed earlier, there is a continuing obligation on the part of CPRA to consult with NMFS throughout construction and operation on potential mitigation strategies. This must include a focus on changes in planned operation of the project that would allow achievement of Project goals without resulting in the functional extinction of BBES dolphins.

The three strategies proposed as mitigation, while laudable in terms of Gulf bottlenose dolphin populations as a whole, will have no effect in reducing impacts to BBES dolphins. Funding for a Statewide Stranding Program, might have positive impacts on other dolphin survival in other Louisiana Coastal waters, however, even if a BBES dolphin were to strand live, if released back to the Basin during Project operation, its survival would be questionable. So at most, funding of a stranding network will only allow collection of data on cause of death of BBES dolphins. This is equally true of the proposal that funding will be provided to allow enhanced response to Unusual Mortality Events.

Similarly, reducing human interaction/anthropogenic stressor reduction will not reduce or address impacts of the project on BBES dolphins. At best it may benefit bottlenose dolphin populations outside the Barataria Basin.

Accordingly, we would argue that the proposed mitigation fails to meet the obligation imposed on CPRA by the MMPA, even in the face of Section 20201(b), to identify mitigation that will reduce impacts to BBES dolphins. We would assert that there are potential actions that, if taken, could reduce impacts to BBES without interfering with the purpose and goals of the Project.

- ***Constructed Rims or Ridges for 'salinity deflection'***

CPRA should be working with scientists to explore the effect of restoration of natural features, such as ridges, on reducing impacts to salinity in some parts of the Basin, such as Caminda Bay. There is also the potential for other, strategic restoration of wetlands in the lower Basin with the goal of slowing the movement of fresh water and providing refuge for BBES dolphins. This is being seriously considered by the State of Mississippi to reduce the negative impacts of freshwater from the Bonne Carre' Spillway ("BCS") on Mississippi's coastal resources. They feel that restoration of the rim of Three Mile Bay from oil and gas canal damage (P20041525 Meridian Resources) would likely have the effect of limiting freshwater flows into the more distal estuary from the Pearl River and BCS, and create more salinity-days above an 8ppt or 5ppt threshold in more marsh areas. There are likely similar opportunities to restore oil and gas extraction damages in Barataria in a way that preserves the salinities in marsh areas for estuarine dolphins. This restoration would also likely mitigate for other fisheries damages--if Barataria Bay were as intact as it was before oil extraction, there would be more marsh platform to take advantage of the freshwater and sediment inputs, and constrain salinity changes. The main four

passes out of Barataria Bay still pass much more water than is contemplated by the MBSD, so directing freshwater flow toward those outlets shouldn't have adverse impacts.

Although this would require investment in scientific studies focused on the potential effect of these approaches in reducing impacts of freshwater on BBES dolphins, we believe that the NRDA Trustees have a responsibility to invest in this research on "salinity deflection" by created rims or ridges to fulfill their mandate to use NRDA funds, particularly funds allocated under the BP Settlement to the various TIGs for dolphin restoration.

- ***Displacement of the Menhaden fishery away from BBES islands and passes***

Another measure CPRA and LA TIG should consider is moving Menhaden fisheries further from islands and passes where BBES dolphins hunt<sup>9</sup>. The bycatch of BBES dolphins is likely, but usually unmonitored, in state and federal waters off Louisiana. If the Menhaden fleet was pushed further from shore, dolphins caught in Menhaden nets would more likely be of coastal or oceanic stock, reducing pressures on BBES.



Condrey, Richard, 1996. Dolphin recovered by Menhaden nets in Mississippi Sound.

This measure should be complemented with a Menhaden bycatch monitoring program with the capacity to identify which stocks of dolphins are affected by the fishery.

<sup>9</sup> The Gulf of Mexico Ecosystem: A Coastal and Marine Atlas;Page 94 Menhaden Purse Seine Net Density 2006-2009 <https://oceanconservancy.org/wp-content/uploads/2017/05/gulf-atlas.pdf>

- ***Default monitoring of pods after large oil spills***

Another method to mitigate for impacts to BBES would be to respond to large oil spills in Barataria Basin on the assumption that the oil spilled affects dolphins. Larger oil spills in Barataria should be assumed to impact dolphin health, and stranding teams should also be mobilized to survey known pods after larger spills, to detect any changes in behavior. Offenders should be held as Responsible Parties under OPA to supplement the funding from the MBSD mitigation program.

Whether or not the CPRA feels compelled to affirmatively act to reduce impacts on BBES dolphins, we would argue that the LA TIG's trust duties require that they do so. Under OPA, responsibility for protection of natural resources falls with Federal, State, and Tribal Trustees. This is because no one individual "owns" a natural resource; rather, they are held in trust for the public – EPA, Natural Resource Damages: A Primer <https://www.epa.gov/superfund/natural-resource-damages-primer#nrt>.

Under this trust responsibility, the Deep Water Horizon NRDA Trustees cannot sit idly by while one of the resource, BBES dolphins, most seriously impacted by the BP disaster is driven to functional extinction by a project they are funding to restore impacts to another trust resource. Instead, it is incumbent upon the Trustees to act in the public interest to protect public resources (BBES dolphins) by investing in (1) research that explores all possible mitigation actions that will reduce impacts to BBES dolphins, and other trust resources; and (2) if proved efficacious, investing in those restoration projects.

### **Mitigating Environmental Justice Populations**

The DEIS and Mitigation Plan conclude that that project will have minor to major impacts to populations near the Project outfall outside of levee protection due to increases in tidal flooding. “These impacts may be disproportionately high and adverse for some low income and minority populations to the extent these populations are uniquely vulnerable to tidal flooding and storm hazards or engaged in commercial or subsistence fishing and dependent on adversely impacted fisheries.” Mitigation Plan, p. R2 p.33.

To mitigate for disproportionately high and adverse impacts to subsistence oyster and brown shrimp fishing, as well as recreational fishing, “CPRA will provide public access opportunities which will primarily involve (1) the provision of public shoreline access’ and watercraft launching around the project,” R2 p. 30. The proposed mitigation ignores the challenges facing many subsistence fishers. Providing access points farther down in the basin will not address increased costs to subsistence fishers of fuel or additional wear and tear on vessels associated with travel to access points lower in the basin. As defined, subsistence fishing

broadly speaking, ...can be characterized by 1) a dependence on fishing for survival, 2) having little to no other source of income, 3) living close to the resource, 4) harvesting fish to eat or sell in order to meet basic food requirements, 5) using low-technology gear (as part of traditional or cultural practice), and/or 6) relying on the harvest to meet nutritional needs.

<https://sites.duke.edu/fishingforfood/research/rop/>

The mitigation measures currently proposed by CPRA will not address the additional challenges that subsistence fishers will face as a result of the Project. We would again propose that, to develop effective mitigation measures for subsistence fishers, CPRA use community expertise, especially the expertise of CBOs to co-design effective community-specific adaptation programs to ensure that disparately impacted communities are able to effectively respond to MBSD's impacts in the near- and long-term.

### **Mitigating Impacts to Cultural Resources**

The CPRA states that the project will have impacts on 4 historic properties (archaeological sites) and discusses the mitigation of impacts to those and other cultural resources. However, consultation on acceptable mitigation of cultural resources is limited to federally recognized tribes. While we understand that the federal government's legal obligation to consult with Native tribes is limited to those that have been federally recognized, the tribes consulted in this instance have little or no connection to the area impacted. There are several state recognized tribes in the project area, including members of the Houma Nation, and several other tribal entities that are acknowledged to exist but are not state or federally recognized. However, the MBSD is a state sponsored project and is not, therefore controlled by federally established limitations on the need to consult tribes whose cultural resources may be adversely impacted by the Project. As the very least, it is incumbent on the State to consult with State recognized tribes to identify measures to avoid, minimize and mitigate the impacts to their cultural resources it seeks to mitigate for impacts to cultural resources. We would assert that all tribal entities whose cultural resources may be impacted should be consulted.

There will be a new disconnection made between Ironton and the St Rosalie Plantation, the first of its kind. CPRA should consider working with Ironton, including descendants of people buried at St Rosalie, on a project to maintain access to these critical cultural sites after the construction of a channel in between.

Additionally as stated above, the Project sponsors must consider how the small but multitudinous canals and pipelines in the Project area affect the hydrology of local marshes, which often include cultural resources. One federal project making significant planning progress in this area is

"Lagniappe for the working coast", awarded an NEP grant in 2020.<sup>10</sup> The CPRA and LA TIG must consider how this project, which is already underway, can be better, fully, or additionally funded to mitigate for any loss of marshes, changes in water level, or loss of access to cultural sites.

The impacts to Grand Bayou are conspicuously part of an eastern area that will be negatively impacted by water level, and yet not likely to receive land-building benefits. CPRA should consider enhanced compliance for companies like Shell and Gulf that worked this oilfield, in order to effect restoration of the entire Magnolia oilfield sub basin--this oilfield damage seems to be the root cause of this conflict.

If residents of the Basin, particularly tribes, feel that strategic hydrologic restoration, such as weirs, ridges, marsh platform creation, or backfilling of canals, will assist with protection of cultural resources, CPRA should investigate opportunities to work with the tribes to fund and complete that restoration.

<sup>10</sup> Lowlander Center | Lagniappe for the working coast: reducing flood risk and protecting sacred sites and tribal communities' resilience by strengthening Louisiana's marshes | \$246,385  
<https://estuaries.org/initiatives/watershedgrants/2020-nep-cwg/>

To:

Copies:

## Technical Memorandum

From:

Ehab Meselhe (The Water Institute)  
John Richardson (ARCADIS)  
Hugh Roberts (ARCADIS)  
Randy Lagumbay (ARCADIS)

The Water Institute of the Gulf  
████████████████████  
████████████████████

Date:

October 23, 2012

Project No.:

ARCADIS U.S., Inc.  
████████████████████  
████████████████████

Subject:

RAM Terminal CFD Modeling Technical Memorandum

---

### 1. Introduction

This memorandum summarizes the results of Computational Fluid Dynamics (CFD) simulations used to analyze the transport of sediment to the proposed diversion channel at Myrtle Grove and to evaluate the flow patterns due to the proposed construction of the RAM terminal facility. To help with the analyses, numerical simulations of flow from River Mile (RM) 56.0 to RM 62.7 were carried out with the commercial CFD program known as **FLOW-3D** ([www.flow3d.com](http://www.flow3d.com)). This program was previously used by The Water Institute to carry out hydrodynamics and sediment transport analysis in lower Mississippi near Myrtle Grove (Meselhe et al, 2011).

The results of the analyses described herein were used to evaluate the effect of the proposed construction of the RAM facility on the sediment transport to the proposed Myrtle Grove delta diversion.

### 2. Approach

A three dimensional CFD model of the proposed RAM terminal facility with vessels combined with river bathymetry and proposed diversion channel was used to analyze sediment transport and to evaluate flow patterns approaching the facility and the diversion channel. This model was constructed within the framework of the **FLOW-3D** software package and was based on previous work carried out by The Water Institute (Meselhe et al, 2011).

The primary objectives of this study are to examine potential changes to the flow patterns near the intake of the proposed diversion and in the vicinity of the proposed RAM facility, and to determine the potential impact on the amount of sediment (sediment/water ratio) transported to the proposed diversion channel due to the presence of the RAM terminal facility placed upstream of the diversion.

The following describes the model setup in **FLOW-3D**.

### Geometry

The model was created using **Rhino** pre-processing software. The model included the river bathymetry, proposed diversion channel, RAM terminal facility, and barge and ship. The river bathymetry and diversion channel was obtained from the previous study (Meselhe et al, 2011). The river bathymetry extends from River Mile (RM) 56.0 to RM 62.7 (Figure 1). CAD drawings of the terminal facility and barge and ship were provided by Lanier & Associates Consulting Engineers, Inc. The drawings were used to create geometries of the terminal facility and barge and ship, and combined with the river bathymetry (Figure 2).

### Boundary Conditions

For consistency reasons, the boundary conditions used in this analysis are the same as those used in the previous modeling effort. The boundary conditions used in this study are as follows:

- Solid boundaries including river bed, diversion channel, barge and ship were specified. Standard Wall functions were used to compute the shear stress at the no-slip boundary.
- The terminal structures were modeled as porous planes to emulate the effect of the piers on the water flow. Twelve porous planes (baffles in **FLOW-3D**) were used to model the structures (Figures 3 and 4). Porosity and loss coefficients of the baffles are summarized in Table 1.
- The water surface was modeled as a sharp, free surface allowing accurate representation of the water/air interface.

### Mesh Generation

Creating an appropriate computational mesh is an important aspect of every numeric modeling. The flow field is discretized into a number of small elements (cells) for solving the governing equations of fluid flow. The cell size must be small enough to capture the flow features of interest. In this study, the computational mesh used in the simulation is the same from the previous model to be consistent with the

analyses. Additional refinements to the mesh near the RAM facility and the intake of the proposed diversions were made. These refinements (horizontal grid spacing reduced from 15 meter to 2.5 meters) were made to enhance the ability to capture the details of the flow field.

### **3. Simulations**

Several simulations were carried out in this study - all for a 700,000 cfs river flow. A description of these runs is provided below:

- Run #1 – Baseline condition. The model included only the river bathymetry and the proposed diversion channel (no facility, no barge and no ship).
- Run #2 – The model included the river bathymetry, proposed diversion channel, loading barge, and ship at - 40 feet draft (no facility).
- Run #3 – The model included the river bathymetry, proposed diversion channel, loading barge, ship at - 40 feet draft, and the terminal facility.
- Run #4 – The model included the river bathymetry, proposed diversion channel, loading barge, ship at - 9 feet draft, and the terminal facility.
- Run #5 – The model included the river bathymetry, proposed diversion channel, loading barge, ship at - 40 feet draft, terminal facility, and a guide vane at the entrance of the diversion.
- Run #6 – The model included the river bathymetry, proposed diversion channel, loading barge, and the terminal facility (no ship and no guide vane).

### **4. Results**

Simulation results are presented both qualitatively and quantitatively. Qualitative results, appearing in Figures 5 through 16, show the trajectory of streamlines and velocity contours in the vicinity of the facility and entrance of the diversion channel. Streamlines were back calculated from the diversion channel to show where water entering the diversion came from. Velocity contours were used to show flow separation behind the ship.

Figures 5, 6, 7, 8, 9, and 10 show streamlines entering the diversion from different heights in the water column for Run #'s 1, 2, 3, 4, 5 and 6; respectively.



Figures 11, 12, 13, 14, 15, and 16 show velocity contours at elevation 4.1 feet (NAVD88) for Run #'s 1, 2, 3, 4, 5 and 6; respectively.

Sediments were represented by five different sizes of particles (32 microns, 63 microns, 96 microns, 125 microns, and 250 microns). Figure 17 shows the distribution of particles for Run #3 as an example. Particles were released upstream of the facility after obtaining a converged solution of flow fields.

Quantitative results of the sediment analysis are summarized in Table 2.

## **5. Closing Remarks and Preliminary Conclusions**

The analysis presented in this letter-report provides a summary of the 8-week modeling effort performed to assess the potential impact of the RAM facility on the flow field in the vicinity of the facility and the intake of the proposed sediment diversion at Myrtle Grove, and on the efficiency of the proposed diversion to capture sediment from the main river channel.

The following are closing remarks and preliminary conclusions:

1. Figure 2 shows the presence and relative-size of the RAM facility near the intake of the proposed sediment diversion. Navigation concerns should be fully investigated to assess the potential impact on vessel traffic generated by the RAM facility with the presence of the cross-flow generated by the proposed Myrtle Grove sediment diversion. The investigation of navigational concerns was not part of the scope of the analysis presented here.
2. During the course of this analysis, it was indicated that barges would pass in front of the proposed diversion intake and park immediately downstream of the intake and along the right descending bank of the Mississippi River. Safety concerns for these vessels should be fully investigated due to the cross-flow generated by the proposed Myrtle Grove sediment diversion. Typically "ship-simulators" are used to address these safety concerns. The investigation of safety concerns was not part of the scope of the analysis presented here.
3. Figures 5 through 16 show the impact of the presence of the facility, barges and ship on the flow field near the intake of the proposed diversion. The difference in the flow pattern is visually detectable in these figures. These changes influence the location from which water is being drawn into the outfall channel and affect the water-sediment ratio.
4. Special emphasis should be placed on Run#1 and Run#3, representing the base case and the RAM facility presence. The Sediment-Water ratio was reduced by nearly 17%. A reduction in the sediment-water ration results in a loss of sand load diverted through the outfall channel. For an assumed pulse lasting 30 days per year, such a loss of sand load diverted through the outfall is summarized in Table 2. Nearly 500,000 tons of Sand will be lost in a decade due to the presence of the RAM facility. Despite the uncertainty present in any numerical model, the results of all the

simulations performed here showed persistent reduction of sediment load captured in the outfall channel due to the presence of the RAM facility. Additional simulations might narrow the range of variability stated in this comment, however the impact is likely to persist.

5. The streamlines shown in Figures 5 through 10 indicate that debris and dust generated during the loading process would be captured in the outfall channel and transported into the marsh areas potentially causing environmental issues. The investigation of water quality was not part of the scope of this analysis, but should be investigated to assess such environmental impact.
6. There is limited number of lateral bars in the Lower Mississippi River (downstream of River Mile 90 Above Head of Passes) and they are targeted as a resource to restore coastal Louisiana. Some of these bars are designated as a resource for the earthen sill needed during drought conditions. That further reduces the number of lateral bars available for coastal restoration. The existence of the RAM loading facility on top a lateral bar would severely limit the ability to harness the available sand directly through dredging or using other agitating techniques to increase the amount of sediment diverted toward the outfall channel.
7. The existence of the RAM loading facility upstream of the diversion intake may pose hazard to the foundation and pilings of the loading facility. Field measurements at West Bay shows several feet of erosion occurring upstream of a diversion.

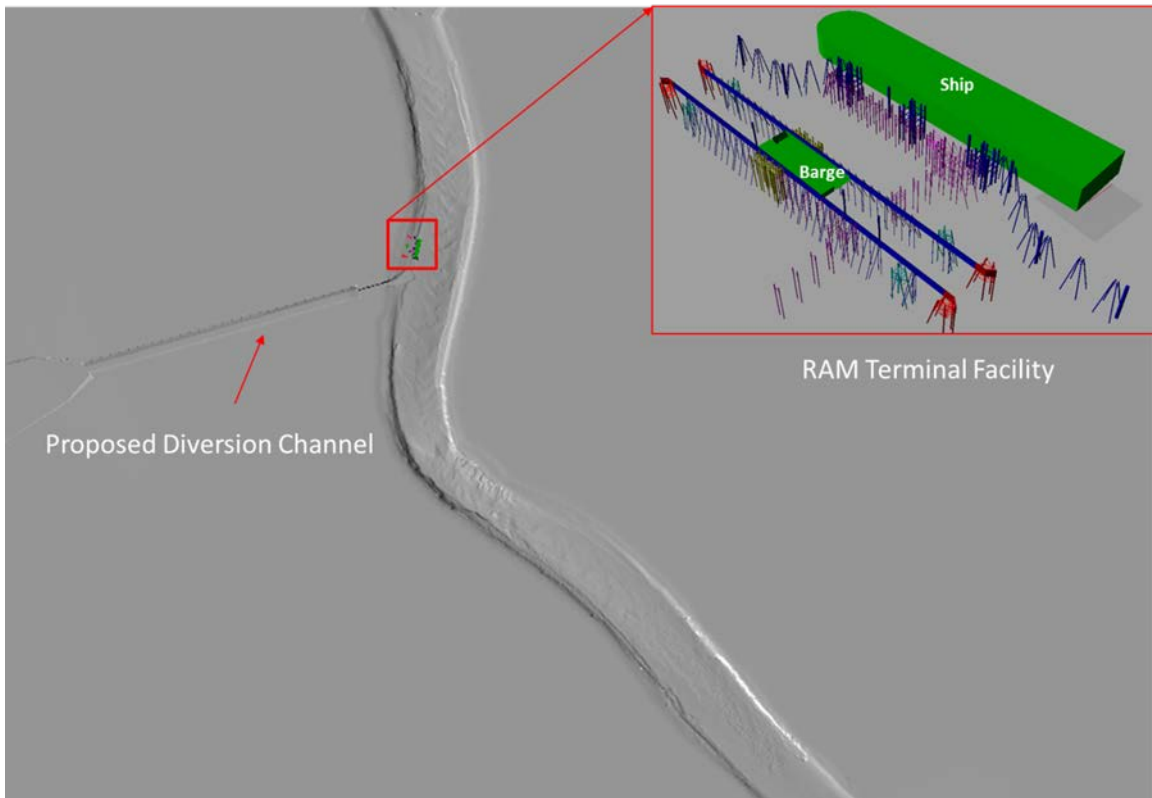
## **6. References**

Meselhe, E.A., Georgiou, I., and McCorquodale, J.A., "Myrtle Grove Delta Building Diversion Report", 2011.

5. Figures



Figure 1. Model Domain from RM 56.0 to RM 62.7



**Figure 2. FLOW-3D Model of the RAM Terminal Facility Combined With the River Bathymetry and Proposed Diversion Channel.**

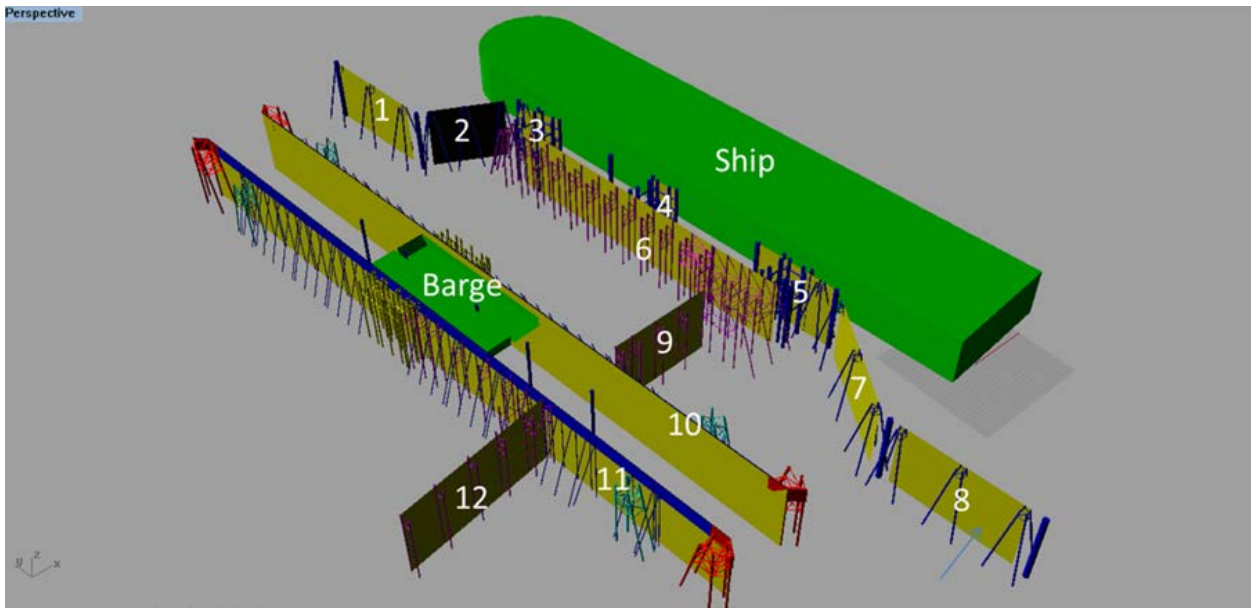


Figure 3. Twelve Porous Jump Planes (Baffles) Were Used To Model The Terminal Structures.

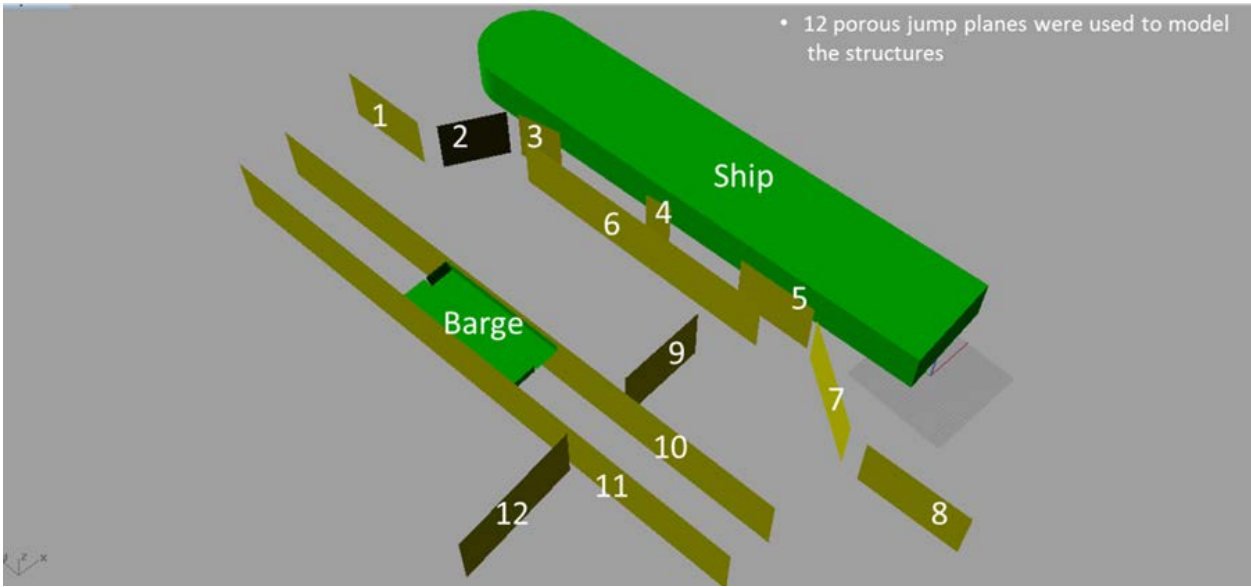
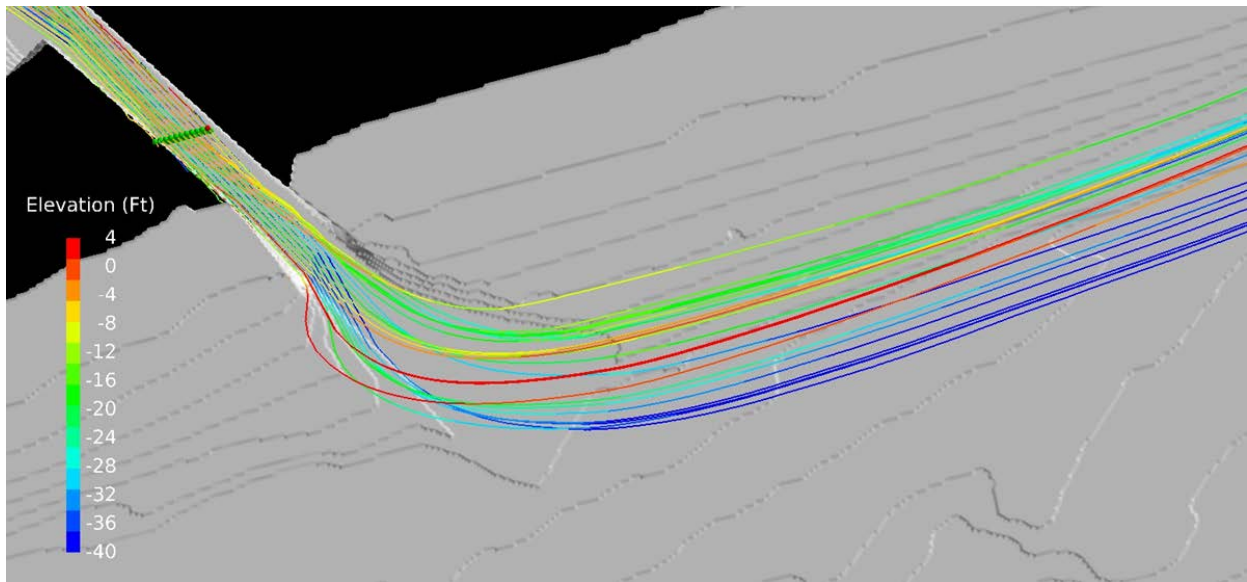
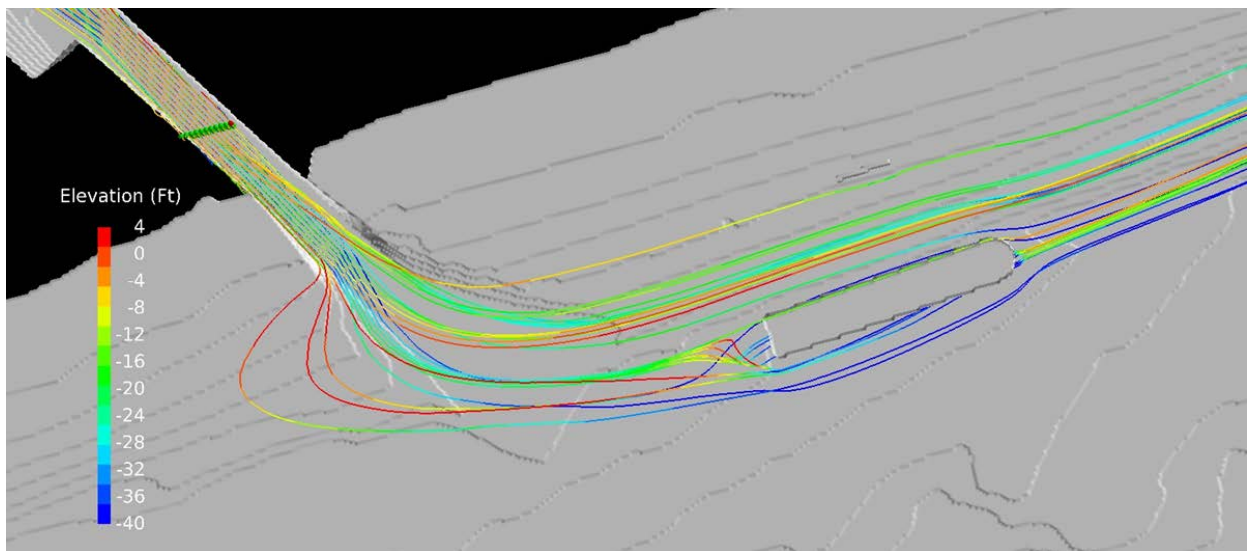


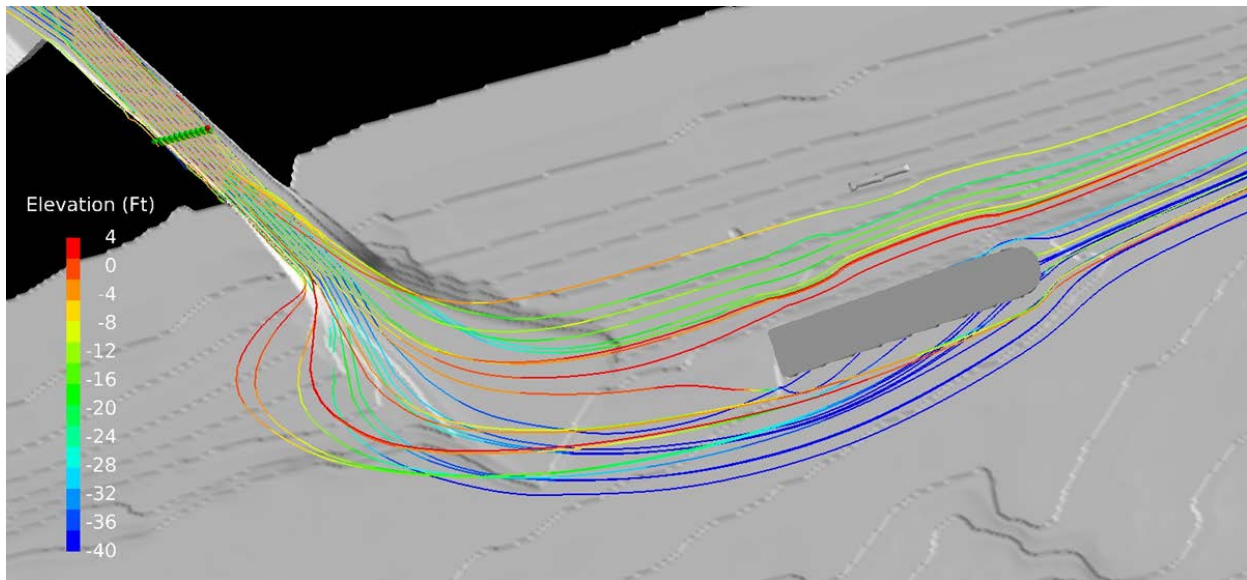
Figure 4. The Terminal Structures Were Replaced With Twelve Porous Jump Planes (Baffles).



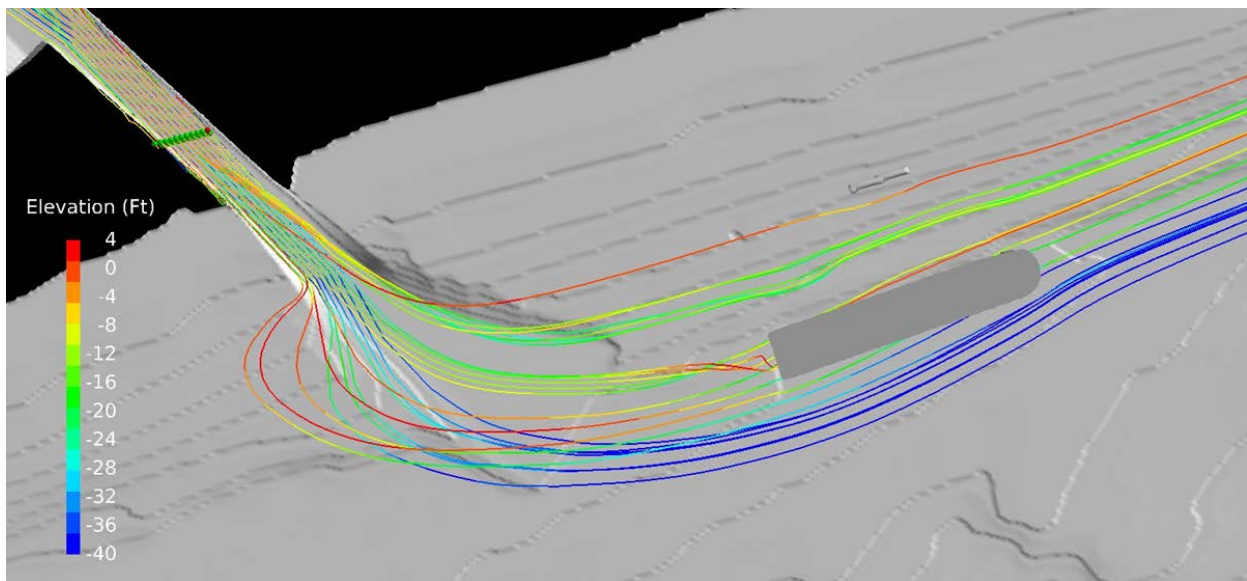
**Figure 5. Run #1, Streamlines Back Calculated from the Diversion Channel.**



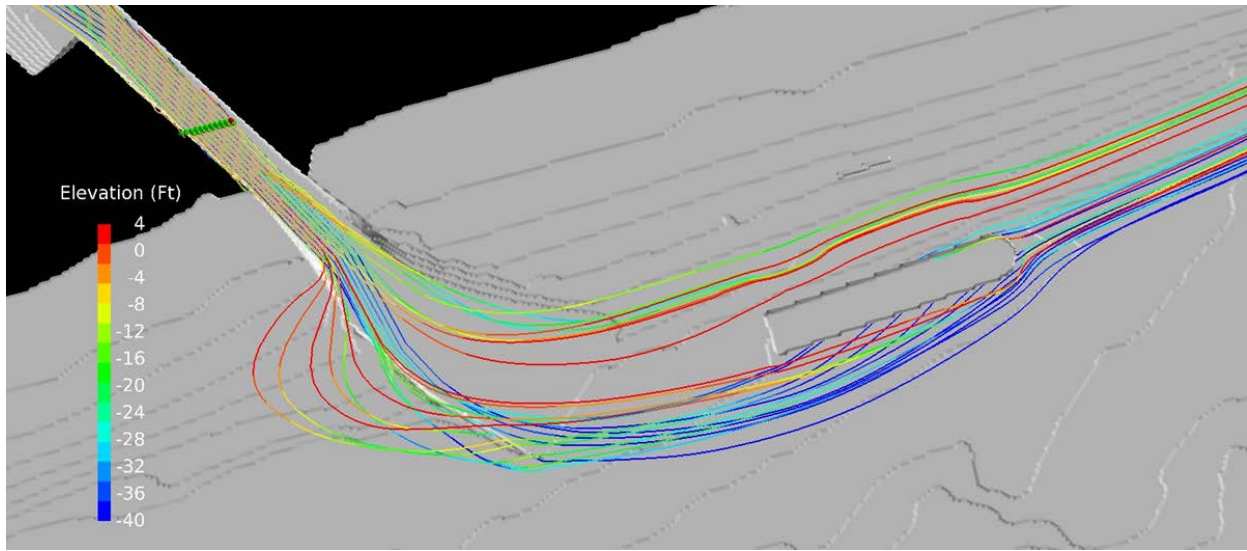
**Figure 6. Run #2, Streamlines Back Calculated from the Diversion Channel.**



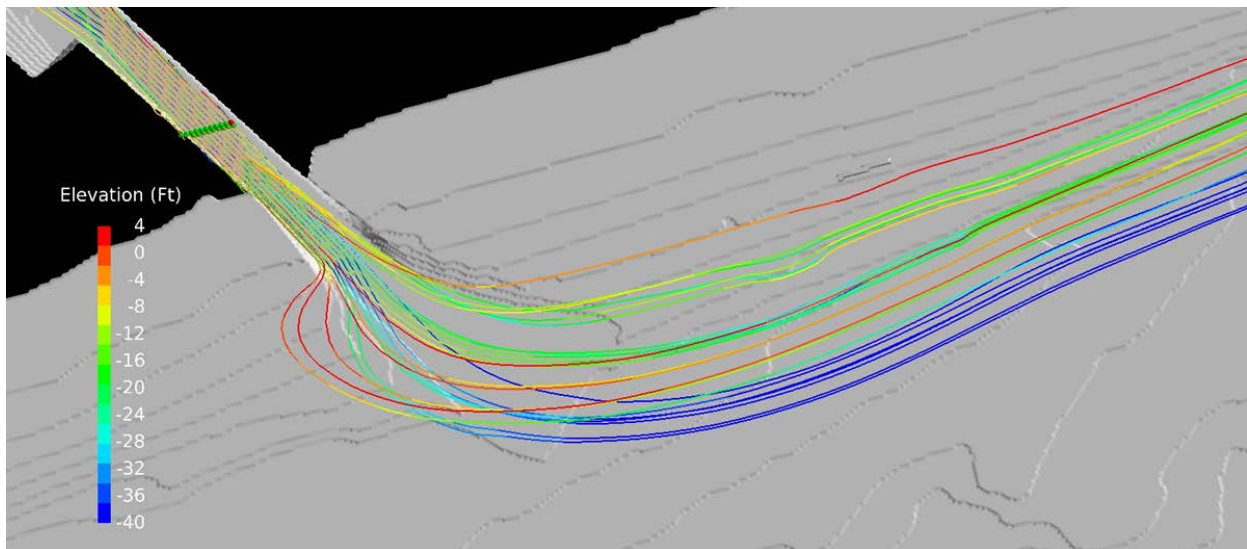
**Figure 7. Run #3, Streamlines Back Calculated from the Diversion Channel.**



**Figure 8. Run #4, Streamlines Back Calculated from the Diversion Channel.**



**Figure 9. Run #5, Streamlines Back Calculated from the Diversion Channel.**



**Figure 10. Run #6, Streamlines Back Calculated from the Diversion Channel.**



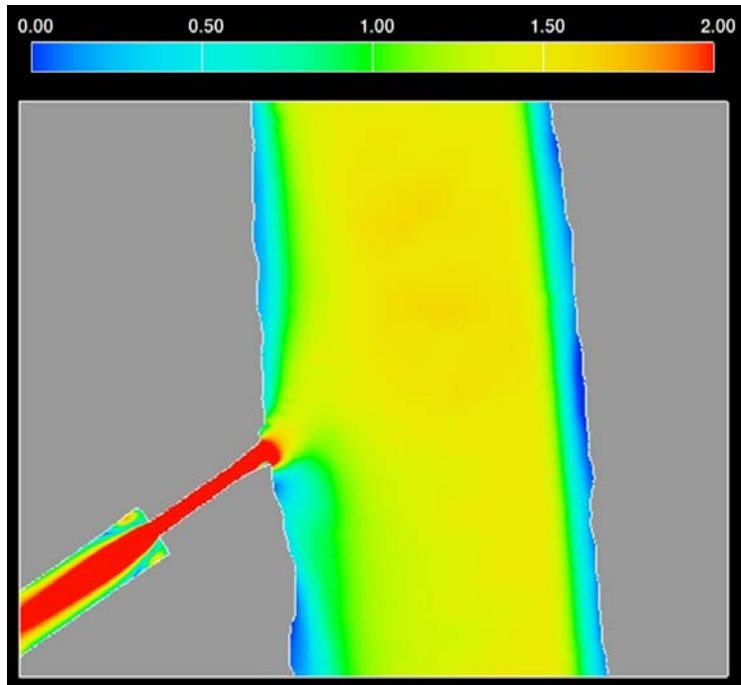


Figure 11. Run #1, Water Velocity at Elevation +4.1 Feet NAVD88.

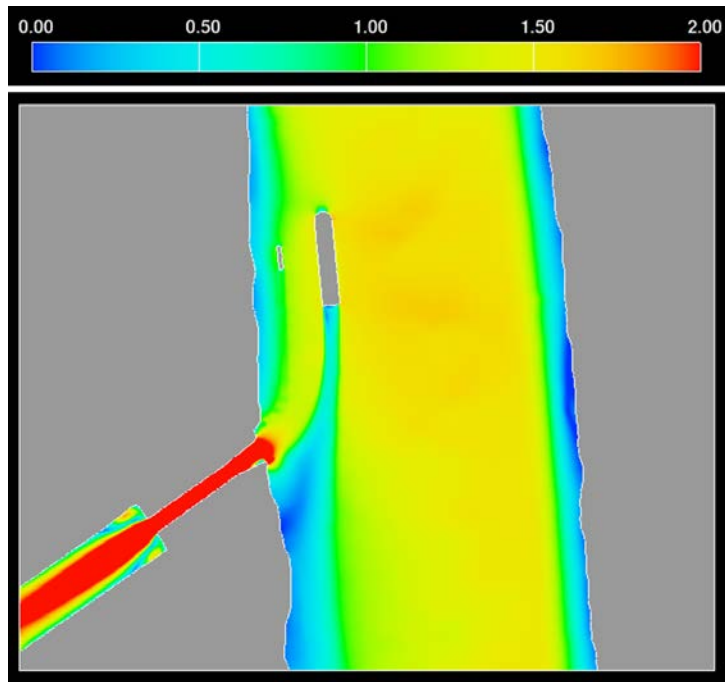


Figure 12. Run #2, Water Velocity at Elevation +4.1 Feet NAVD88.

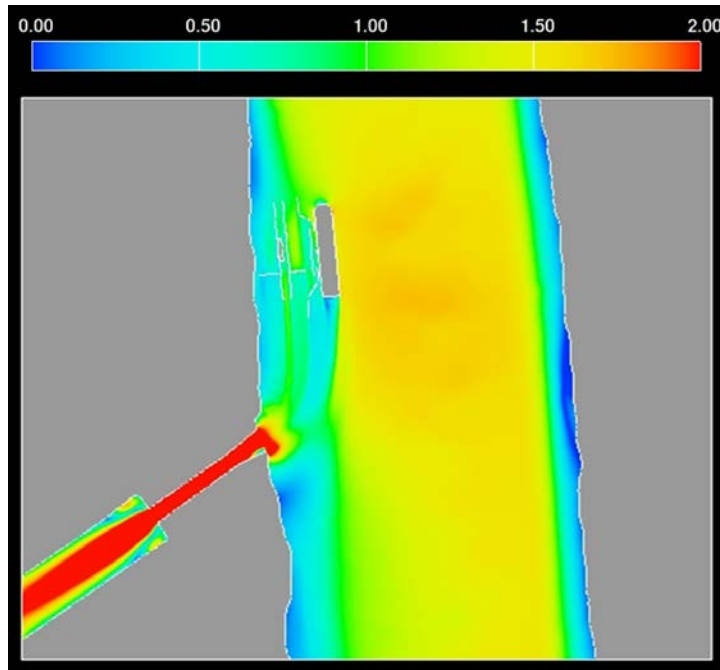


Figure 13. Run #3, Water Velocity at Elevation +4.1 Feet NAVD88.

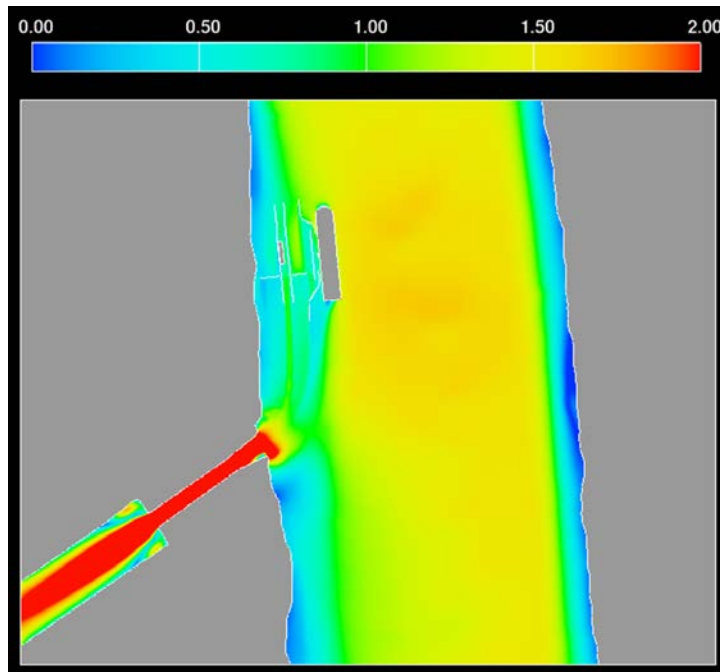


Figure 14. Run #4, Water Velocity at Elevation +4.1 Feet NAVD88.

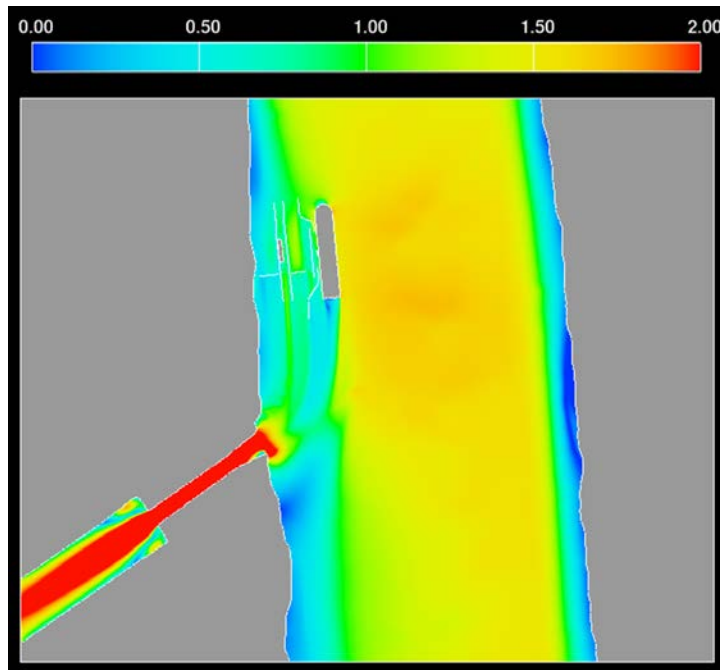


Figure 15. Run #5, Water Velocity at Elevation +4.1 Feet NAVD88.

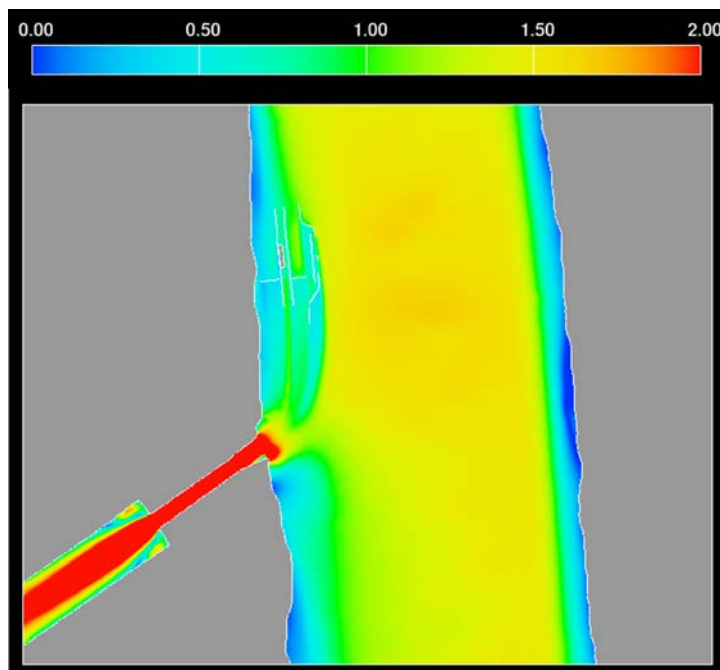


Figure 16. Run #6, Water Velocity at Elevation +4.1 Feet NAVD88.

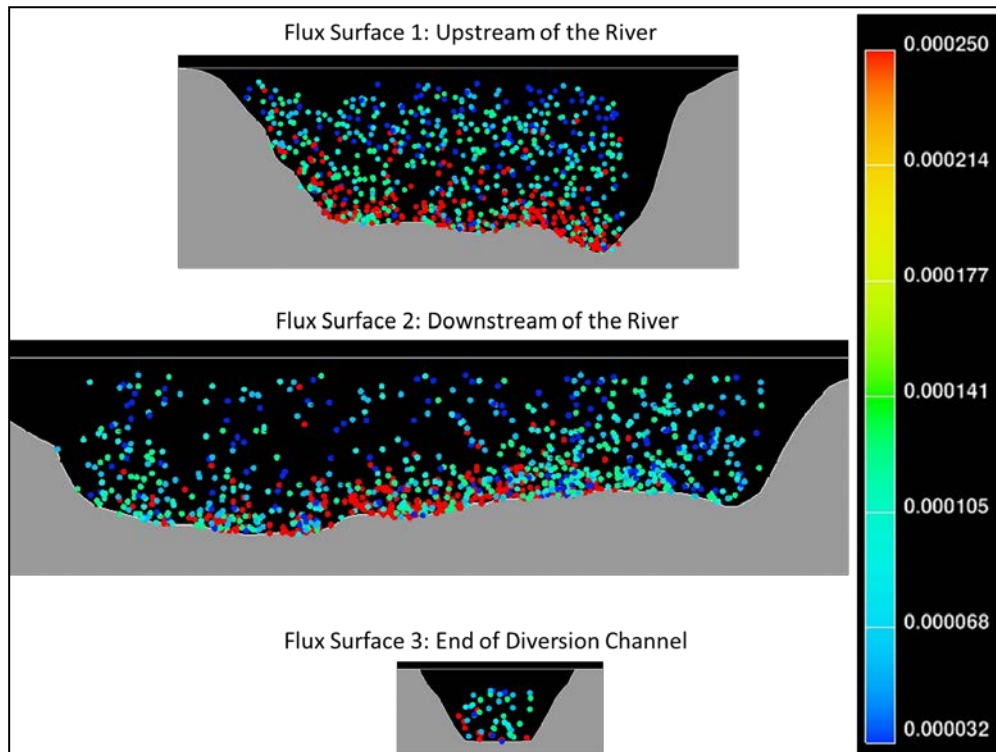
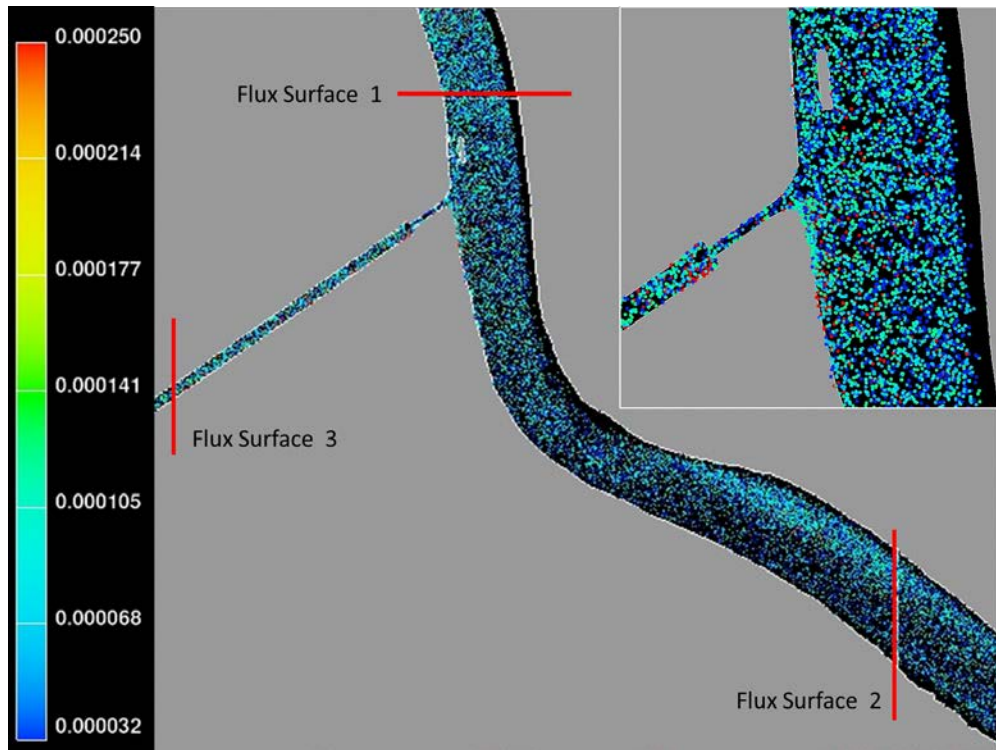


Figure 17. Run #3, Particles Distribution.

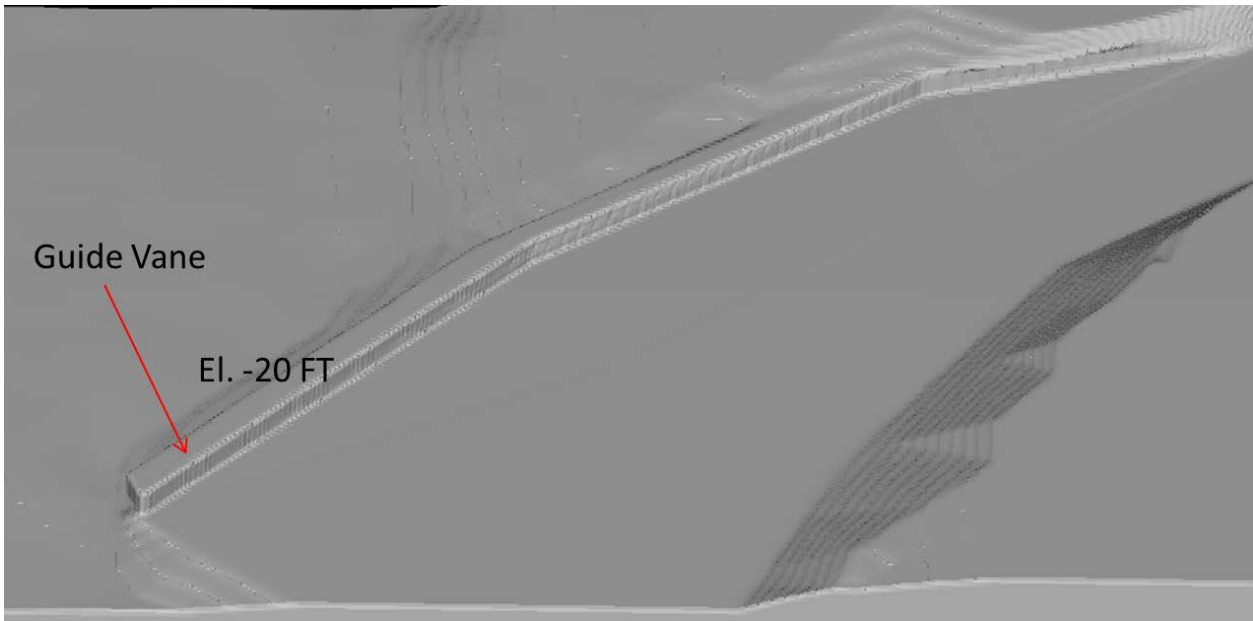


Figure 18. Proposed Guide Vane at the Entrance of the Diversion.

## 5. Tables

Table 1. Porous jump properties<sup>1</sup>.

| Porous Jump<br>(Baffle in FLOW-3D) | Porosity | Linear<br>Loss Coefficient <sup>1</sup> |
|------------------------------------|----------|-----------------------------------------|
| 1                                  | 0.95     | 0.78                                    |
| 2                                  | 0.95     | 0.78                                    |
| 3                                  | 0.95     | 0.78                                    |
| 4                                  | 0.95     | 0.78                                    |
| 5                                  | 0.95     | 0.78                                    |
| 6                                  | 0.95     | 0.78                                    |
| 7                                  | 0.95     | 0.78                                    |
| 8                                  | 0.95     | 0.78                                    |
| 9                                  | 0.95     | 0.78                                    |
| 10                                 | 0.95     | 0.78                                    |
| 11                                 | 0.95     | 0.78                                    |
| 12                                 | 0.95     | 0.78                                    |

<sup>1</sup> Blevins, Robert D., Applied Fluid Dynamics Handbook, Table 10-19, No. 23.

**Table 2: Summary of Sediment Calculations**

|                                                   | Mississippi River | Run-No1 Base | Run-No2 Vessels Only | Run-No3 Vessels (loaded) & Facility | Run-No4 Vessels (empty) & Facility | Run-No5 Vessels (loaded) & Facility & Vane | Run-No6 Barges & Facility (no Ship) |
|---------------------------------------------------|-------------------|--------------|----------------------|-------------------------------------|------------------------------------|--------------------------------------------|-------------------------------------|
| <b>Water Discharge (m3/s)</b>                     | 19,821            | 1,824        | 1,815                | 1,776                               | 1,788                              | 1,785                                      | 1,843                               |
| <b>Water Discharge (CFS)</b>                      | 700,000           | 64,406       | 64,091               | 62,720                              | 63,155                             | 63,021                                     | 65,100                              |
| <b>Sediment Load (metric tons/d) - 32 Micron</b>  |                   |              |                      |                                     |                                    |                                            |                                     |
|                                                   | 233,539           | 25,084       | 24,877               | 23,819                              | 23,464                             | 25,220                                     | 25,040                              |
| <b>Sediment Load (metric tons/d) - 63 Micron</b>  | 10,839            | 1,172        | 1,124                | 1,086                               | 1,063                              | 1,132                                      | 1,194                               |
| <b>Sediment Load (metric tons/d) - 96 Micron</b>  | 21,816            | 2,398        | 2,227                | 2,152                               | 2,233                              | 2,191                                      | 2,397                               |
| <b>Sediment Load (metric tons/d) - 125 Micron</b> | 34,437            | 3,892        | 3,480                | 3,309                               | 3,567                              | 3,543                                      | 3,805                               |
| <b>Sediment Load (metric tons/d) - 250 Micron</b> | 23,460            | 2,404        | 1,568                | 1,664                               | 2,116                              | 1,800                                      | 2,205                               |
| <b>Total 63 - 250 Micron Load (metric ton/d)</b>  |                   |              |                      |                                     |                                    |                                            |                                     |
|                                                   | 90,554            | 9,867        | 8,398                | 8,211                               | 8,979                              | 8,667                                      | 9,601                               |
| <b>Sediment/Water Ratio</b>                       |                   | 1.184        | 1.013                | 1.012                               | 1.099                              | 1.063                                      | 1.140                               |
| <b>Percent Reduction in Sediment/Water Ratio</b>  |                   |              | 15                   | 17                                  | 9                                  | 12                                         | 3                                   |
| <b>Tons of Sand lost per day</b>                  |                   |              | 1,469                | 1,656                               | 888                                | 1,200                                      | 266                                 |
| <b>Tons of Sand lost per year</b>                 |                   |              | 44,056               | 49,687                              | 26,631                             | 36,009                                     | 7,969                               |
| <b>Tons of Sand lost per decade</b>               |                   |              | 440,559              | 496,874                             | 266,311                            | 360,089                                    | 79,688                              |



# MID-BARATARIA SEDIMENT DIVERSION (BA-0153)

## MODELING EFFECTS OF THE PROPOSED PLAQUEMINES LIQUIDS TERMINAL ON THE MID-BARATARIA SEDIMENT DIVERSION

PRELIMINARY  
FOR REVIEW ONLY

Ranjit Jadhav, PhD, PE  
LA No. 29984



DRAFT  
FEBRUARY 18, 2020





MID-BARATARIA SEDIMENT DIVERSION  
(BA-0153)

MODELING EFFECTS OF THE PROPOSED  
PLAQUEMINES LIQUID TERMINAL ON THE  
MID-BARATARIA SEDIMENT DIVERSION

Prepared for

AECOM Technical Services



Prepared by

FTN Associates, Ltd.



DRAFT  
February 18, 2020

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## 1.0 INTRODUCTION

This report describes the hydraulic, sediment transport and morphological analysis performed using numerical models to evaluate the effect of the proposed Plaquemines Liquids Terminal (PLT) project on the performance of the Mid-Barataria Sediment Diversion (MBSD) project. FTN Associates, Ltd. (FTN) performed the study as a member of the Design Team (DT) led by the AECOM Technical Services (AECOM). The DT is providing the Engineering and Design (E&D) services for the MBSD project to the Coastal Protection and Restoration Authority (CPRA) of Louisiana. The DT is currently performing the 30% Level E&D analysis. Royal HaskoningDHV Consultants (RHDHV) provided the Independent Technical Review (ITR) of this study.

The proposed PLT facility is situated about 1,500 ft upstream of the MBSD intake on the west bank of the Mississippi River (MR) and 2500 ft downstream of the existing Cenex Harvest States Inc. (CHS) grain terminal.

## **2.0 PURPOSE, SCOPE AND LIMITATIONS**

The purpose of the modeling study is to add the proposed PLT facility to the numerical models developed for the MBSD and evaluate the effects on the water level, velocity, discharge and sediment transport in the MR and in the diversion canal.

The modeling study is limited to the MR segment in the vicinity of the diversion structure, i.e., about 5 miles upstream and downstream of the diversion intake which is the approximate extent of the primary model domains. The effect of the Mid-Breton diversion proposed at approximately RM 68 on the east bank of the MR is not considered in this study.

The models are not setup to provide information for the design of the structural components of the PLT facility. The MBSD E&D is currently at the 30% level and the numerical model geometry incorporate diversion components designed at this level. Further E&D efforts are underway, and the models and results are subject to change.



## 3.0 METHODOLOGY

The modeling method is described in the flow-chart shown on Figure 3.1. A combination of two-dimensional (2D) and three-dimensional (3D) Delft3D models along with the 3D FLOW-3D Computational Fluid Dynamic (CFD) model is used to simulate the effects of PLT on the MBSD as shown in the Figure 3.1.

### 3.1 General Approach

The 3D FLOW-3D model included a segment of the MR with- and without-PLT, the intake headworks and a portion of the conveyance channel (CC). This model was primarily used to simulate the non-hydrostatic flow field (water level and velocity) and energy losses in the system through steady-state (SS) runs.

The 3D Delft3D (hydrostatic) model covered the similar model extent and was calibrated using SS runs to the energy losses provided by the FLOW-3D model. This model was primarily used to simulate the MR morphology, sediment transport and the discharge and sediment load through the diversion. The production runs were performed using one-year MR hydrograph.

The 2D Delft3D model (hydrostatic) covered the above model domain with the addition of the entire diversion channel and the Barataria Basin up to the Gulf of Mexico. It was calibrated using SS to the energy losses provided by the FLOW-3D model. The purpose of this model was to provide realistic water level (WL) boundaries to the partial conveyance channel (CC) segment represented in the 3D models. Performing 3D model simulations with the entire conveyance channel and the Barataria Basin would have been prohibitively costly and time consuming without any added accuracy to the study.

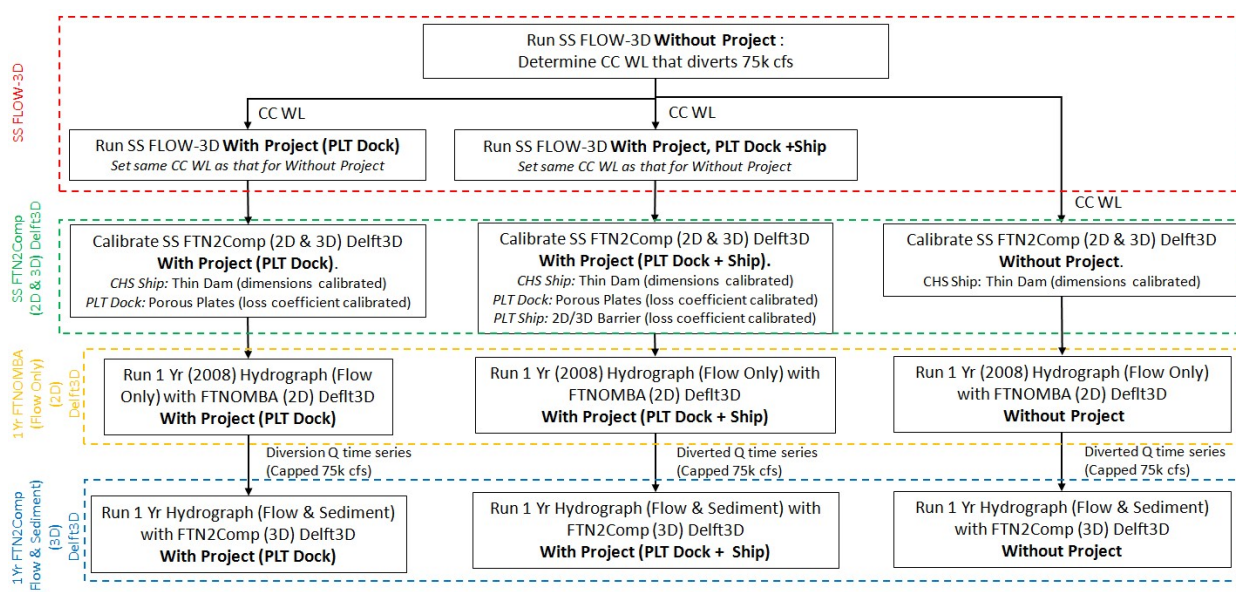


Figure 3.1. Flow-chart showing sequence, purpose, and setup of the various models used in this study.

### 3.2 Modeling Programs

Considering the important hydraulic processes and the previous work by the Water Institute of the Gulf (WI) and CPRA, two multi-dimensional modeling programs were selected, namely, FLOW-3D and Delft3D. The modeling programs are briefly described below in the following sections.

### 3.3 FLOW-3D Modeling

Several CFD models exist that can be used to model the MBSD diversion. In this application, it is imperative that the model has the ability to efficiently solve for the spatial and temporal variations in water levels as well as the turbulent three-dimensional near-field flow velocities produced as a result of fluid structure interaction at the intake. The FLOW-3D three-dimensional (3D) CFD software licensed from Flow Science, USA (Flow Science, 2018) was selected as the appropriate modeling tool for the near-field hydrodynamic and the suspended sediment transport modeling. FLOW-3D was used previously by CPRA/WI to model the flow and suspended sediment through sediment diversions during the planning phase (Meselhe et al., 2012). It was proven to be able to capture the complex 3D flow field in the vicinity of the

diversion as well as quantify the spatial distribution of the suspended sediment on the lateral bar near the diversion. FLOW-3D was also used in the study by HDR Engineering as described in the 30% design report (HDR, 2014) for screening of diversion alternatives. FLOW-3D is currently the only available commercial CFD model capable of simulating suspended sediment in free surface flows over complicated river bathymetries, irregular banks and intake structure using structured grids (Allison et al., 2017). Since FLOW-3D solves the complete 3D Reynolds-Averaged Navier-Stokes equations with turbulence closure, it is inherently non-hydrostatic and gives more accurate vertical flow profiles than models that are based on the shallow water equations. However, the model is computationally intensive, with relatively long computational times for this application. Therefore, the FLOW-3D analysis was only applied to selected steady-state flow conditions, which are representative snapshots from a typical river hydrograph. The model was used to determine the energy loss through the system and the Sediment-Water Ratio (SWR, described later) using a discrete particle tracking model. One limitation of FLOW-3D is that, at this time, it does not include a validated and efficient model for simulating sediment transport together with morphology change (i.e., the bed level change due to erosion and deposition of sediment) near the diversion. Therefore, the morphology change analysis was performed using another modeling software called Delft3D described later in this report.

### **3.3.1 Model Geometry**

A FLOW-3D model named FTNMSDI was developed to model the hydrodynamic effects of the PLT dock structure and the ship on the MBSD diversion intake. The FLOW-3D model geometry extended in the MR from River Mile (RM) 58.1 downstream to RM 65 upstream (All river miles referenced are relative to the Head of Passes which is at RM 0). The details of the domain extent and the mesh blocks are shown on Figure 3.2.

The FTNMSDI model is being used currently for E&D of the MBSD project. One of the key improvements made to the FTNMSDI model developed here over the previous FTNMSDI model, was that the upstream boundary in the current FTNMSDI model has been extended further north upstream to RM 65.0 from the RM 62.7 location in the previous FTNMSDI model.

This was done after initial model runs with the PLT Dock showed that the previous boundary location in the FTNMSDI model was too close to the PLT location and showed upstream boundary effects on the calibration results at the transect crossing near the proposed PLT location. Moving the boundary approximately 2 miles upstream in the updated FTNMSDI model resolved this issue. Note that the choice of the FTNMSDI boundary at RM 62.7 is still appropriate for the MBSD modeling results (without the PLT) because the upstream boundary effects are negligible at the MBSD intake for either choice of the upstream locations, i.e., the flow from the upstream is already developed when it reaches the MBSD location. The upstream boundary extension is only required in the current FTNMSDI model since the study site of interest (PLT Dock and Ship) which is approximately 1500 ft upstream of the MBSD location is also affected by the CHS terminal which is about a mile upstream of MBSD, an extension of the upstream boundary captures the combined effect of all these features in the model. A second change made to the model was the inclusion of the CHS terminal into the updated FLOW-3D FTNMSDI model which is approximately 0.5 mile upstream of the PLT location and whose effect cannot be neglected when modeling hydrodynamic effects at PLT.

The bathymetry for the river portion of the model was generated by combining multibeam survey data from US Army Corps of Engineers (USACE). The 2012 USACE channel survey (published in 2013) was used for the main channel and the 2017 USACE revetment surveys were used for the revetment portions in the river. The bathymetry for the MBSD intake and conveyance channel used the latest design by the DT for CPRA.

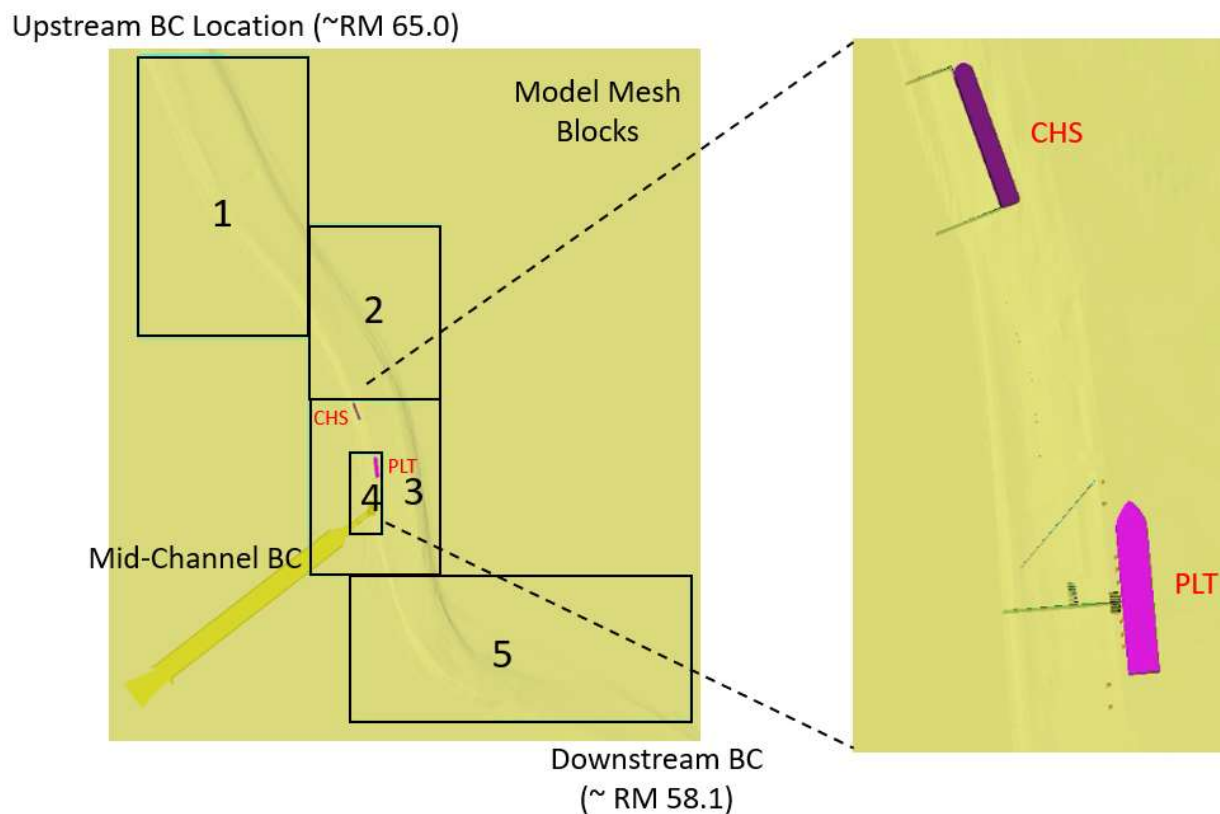


Figure 3.2. Model domains, mesh blocks and boundary locations of the FTNMSDI FLOW-3D model and their relation to the CHS and PLT terminals.

### 3.3.2 PLT model setup

The structural drawings for the proposed PLT Dock structure and ship, while docked at the PLT Dock, were provided by Tallgrass Energy. All underwater structures with possible hydrodynamic impacts (e.g., the ship, the barge deflector, the access-way, the fire-water intake platform, the liquid loading platform, and the breasting and mooring dolphins) were identified for distinct representation in the model. The PLT ship is modeled as a solid body. The ship is assumed to be loaded up to approximately half its full draft (modeled as having a mean draft of 28 ft), and is assumed to be present for the entire operational period of the diversion for the one year hydrograph period simulated.

Figure 3.3 and Table 3.1 show the details of the PLT structures and the ship as represented in the FLOW-3D model. The individual piles and dolphins are too small to be

resolved at the individual fluid-structure interaction scale, using the river reach-scale model grid. Instead they were represented by sub-grid scale drag effects of the structures by mesh planes, which can be appropriately parameterized to extract energy from the main flow, without the need to resolve the individual wake of each pile structure in detail. This approach has been used before in Meselhe et al. (2012) and is also used here to model drag effects of the pile arrays (access-way, barge deflector, fire-water and liquid loading platforms), truss and individual dolphins (which are too small to be resolved independently but still have non-negligible drag effects on the global flow) by porous mesh planes. The group of barges with a uniform 3 ft draft arranged continuously on top of the barge deflector pile group is represented by a solid mesh plane (negligible width). The ship at the PLT Dock can be fully resolved at the model grid scale and is modeled as a solid body. Explanations of the choice of model coefficients for the porosity, linear loss coefficient and the quadratic loss coefficient for the mesh planes are provided in the following paragraphs. These coefficients were carefully chosen to parameterize complex drag effects of the major structural configurations based on the theoretical and empirical studies found in the literature.

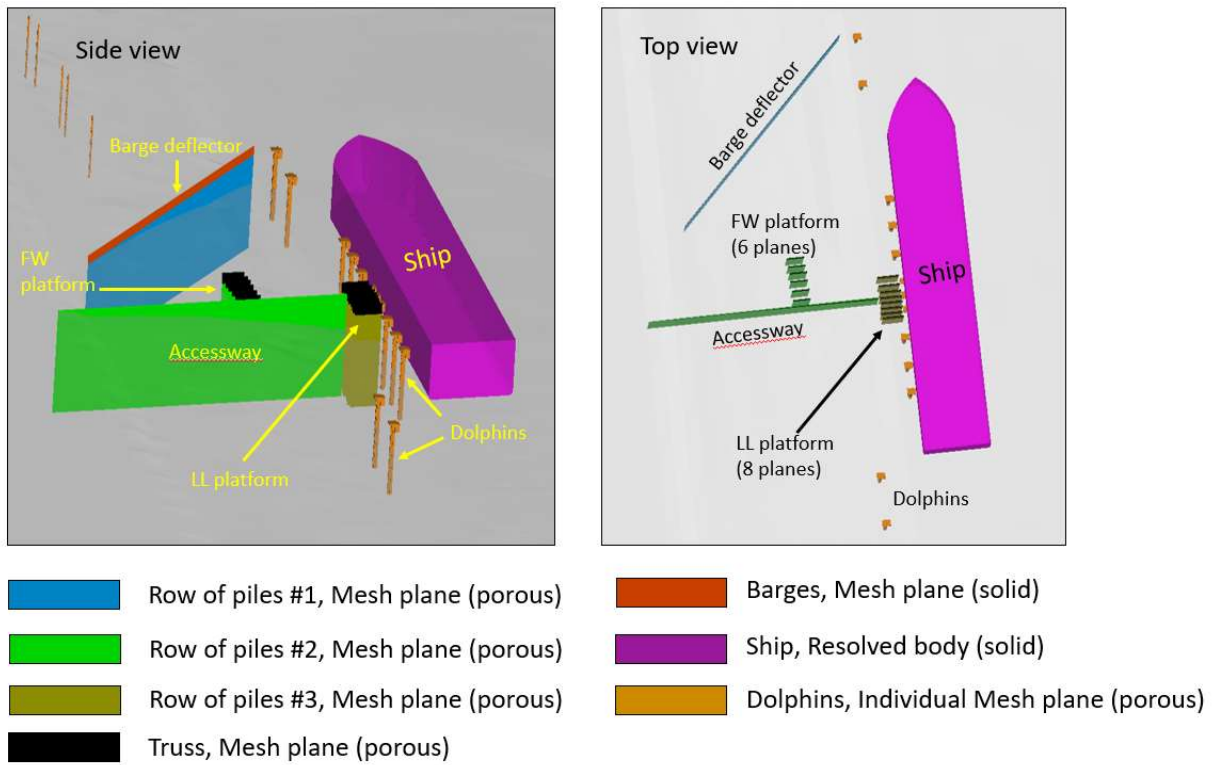


Figure 3.3. Illustration of the PLT structures in the FTNMSDI FLOW-3D model.

Table 3.1. Modeling details of the PLT components in FLOW-3D.

| PLT structures                                  | Mesh plane type                      | Vertical extent                                                           | Porosity ( $\epsilon$ ) | Linear loss coefficient (KBAF1) | Quadratic loss coefficient (KBAF2) |
|-------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------|-------------------------|---------------------------------|------------------------------------|
| Accessway and Firewater platforms: row of piles | Mesh plane (porous)                  | Extends from river bed up to 3 ft, NAVD88                                 | 0.90                    | 0.16                            | 0.00                               |
| Liquid loading platforms: row of piles          | Mesh plane (porous)                  | Extends from river bed up to 3 ft, NAVD88                                 | 0.86                    | 0.16                            | 0.00                               |
| Fire-Water and Liquid-Loading platforms: truss  | Mesh plane (porous)                  | Extends from 3 ft, NAVD88 up to 14.5 ft, NAVD88                           | 0.78                    | 0.00                            | 0.90                               |
| Barge deflector: row of piles                   | Mesh plane (porous)                  | Extends from river bed up to 3 ft below water surface                     | 0.96                    | 0.16                            | 0.00                               |
| Barge deflector; barges                         | Mesh plane (solid)                   | Extends from 3 ft below water surface up to 12.4 ft, NAVD88               | 0.00                    | N/A                             | N/A                                |
| Dolphins                                        | Individual Mesh plane (porous)       | Extends from river bed up to 12.4 ft, NAVD88                              | 1.00                    | 0.00                            | 1.00                               |
| Ship                                            | No Mesh Plane, Resolved body (solid) | Extends from 28 ft (mean draft) below water surface up to 14.5 ft, NAVD88 | N/A                     | N/A                             | N/A                                |

The drag induced by a mesh plane on the main flow is represented by a pressure drop term in the Reynolds-Averaged Navier-Stokes (RANS) equations for incompressible flow. The pressure drop in FLOW-3D is calculated using a Darcy-Forchheimer type equation (FlowScience 2018) as given below:

$$\Delta p = \rho \cdot (KBAF1 \cdot u + KBAF2 \cdot u|u|) \quad (1)$$

Where,  $\Delta p$  is the pressure drop in the flow direction per unit length,  $\text{kg/m}^2/\text{s}^2$ ;  
 $\rho$  is the density of water,  $\text{kg/m}^3$ ;  
 $u$  is the subgrid scale (within pile array) velocity, m/s with the following equation.

$$u = \frac{U_{bulk}}{\epsilon} \quad (2)$$

Where,  $U_{bulk}$  is the velocity at the resolved scale of the bulk flow, m/s;



$\varepsilon$  is the porosity which a measure of the void space in the structure.  
 $KBAF1$  is the linear loss coefficient, 1/s, with the following equation:

$$KBAF1 = \frac{\nu}{k} \quad (3)$$

Where,  $\nu$  is the kinematic Viscosity of water,  $m^2/s$ ;  $k$  is the permeability,  $m^2$ ;  
 $KBAF2$  is the quadratic loss coefficient, 1/m;  
For approximation of the pressure drop across a row of piles, Chamsri et al., 2015 proposed the following equation

$$k = \frac{2\pi\varepsilon^2}{(1-\varepsilon)R_e C_d} \quad (4)$$

Where,  $\varepsilon$  is the porosity;  $r$  is the diameter of the pile, m;  $R_e = uD/\nu$  is the Reynold's number based on individual pile diameter ( $D$ );  $C_d$  is the drag coefficient for the individual pile.

Table 3.2. Reynolds number for different cylindrical piles used in PLT Dock components. (DAV is Depth-Averaged Velocity).

| Structure             | Pile Diameter (D) (ft) | Porosity | MR Flow (cfs)         | Estimated MR DAV at PLT (ft/s) | Estimated Local DAV in Pile Array (ft/s) | Pile Reynolds Number (Re) |
|-----------------------|------------------------|----------|-----------------------|--------------------------------|------------------------------------------|---------------------------|
| Accessway Piles       | 1.5                    | 0.90     | 1,000,000 (High Flow) | 4.0                            | 4.4                                      | 6.2 E5                    |
|                       |                        |          | 600,000 (Low Flow)    | 2.0                            | 2.2                                      | 3.1 E5                    |
| Barge Deflector Piles | 4.0                    | 0.96     | 1,000,000 (High Flow) | 4.0                            | 4.2                                      | 1.5 E6                    |
|                       |                        |          | 600,000 (Low Flow)    | 2.0                            | 2.1                                      | 7.7 E5                    |
| Breasting Dolphins    | 9.0                    | 1.00     | 1,000,000 (High Flow) | 4.0                            | 4.0                                      | 3.3 E6                    |
|                       |                        |          | 600,000 (Low Flow)    | 2.0                            | 2.0                                      | 1.7 E6                    |

Achenbach's (1971) pile drag coefficient variation (Figure 3.4) versus the pile Reynolds number chart was used to determine the  $C_d$  for an individual pile. The Reynolds number computations at high and low flows for the various cylindrical members are shown in Table 3.2. Equations 2 through 4 were used to derive the values for the linear loss coefficient for the different pile arrays. As an example of how the linear loss coefficient for the accessway piles is calculated, consider the accessway pile array which has piles with diameter of 1.5 ft spaced apart 15 ft across the streamwise direction. The porosity ( $\epsilon$ ) for the accessway pile structure in the streamwise direction thus is 0.9 ( $=1-1.5/15$ ). For MR flow ranging from 600,000 cfs to 1,000,000 cfs, the depth-averaged velocity (DAV) in the bulk flow ( $U_{bulk}$ ) around the PLT dock structure varies approximately between 2 to 4 ft/s. With the porosity of 0.9, the local sub-grid scale DAV around the piles ( $u$ ) can vary from 2.2 to 4.4 ft/s as given by Equation 2 above. This yields a pile Reynolds number range from  $3.1 \times 10^5$  to  $6.2 \times 10^5$  (Table 3.2). Figure 3.4 highlights this range and assuming a pile roughness ( $k_s/D$ ), where  $k_s$  is the Nikuradse's roughness length and  $D$  the pile diameter, of  $1$  to  $5 \times 10^{-3}$  for typical rough piles, the drag

coefficient of a single cylindrical pile,  $C_d$  can be estimated to be between 0.9 to 1.2. Applying equation (4), the permeability  $k$ , is calculated to be between  $4.8$  to  $9.6 \times 10^{-6} \text{ m}^2$ . The KBAF1 from equation (3) thus varies between  $0.1 / \text{m}$  to  $0.22 / \text{m}$ . For simplification, a mean of  $0.16 / \text{m}$  was used in the model. As is shown in Table 3.1, the structure of rows of piles in the accessway, fire-water platform, liquid-loading platform and barge deflector was thus approximated with a linear loss coefficient of  $0.16/\text{m}$ .

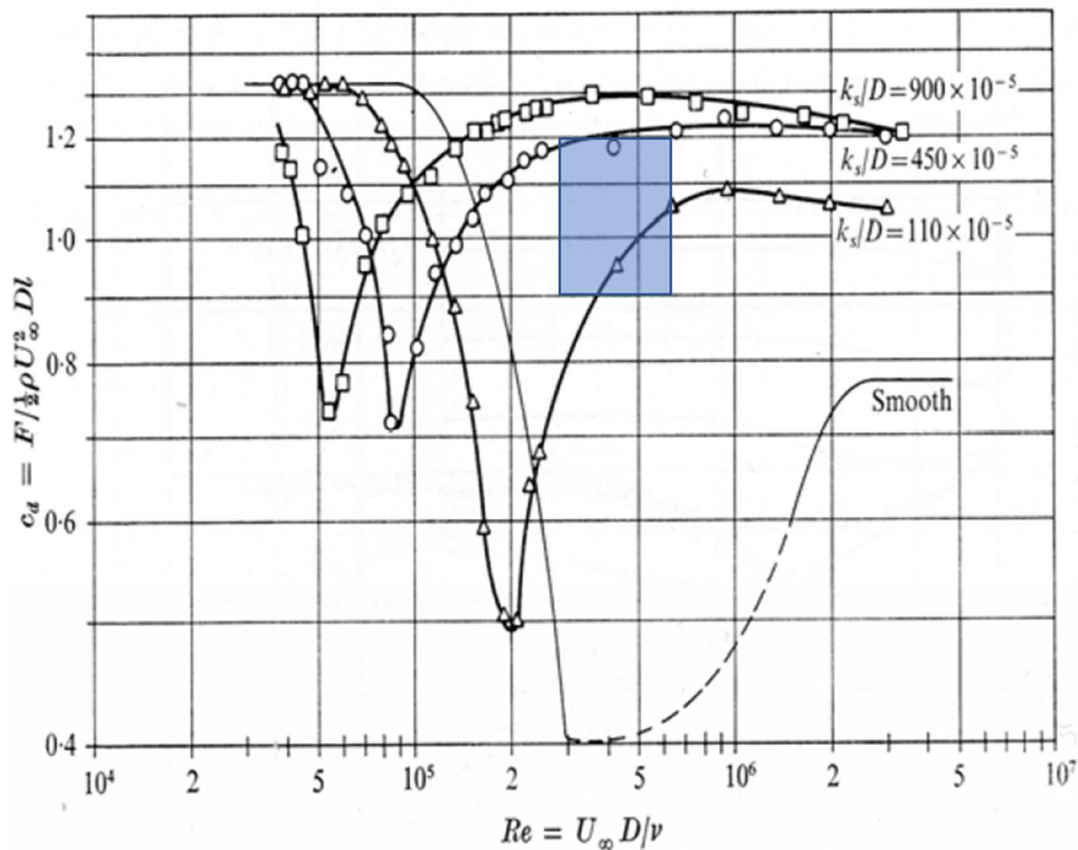


Figure 3.4. Individual cylindrical pile drag ( $C_d$ ) variation with pile Reynolds number (Achenbach 1971).

The truss structures for the liquid-loading platform and fire-water platform are approximated with a quadratic loss coefficient (Blevins, 1984). This approach is similar to the method of representing truss drag effects by the quadratic drag law that was used by the WI (Meselhe et al., 2012). Figure 3.5 shows the table from Blevins (1984) which provides values for

empirical quadratic drag coefficients for open frame at different solidarity ratio ( $1-\epsilon$ ) and Reynold's number. With a solidarity ratio of 0.22 and Reynolds number greater than  $5 \times 10^5$ , the quadratic drag coefficient is determined to be 0.9 and is chosen for the mesh planes representing the firewater and liquid loading platform trusses for this study.

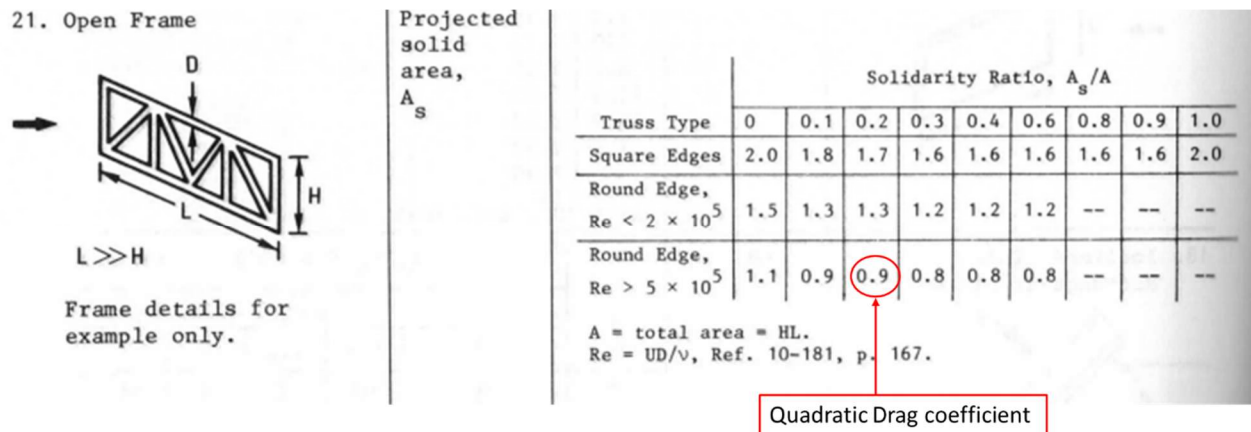


Figure 3.5. Quadratic drag coefficients for various solidarity ratios and Reynolds number range (Source: Table 10-19 from Blevins, 1984)

The barge section, which forms the top of the barge deflector, with a 3 ft draft below the water surface is considered impermeable by setting the porosity to 0 for that mesh plane; this leads FLOW-3D to disregard equations 1 to 3 and instead treat the mesh plane as a solid body that blocks the flow through it. The PLT ship is fully resolved as a solid body in the model with a no-slip boundary condition at the solid surface. The ship draft was held constant at 28 ft below the water surface over various river flows as the mean draft of the ship provided by Tallgrass Energy. Thus, the vertical position of the ship bottom was set at different elevations based on the different water surface elevation for the high and low flow runs. The water surface from the 'Without-Project' run was used as the guidance to set the ship bottom elevation for the 'With-Project' (PLT Dock+ Ship) runs.

In addition, a ship, anchored to the river bed and moored at the CHS terminal, was modeled by a fully resolved solid body. The dimensions of the CHS ship were obtained from the outline of an image of an actual ship moored at this location shown in a recent Google Earth

image (2018) from a recent period as the calibration period. This ship was included in all the runs (without PLT, PLT Dock and PLT Dock+Ship). The CHS Dock structure was represented by three mesh planes, two perpendicular to the flow and one along the flow, as seen on Figure 3.2.

Since the main goal of the study is to model the effects at the MBSD intake with- and without-PLT project conditions over the entire period of modeling (1 year), the development of an acceptable invariant background condition over that entire period (same 1 year) is important. The following factors are unknown within the period when the observed data were recorded:

- Whether a CHS ship was parked at the CHS terminal,
- The exact CHS ship draft,
- Presence or absence of additional barges along the right descending bank downstream of CHS, or
- The exact structural details of the CHS dock itself.

Therefore, it is reasonable to assume that once the model is calibrated/validated for a given setup, it can be considered as an acceptable background condition for the entire duration of the run. For the purposes of this study, this invariant background (Without-Project) condition, against which With-Project conditions can be evaluated for all the results presented, is considered to be the particular CHS setup against which the FTNMSDI model is calibrated against, i.e., which includes the effect of the CHS terminal and the anchored ship only.

### **3.3.3 Meshing and Boundary Conditions**

Figure 3.6 show the extents of the mesh blocks and Table 3.3 shows the grid sizes within the five different mesh blocks. In order to better resolve the flow features near the PLT Dock, the FTNMSDI mesh that is used for the MBSD analysis was updated with enhanced local refinement (mesh block # 4) spanning from 150 ft upstream of PLT and to include the entire headwork of the MBSD diversion. Figure 3.6 shows both horizontal and vertical mesh grid sections near the PLT structure.

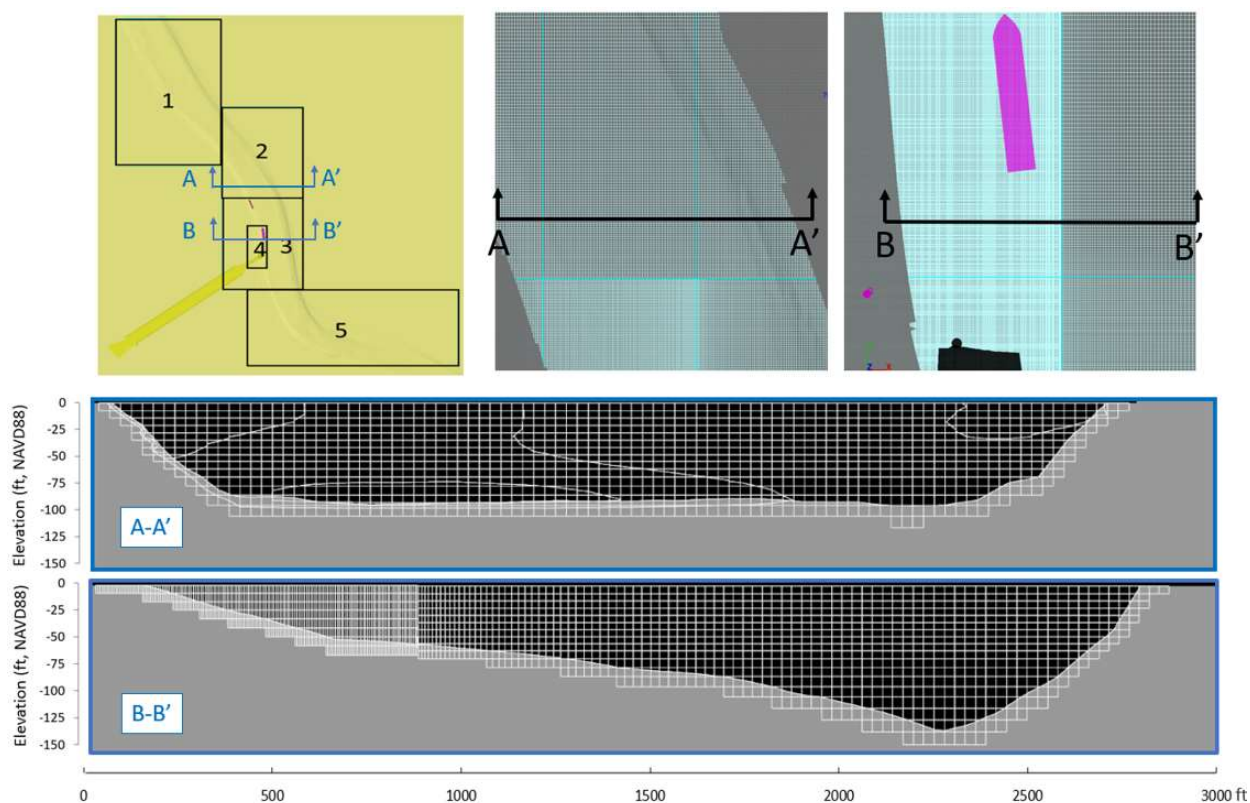


Figure 3.6. Illustration of the FLOW-3D horizontal mesh resolution and vertical resolution at two transects, A-A' and B-B'.

Table 3.3 Mesh sizes for the five mesh blocks in FLOW-3D.

| Block No. | $\Delta x$ (m) | $\Delta y$ (m) | $\Delta z$ (m) |
|-----------|----------------|----------------|----------------|
| 1         | 10             | 10             | 1.8-3.5        |
| 2         | 8              | 5-10           | 1.8-3.5        |
| 3         | 2-8            | 3-8            | 1.8-3.5        |
| 4         | 1.3            | 1.3            | 1.8            |
| 5         | 5-8            | 5-8            | 1.8-3.5        |

A total of 11 run cases (2 runs for calibration/validation and 9 runs for production) were investigated as shown in Table 3.4. The MR upstream is specified by a discharge boundary condition as specified in Table 3.4. The MR downstream and mid-channel are set with a water level boundary condition. At MR flow at 1,000,000, 600,000 and 450,000 cfs, the corresponding water levels at downstream were set to 7.81 ft, 3.48 ft and 2.85 ft, based on stage-discharge (Q-H) relations determined from Delft3D runs under current (without MBSD) conditions. Note

that a slight drawdown in the water levels (approximately 1 ft maximum at high flows) in the river is expected due to the diversion operations. However, this cannot be determined apriori in the FLOW-3D model before ascertaining the diverted discharges through the diversion, which can only be determined from the Delft3D model including the basin effects, which in turn has to be first calibrated for PLT Dock and ship losses with FLOW-3D.

Hence, use of the existing condition (Without-Project) water levels in the FLOW-3D model may slightly overestimate the water level in the river compared to those determined from the Delft3D production runs that will be presented later in Section 5.3 and which includes the basin effects. The Delft3D production runs, particularly the sediment transport runs, use diverted discharge boundary condition at the mid-channel and thus include more accurate basin induced river drawdown effects.

For the purposes of FLOW-3D modeling it is appropriate to use boundary conditions without the slight ( $< 1$  ft) drawdown effects in river water level due to the basin, as the main goal of the FLOW-3D runs is to develop data against which the Delft3D model can be calibrated later for losses at the PLT Dock and the ship. For the FLOW-3D model, the water levels at the channel-side boundary was set to 6.99 ft, 3.02 ft and 2.62 ft, respectively. These water levels, determined during the ongoing 30% E&D Level MBSD modeling study, allow the target diversion discharges (75,000, 48,000, 34,000 cfs respectively at 1,000,000 cfs, 600,000 cfs and 450,000 cfs MR flows) for the Without-Project cases.

For consistency, the same water levels were used for With-Project cases as well to study the hydrodynamic impact of the PLT structure. Therefore, the diverted discharge values from the FLOW-3D model, With- and Without-Project condition, are not true discharges as they neglect the basin effect and thus were not investigated. The role of the FLOW-3D model results is to simply provide hydrodynamic calibration data to the Delft3D models for PLT Dock and Ship induced energy loss effects on the MBSD.

Table 3.4. FLOW-3D model scenarios simulated.

| Run # | MR discharge (cfs) | CHS Dock + Ship | Diversion Structure | PLT Dock | PLT Dock + Ship | Remark                                 |
|-------|--------------------|-----------------|---------------------|----------|-----------------|----------------------------------------|
| 1     | 1,060,000          | Yes             | No                  | No       | No              | Calibration, existing conditions       |
| 2     | 617,000            | Yes             | No                  | No       | No              | Validation, existing conditions        |
| 3     | 1,000,000          | Yes             | Yes                 | No       | No              | Diversion Open, existing conditions    |
| 4     |                    | Yes             | Yes                 | Yes      | No              | Diversion Open, with PLT dock          |
| 5     |                    | Yes             | Yes                 | Yes      | Yes             | Diversion Open, with PLT dock and ship |
| 6     | 600,000            | Yes             | Yes                 | No       | No              | Diversion Open, existing conditions    |
| 7     |                    | Yes             | Yes                 | Yes      | No              | Diversion Open, with PLT dock          |
| 8     |                    | Yes             | Yes                 | Yes      | Yes             | Diversion Open, with PLT dock and ship |
| 9     | 450,000            | Yes             | Yes                 | No       | No              | Diversion Open, existing conditions    |
| 10    |                    | Yes             | Yes                 | Yes      | No              | Diversion Open, with PLT dock          |
| 11    |                    | Yes             | Yes                 | Yes      | Yes             | Diversion Open, with PLT dock and ship |

### 3.4 Delft3D Modeling

The Delft3D model (Deltares, 2018), solves the hydrostatic shallow water equations either in 2D or 3D mode (with sigma co-ordinates for the representation of vertical layers) and is suited for long term simulations over large spatial scales. The advantage of Delft3D is its ability to model morphology change with sediment transport (suspended and bedload) that is coupled with the hydrodynamics. Note that while FLOW-3D model is always used in 3D mode, the Delft3D model can be implemented both in 2D and 3D model. The Delft3D model was used extensively as the most reliable model for the long-term morphology and sediment transport modeling tasks by CPRA/WI during the planning phase (Meselhe et al., 2012a; Meselhe et al., 2015; Gaweesh et al., 2016; McCorquodale et al., 2016; Meselhe et al., 2017). It will remain as the model of choice for the MBSD project for long-term and large-scale simulation runs where the hydrostatic assumptions are valid. For the present modeling tasks, Delft3D will be used to



inform the hydraulic and sediment transport in the diversion channel, evaluate deposition/erosion in the MR, and develop flow rating curves.

### 3.4.1 Model Geometry and Boundary Conditions

Figure 3.7 shows the domains of the three models used in this study, along with the boundary conditions for each. The connection between the models and the hierarchy of their use is explained in the flowchart shown on Figure 3.1. The FTNMSDI FLOW-3D model presented in the previous section is shown in the right most panel for comparison. The two Delft3D models, the FTNOMBA (2D) and the FTN2Comp (3D) are shown in the left and middle panels.

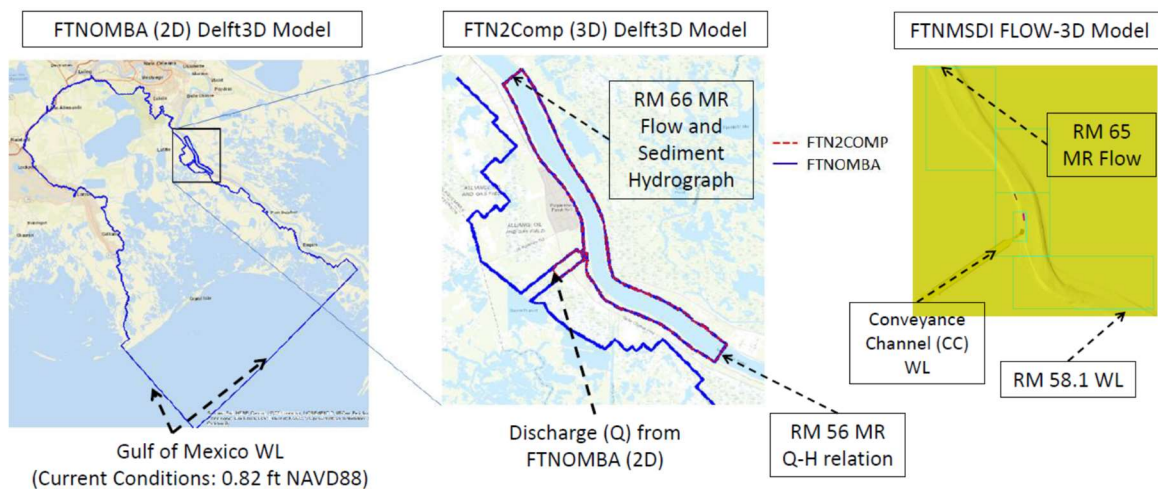


Figure 3.7. Model domains and boundary conditions: Delft3D model domains (left panel is the 2D FTNOMBA and mid-panel the 3D FTN2Comp), along with the FLOW-3D model domain (in right panel and as shown in Fig. 3.2 before).

Figure 3.8 shows the water discharge and sediment load hydrographs imposed at the upstream MR (RM 66) boundary for the 1-year production run. The 2008 hydrograph is selected as it is a good representative hydrograph of the last 15-year period (2004-2018). This hydrograph was also selected by Meselhe et al. (2017) to represent the period 2004-2013 in the WI Basin-wide model runs. The model data is post processed from the period when the MR discharge reaches 450,000 cfs (the trigger flow for diversion operation) in the rising limb up to the point when the MR discharge again falls just below 450,000 cfs in the falling limb. The

actual model run starts a few days earlier when the river is still below 450,000 cfs to allow enough time to overcome the initial conditions. The discharge at RM 66 is obtained from the Belle Chasse USGS gage daily historical data. The total sediment load is estimated from the Hysteresis Sediment Rating Curve (HSRC) developed by WI (Esposito et al., 2017) and the sand load from the Traditional Sand Rating Curve (TSRC) at Belle Chasse developed by Allison et al., (2012). The use of Belle Chasse (RM 73) data to set up the boundary condition at RM 66 thus implies that effect of Mid-Breton diversion (RM 68) is not considered in this study. The cross-section averaged concentrations of sand and fines in the MR were specified in the model by dividing the sediment load by the discharge. The concentrations of silt and clay were specified as 75% and 25% of the total fines, respectively. The total sand was divided into 30% of 250  $\mu$  (medium sand), 37.5% of 125  $\mu$  (fine sand) and 32.5% of the 83  $\mu$  (very fine sand) median diameter size class fractions based on analysis done for the MBSD. The van Rijn (1993) sediment transport formulation is used for non-cohesive (sand) transport. The Partheniades-Krone (1965) formulation is used for modeling cohesive (silt and clay) erosion and deposition.

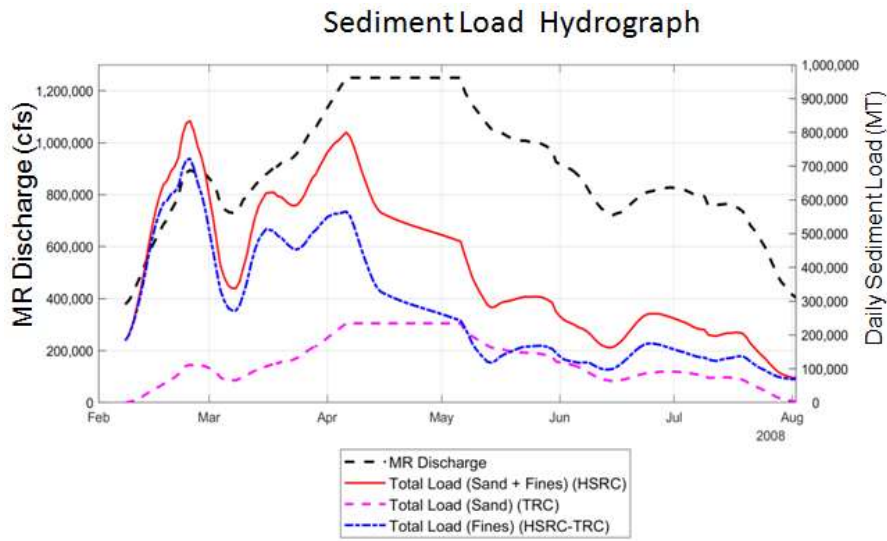
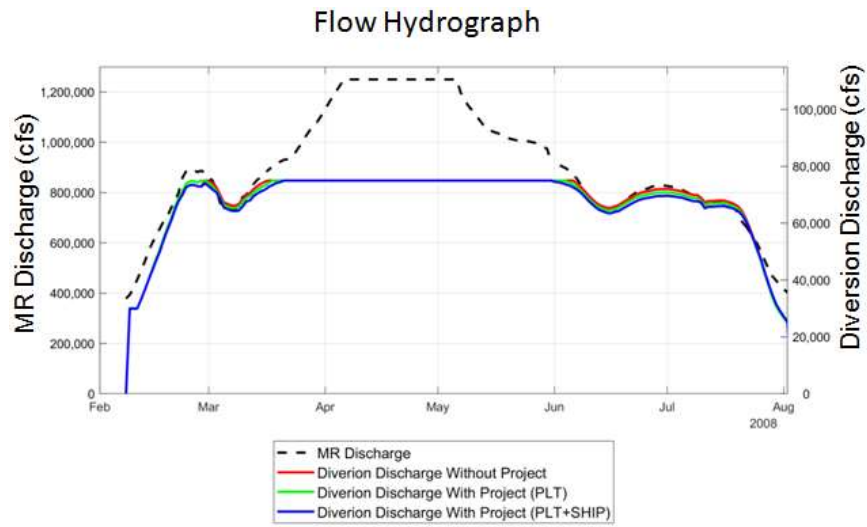


Figure 3.8. Flow and sediment load hydrographs for the 2008 diversion operation period.

Figure 3.9 shows the downstream Q-H relation used in the model. This relation is obtained by weighted averaging of the water level data over the last 10 years (2008-2018) from gages upstream and downstream of this location. The upstream is the USACE Alliance gage at RM 62.5 and the downstream gage is the USACE West Pointe a la Hache gage at RM 48.7.

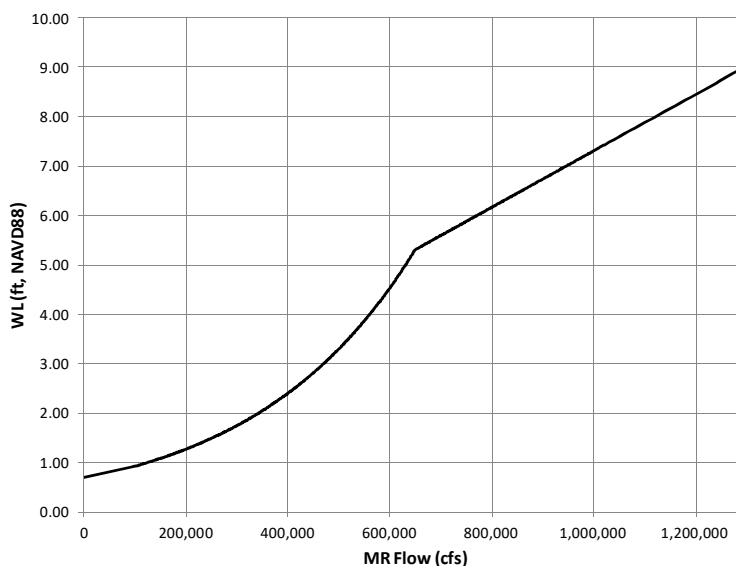


Figure 3.9. Q-H relationship used for the downstream (RM 56) boundary condition.

### 3.4.2 Model Setup

Figure 3.10 shows the setup of the FTN2Comp Delft3D model in 3D mode used for this study. As shown in the figure, similar to FLOW-3D, porous plates are used to model the PLT Dock barge deflector and the access way structures. Unlike FLOW-3D, Delft3D only allows for definition of porous plates along the grid directions ( $\xi$ ,  $\eta$  represent curvilinear grid directions) at the center of a cell. The drag is quantified as a momentum sink terms in the horizontal grid directions in the momentum balance equation. The momentum loss terms for a porous plate are given by the following equations (Deltares, 2018):

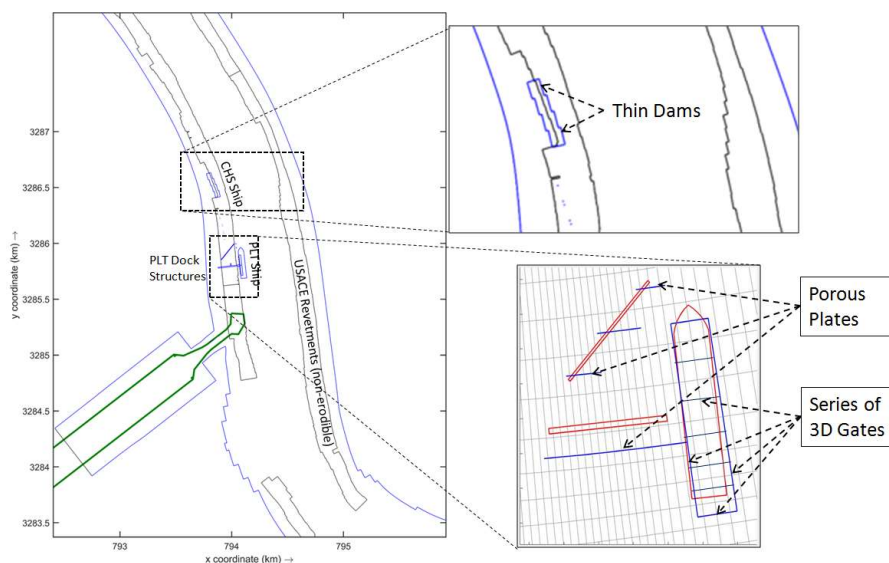


Figure 3.10. FTN2Comp (3D) Delft3D model setup for CHS Ship, PLT Dock and PLT Ship representations.

$$M_{\xi} = -\frac{c_{\text{loss}-u}}{\Delta x} u \sqrt{u^2 + v^2},$$

$$M_{\eta} = -\frac{c_{\text{loss}-v}}{\Delta y} v \sqrt{u^2 + v^2},$$

In the above equations,  $c_{\text{loss}-u}$  and  $c_{\text{loss}-v}$  are calibration coefficients and for simplicity they are considered to be the same for this study. The value of this coefficient will be calibrated to match FLOW-3D results for diverted discharge, water level, and velocities. The velocities in the X and Y directions are  $u$  and  $v$  respectively and the grid spacing is represented as  $\Delta x$  and  $\Delta y$ .

Thin dams are used to represent the effect of the CHS ship, assumed to be anchored to the river bed. The CHS dock structure was not found to be needed to be resolved due to the effects at CHS being already captured by the anchored ship unlike in the FLOW-3D model.

A series of 3D gates, placed in both grid directions and forming a rectangular floating body were used to represent the ship at PLT. The gate depth extended down to the third sigma layer from the water surface and the gate sill was located at an elevation of roughly -20 to -25 ft, NAVD88 over the hydrograph based on the variable water level and local depth. This treatment was found reasonable as the mean draft of the ship is 28 ft and meant that the bottom of the ship would vary between  $\sim$ -19 ft (-28 ft draft +  $\sim$ 9 ft, NAVD88 WL at 1.25M cfs ) and  $\sim$ -25.5 ft

(-28 ft draft + ~2.5 ft, NAVD88 WL at 450K cfs) over the hydrograph. The 2D FTNOMBA model used a 2D barrier, covering the entire water depth and with a calibrated coefficient for the quadratic loss term, similar to the porous plate, instead of the 3D gates.

The diversion sediment capture efficiency is quantified by two main factors:

1. Total sediment load diverted, with particular emphasis on the sand load component of the total diverted sediment load
2. The Cumulative Sediment Water Ratio: Cumulative Sediment Water Ratio (CSWR) is defined in consistence with the past studies done by CPRA and is expressed as (Liang et al, 2017),

$$\begin{aligned}
 \text{CSWR} &= \frac{\text{Cumulative Sediment Load Diverted in the Diversion Channel} / \text{Cumulative Sediment Load in the River}}{\text{Cumulative Water Discharge Diverted in the Diversion Channel} / \text{Cumulative Water Discharge in the River}} \\
 &= \frac{\int_{t=0}^T \text{Instantaneous Sediment Load Diverted in the Diversion Channel}(t) / \int_{t=0}^T \text{Instantaneous Sediment Load in the River}(t)}{\int_{t=0}^T \text{Instantaneous Water Discharge Diverted in the Diversion Channel}(t) / \int_{t=0}^T \text{Instantaneous Cumulative Water Discharge in the River}(t)}
 \end{aligned}$$

The CSWR is calculated for each (n<sup>th</sup>) sediment class as well as for the total sediment load.

$$\text{CSWR}_{\text{total}} = \frac{\int_{t=0}^T \sum_{n=1}^N \text{Instantaneous Sediment Load Diverted in the Channel}(t) / \int_{t=0}^T \sum_{n=1}^N \text{Instantaneous Sediment Load in the River}(t)}{\int_{t=0}^T \text{Instantaneous Water Discharge Diverted in the Diversion Channel}(t) / \int_{t=0}^T \text{Instantaneous Water Discharge in the River}(t)}$$

Figure 3.11 shows the reference planes used for the CSWR calculations. The MR Reference Plane: Upstream records the river sediment loads as well as volume of water passing. The Mid-Channel Plane records the diverted sediment loads and volume of water diverted.

The CSWR can be calculated for the entire 1-year hydrograph or for specific range of MR discharges (e.g., every 100,000 cfs) within the hydrograph depending upon the quantity of interest. For example, while the annual CSWR provides an estimate of the net efficiency during a representative year, the CSWR calculated over several intermediate ranges of MR discharges provides insight into the variation of the sediment capture efficiency with the various flows within a hydrograph.

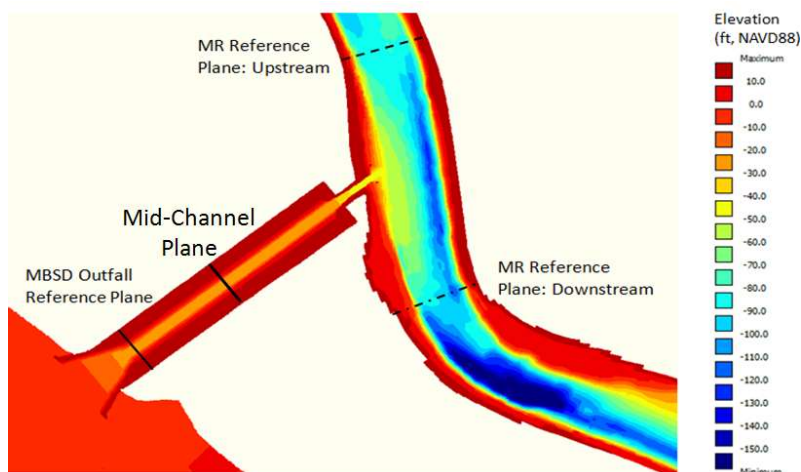


Figure 3.11. Location of reference planes for SWR and CSWR. For the SWR or CSWR computations from the FTN2Comp (3D) Delft3D model, the *Mid-Channel Plane* is used for computation of *diverted* water volume and sediment load while the *MR Reference Plane: Upstream* is used for the *MR* water volume and sediment load. Discharge rating curve from FTNOMBA (2D) Delft3D model is generated from data collected at the MBSD Outfall Reference Plane and the MR Reference Plane: Upstream.

### 3.5 Model Scenarios

Table 3.5 shows the model scenarios performed using the Delft3D (3D) model. The Delft3D model runs with the FTN2Comp model were run under three difference scenarios for each of the three Without- and With-Project Conditions. Five underlying stratigraphy layers were defined for all the runs. The first set (Runs 3, 4 and 5) for diversion open scenarios were conducted with no morphology change (non-erodible bed) but with bed composition update active, representative of short term (intra-annual) scale river effects when the bed level is not known to change much. The purpose is to understand suspended sediment movement without the complexity of bed change. Note that since all the models were started after creating a live bed by running the model initially for two months at high flow (until bed composition attained a steady state) and the fact that the bed composition was active during the production run period also means that the bed can still actively exchange sediment with the suspended flow and the diverted load into the river can still have both wash load and bed material load components. The second set of runs (Runs 6, 7, and 8 for diversion open and 9, 10, and 11 for diversion closed) were run

with morphology update active (as well as bed composition update active) but with no erodible stratigraphy under the initial bed. This meant that the model could deposit and erode over the initial bed only and allowed for the variation in short term (typically a scale of few years when deposition is known to happen on the bar) bed levels and diverted sediment loads due to the erosion of deposited sediment reserves (generated at low flows) at higher flows. These model results also are able to predict deposition extent and depths in the vicinity of the PLT and the MBSD intake. The third set of runs (Runs 12, 13 and 14) were run with an erodible bed below the initial bed as well as with morphology on for the With-Project (PLT Dock + Ship) scenario only. This run was initiated with 5 stratigraphy layers made up of medium sand. The main goal of this test was to understand the possible implications of the ship on the native sand bar river response.

Table 3.5. Delft3D (3D) Model scenarios.

| Run No. | MBSD Diversion Open/ Closed? | PLT Dock? | PLT Ship?                     | Purpose                                                                                  |
|---------|------------------------------|-----------|-------------------------------|------------------------------------------------------------------------------------------|
| 1       | N/A                          | No        | No                            | Model Calibration/ Validation (2018)                                                     |
| 2       | N/A                          | No        | No                            | Model Validation (2008-2011)                                                             |
| 3       | Open                         | No        | No                            | Quantify sediment loads and CSWR without morphology change                               |
| 4       |                              | Yes       | No                            |                                                                                          |
| 5       |                              | Yes       | Yes                           |                                                                                          |
| 6       | Open                         | No        | No                            | Quantify above and deposition with morphology change                                     |
| 7       |                              | Yes       | No                            |                                                                                          |
| 8       |                              | Yes       | Yes                           |                                                                                          |
| 9       | Closed                       | No        | No                            | Quantify deposition with morphology change                                               |
| 10      |                              | Yes       | No                            |                                                                                          |
| 11      |                              | Yes       | Yes                           |                                                                                          |
| 12      | Open                         | Yes       | Yes                           | Quantify erosion and deposition extents with morphology change and erodible stratigraphy |
| 13      | Closed                       | Yes       | Yes                           |                                                                                          |
| 14      | Open                         | Yes       | Yes<br>(locally erodible bed) |                                                                                          |



## 4.0 FLOW-3D MODEL RESULTS: WATER LEVELS AND VELOCITY

### 4.1 Calibration and Validation

The field survey data by CPRA/WI (Allison et al., 2018) in the MR was used for calibration and validation of the FLOW-3D model under existing conditions. The CHS ship was modeled as one solid body and the associated dock structures were modeled with three porous planes. The porosities and linear loss coefficients were adjusted during calibration. The final porous mesh planes porosity was set to 0.95 and the linear loss coefficient was set to 0.78.

Figure 4.1 shows the depth-averaged velocity profile comparisons at three transects (PP01, PP02 and PP03, see Figure 5.4 for location of transects) at MR flow of 1,060,000 cfs. The blue dashed lines show the 15% PLT project model results which are without the CHS terminal and with the upstream boundary located at RM 62.7. It is observed that the right-descending bank velocities were heavily over predicted. The near bank velocity in the current model is much improved, especially at PP01 which is immediately downstream of the CHS terminal. Figure 4.2 shows the validation results at MR flow of 617,000 cfs. The simulation results agree well with the observations.

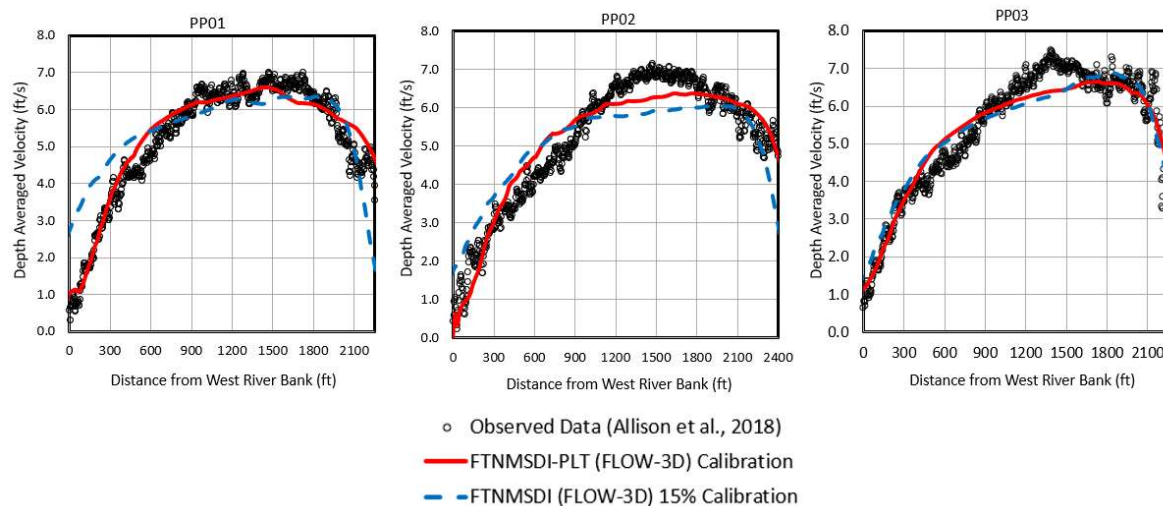


Figure 4.1. Calibration results. comparison of modeled and observed river cross-sections velocity magnitudes at three locations at MR Flow of 1,060,000 cfs.

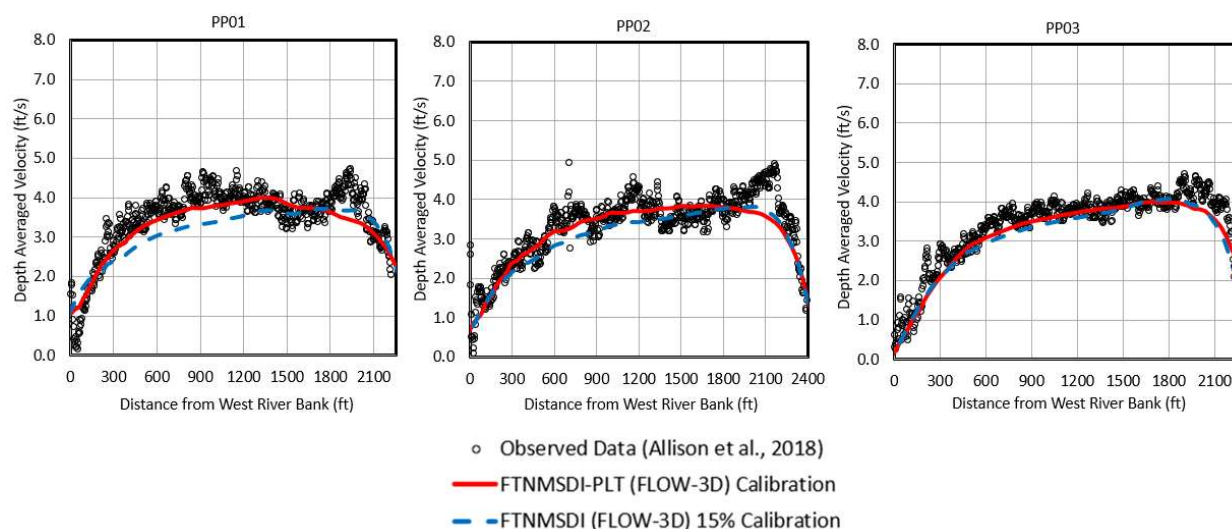


Figure 4.2. Validation results. comparison of modeled and observed river cross-sections velocity magnitudes at three locations at MR Flow of 617,000 cfs.

#### 4.2 FLOW-3D Results: The hydrodynamic impact of PLT

Figures 4.3, 4.4, and 4.5 show the effect of the PLT dock and ship by comparing the contour plot, flow trajectories and vector plots between with and without-project cases. From the results, it is clearly seen that the existence of the PLT project changes the near-field flow dynamics around the diversion intake. The flow along the sandbar, upstream of diversion near the Right Descending Bank (RDB, looking downstream) has been disrupted. An increase in the wake region downstream of CHS was observed with the depth averaged velocity reduced by up to 2 ft/s under high flow condition. The flow trajectories show that the upstream flow streamlines pass around the PLT structure and are not able to recover to the Without-Project conditions before they reach the diversion intake. A low velocity reverse flow wake zone just downstream of the CHS structure was identified which was further influenced by the PLT project as shown on Figure 4.5. This is a potential area of deposition.

Figure 4.6 and 4.7 show the comparison of the depth averaged velocities at five transects for MR flow at 1,000,000 cfs and 600,000 cfs. In the order of the flow direction, the five transects were named PP00, PP01, PP1.5, PP02 and PP03. They are at the same locations in the 2018 survey performed by WI. From the results, it is observed that both the with-project cases are shown to have different degrees of reduction in DAV near the right descending bank. The

most significant reduction is at the transect PP1.5 which is immediately downstream of the PLT structure. For the with-PLT dock and ship case, there is about 4 ft/s reduction in DAV at high flow and 2 ft/s reduction at low flow. The reduction of DAV for the with-project cases at PP02 location is concerning since it may affect the sediment capture capabilities of the diversion by reducing the sediment transport potential. Also, DAV values falling below 3 ft/s may induce sand deposition at high flows when the river sand concentration is generally high. The PP03 location seems to have the least impact from the PLT project since it is farthest from the PLT location. By comparing the two figures, at the lower MR flow, the PLT project seems to have less impact.

Figure 4.8 and 4.9 show the depth-averaged velocity, water surface elevation and total energy head along the bank line for high flow and low flow scenarios for with and without-project cases. Consistent with the findings from Figure 4.6 and 4.7, the depth-averaged velocity has been reduced along the bank line by the addition of the PLT project. In addition, the water surface elevation and total energy head also show significant reduction caused by the PLT project. The less head available near the diversion may also cause issues with the diversion discharge.

Figure 4.10 and 4.11 shows the centerline plots of depth-averaged velocity, water surface elevation and total energy head for MR flow at 1,000,000 cfs and 600,000 cfs for the without-project case, the first with-project case (PLT dock only) and the second with-project case (PLT dock and ship). As mentioned earlier, the two with-projects cases show less total energy head available at the start of the U-Frame.

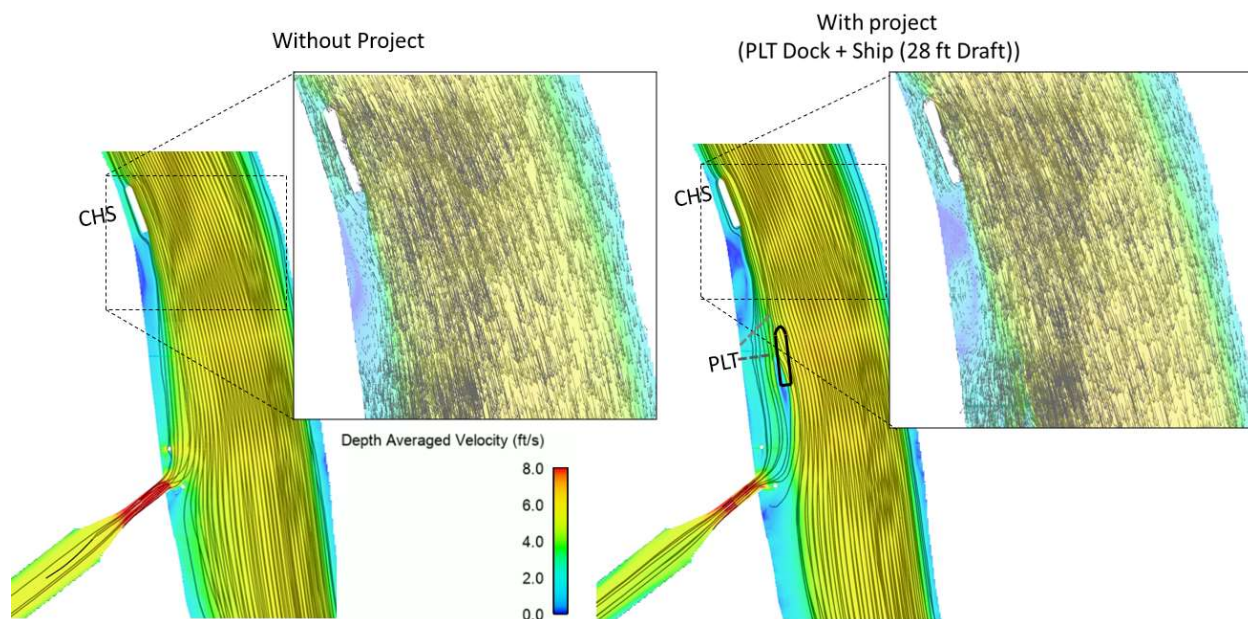


Figure 4.3. Comparison of the depth-averaged velocity contours, flow trajectories and vector plots between without-project case and with-project case (PLT dock and ship) at high flow (1,000,000 cfs).

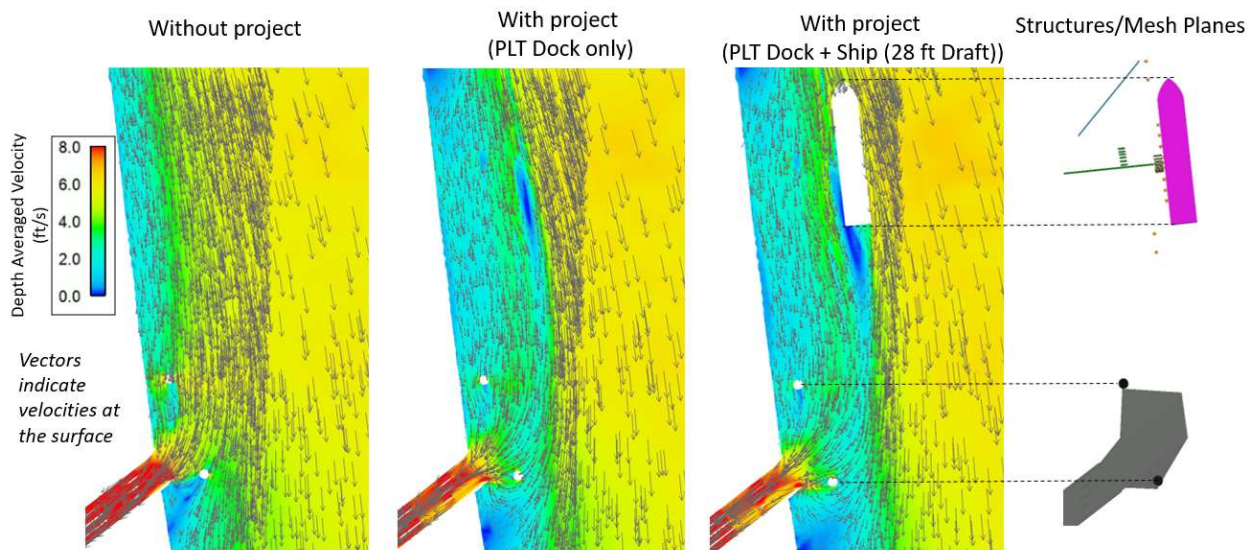


Figure 4.4. Close-up of flow-field near the diversion intake. Comparison of the depth-averaged velocity contours and vector plots between without-project case and with-project case (PLT dock and ship).

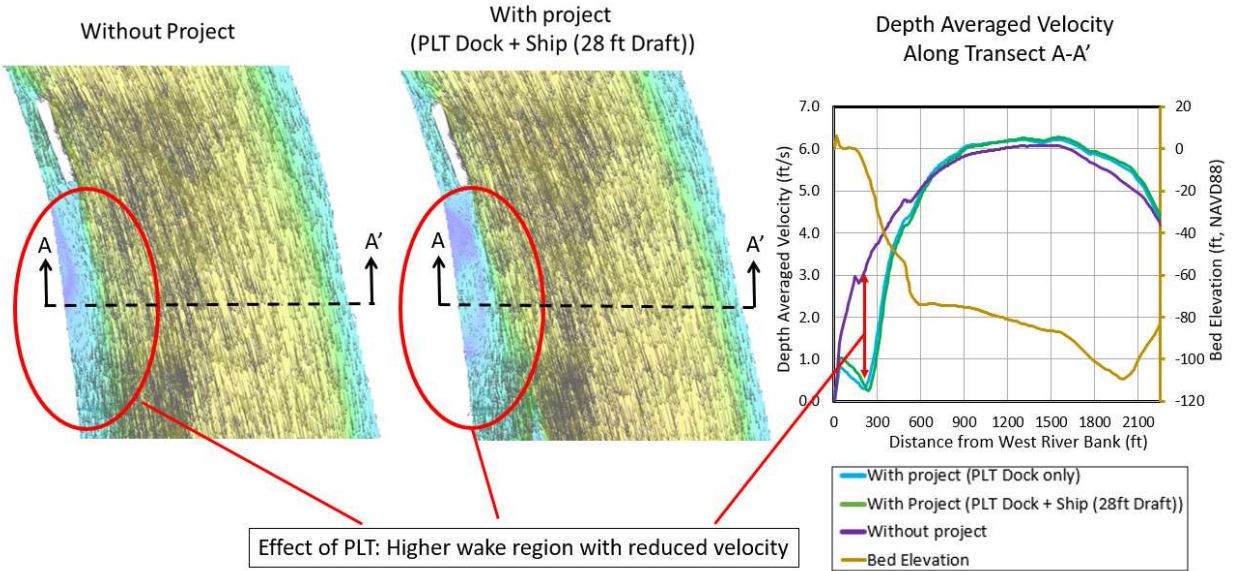


Figure 4.5. Hydrodynamics downstream of CHS and upstream of PLT: Comparison of the depth-averaged velocity profiles (right panel) at high flow (1,000,000 cfs) at transect PP00 (location on Figure 4.6) for the without-project case. The left and mid-panels show the corresponding flow patterns.

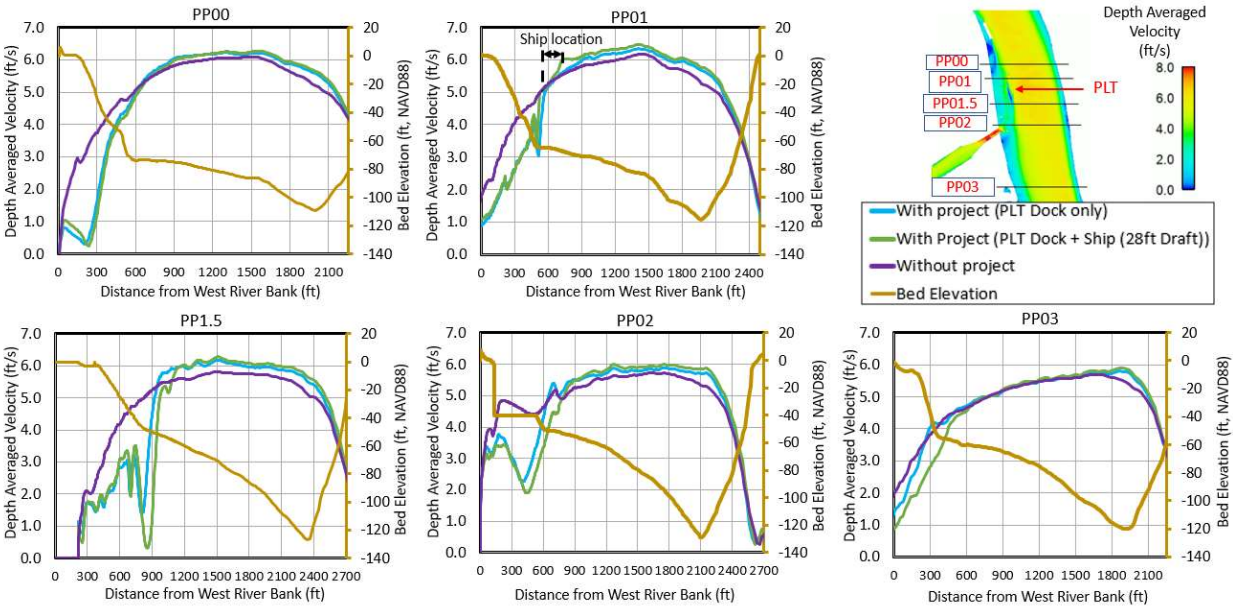


Figure 4.6. Comparison of the depth-averaged velocity profiles between With- and Without-Project conditions are shown at MR flow of 1,000,000 cfs at five transects marked in the top right inset.

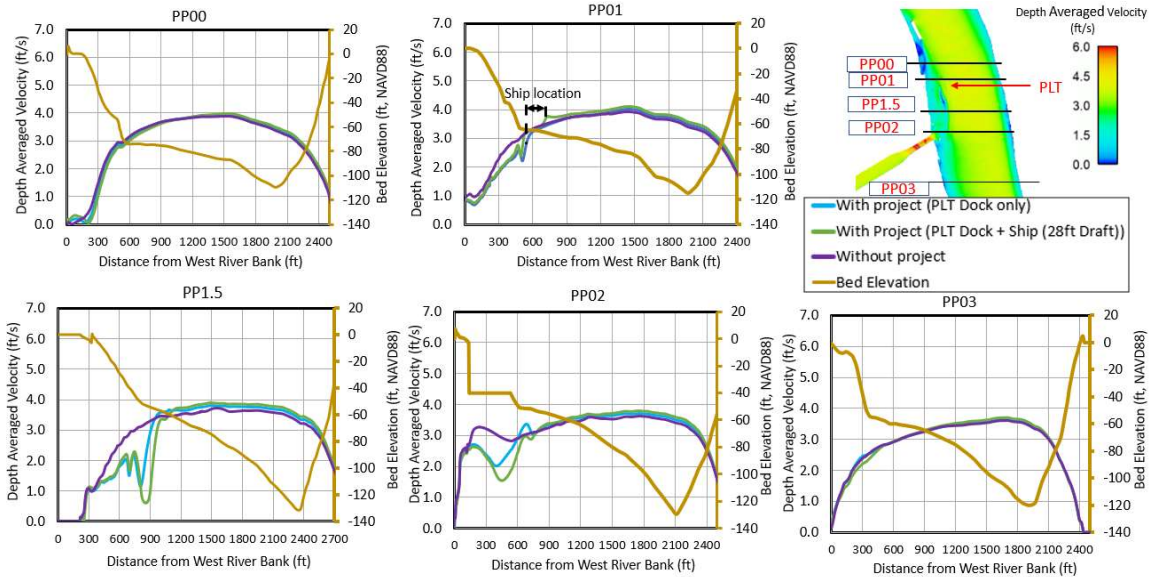


Figure 4.7. Comparison of the depth-averaged velocity profiles between With- and Without-Project conditions are shown at MR flow of 600,000 cfs at five transects marked in the top right inset.

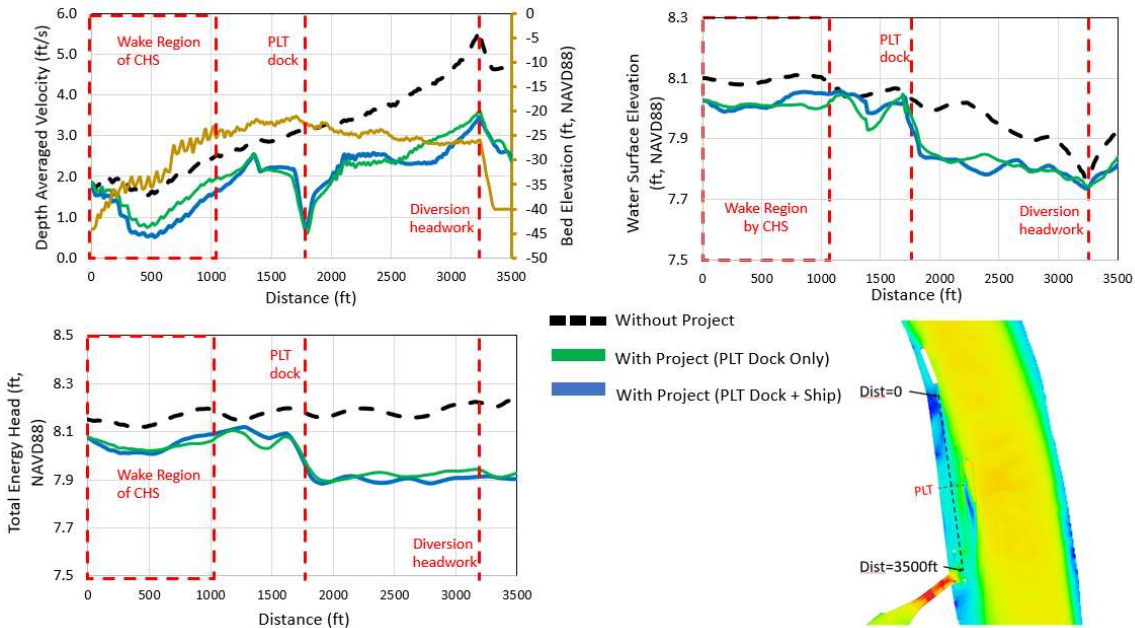


Figure 4.8. Comparison of depth-averaged velocity, water surface elevation and total energy head at MR flow 1,000,000 cfs the along a transect aligned with the RDB (inset bottom right) for the with and without-project cases.

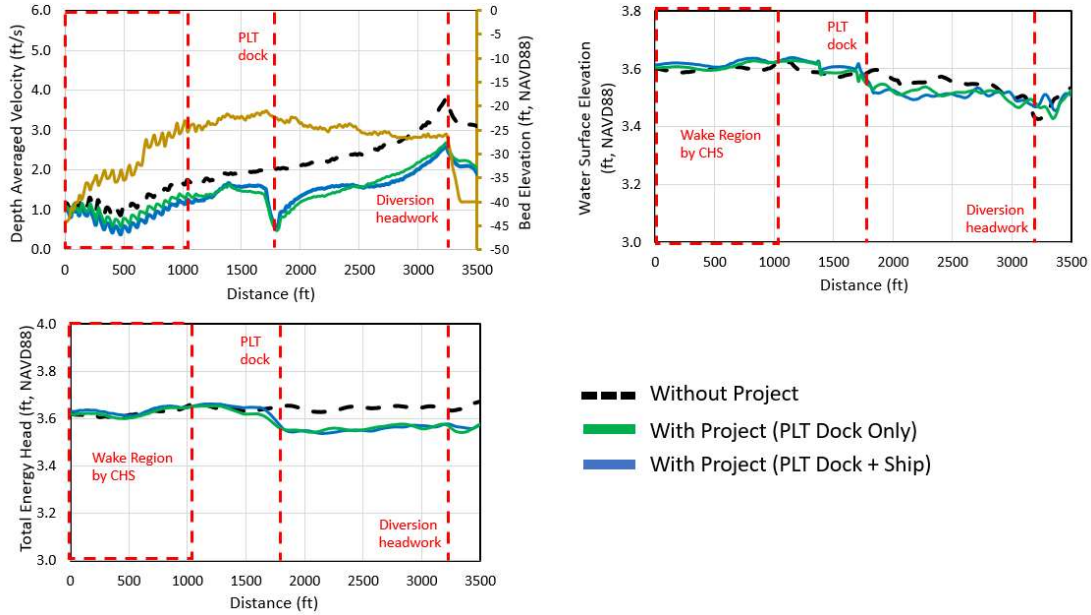


Figure 4.9. Comparison of depth-averaged velocity, water surface elevation and total energy head at MR flow 600,000 cfs the along a transect aligned with the RDB (inset bottom right) for the with and without-project cases.

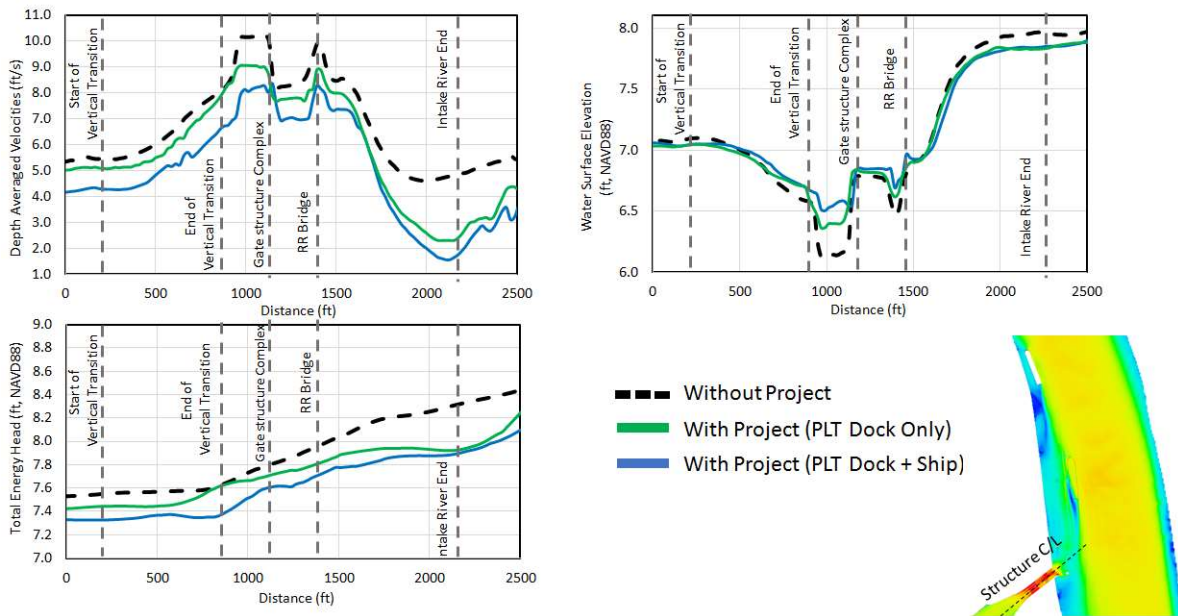


Figure 4.10. Centerline plots (line shown in inset bottom right figure) of depth-averaged velocity, water surface elevation and total energy head through the MBSD intake headworks, for MR flow 1,000,000 cfs for With- and Without-Project conditions.

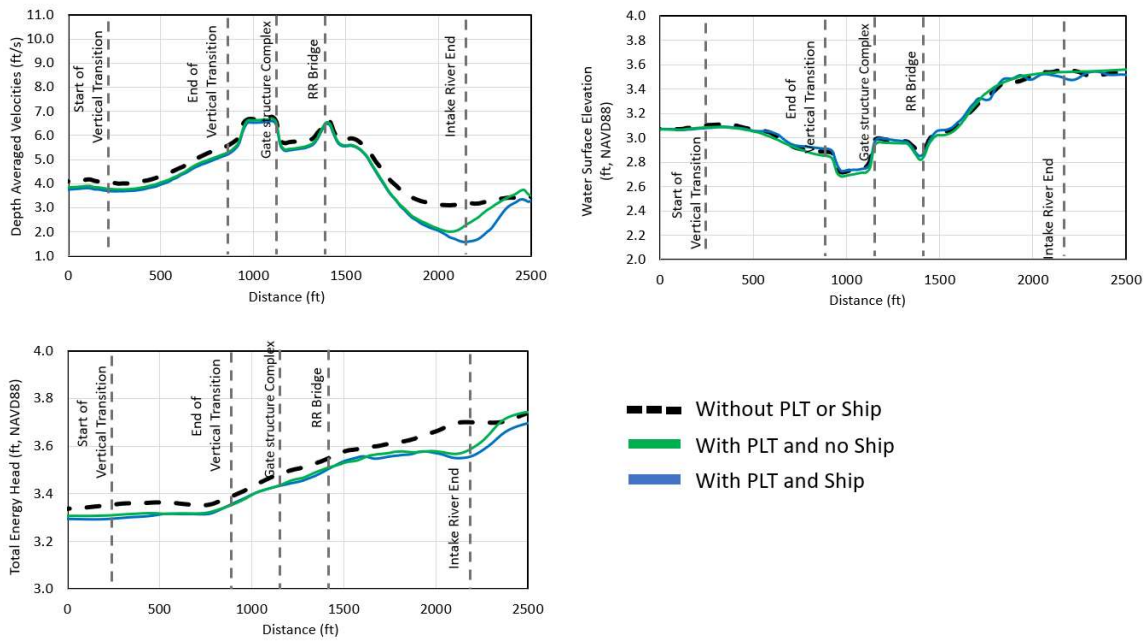


Figure 4.11. Centerline plots (along the same line as shown in inset of Fig. 4.10) of depth-averaged velocity, water surface elevation and total energy head through the MBSD intake headworks, for MR flow 600,000 cfs for With- and Without-Project conditions.



## 5.0 DELFT3D MODEL RESULTS

### 5.1 Delft3D Calibration/Validation with observed data

Extensive calibration and validation of the hydrodynamics and sediment transport model for the FTNMS (3D) Delft3D model, which is the river domain in the FTN2Comp (3D) Delft3D model (i.e., without the diversion, PLT Dock and Ship), under current conditions was conducted for the MBSD efforts. The sediment transport model was calibrated for the 2018 MR survey period and again re-validated for the 2008-2011 period. Only important figures from the MBSD modeling relevant to the current study are presented here as information to the reader.

Figure 5.1 shows the location of the sediment and velocity sampling locations in the MR survey conducted in the 2008-2011 period (Allison, 2011). The model calibration and validation for the vertical profiles for the velocity magnitude are shown on Figures 5.2 and 5.3. Overall the model results are within the acceptable range of error in the field observations and match the velocities at the RDB (near the proposed diversion) well.

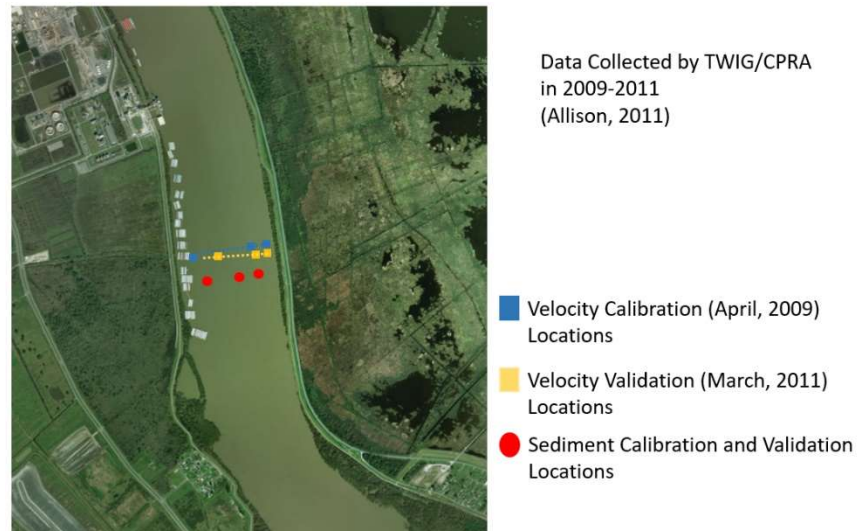


Figure 5.1. Velocity and sediment sampling locations for the 2008-2011 MR survey (Allison, 2011).

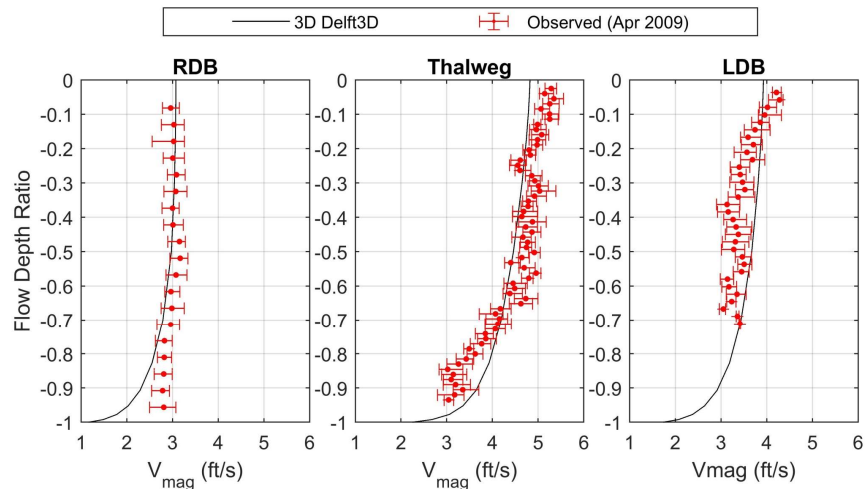


Figure 5.2. Model calibration (Apr 2009 event, MR flow 742,000 cfs): Velocity profiles compared with field observations from CPRA’s 2008-2011 MR survey, at the three locations shown on Figure 5.1.

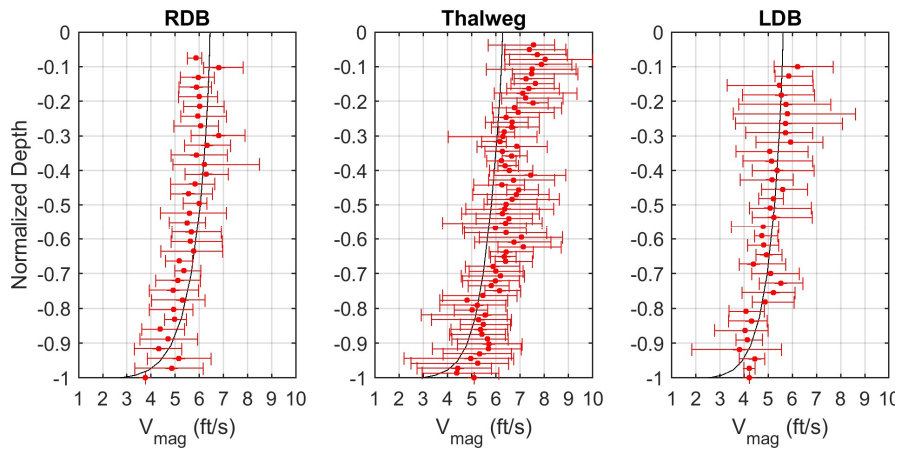


Figure 5.3. Model validation (March 2011 event, MR flow 966,000 cfs): Velocity profiles compared with field observations from CPRA’s 2008-2011 MR survey, at the three locations shown on Figure 5.1.

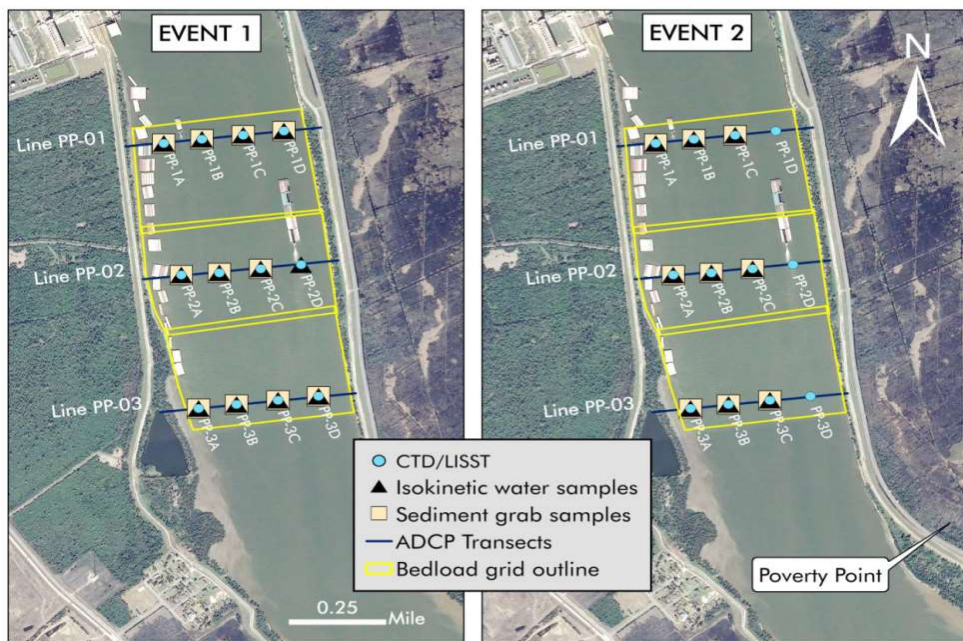
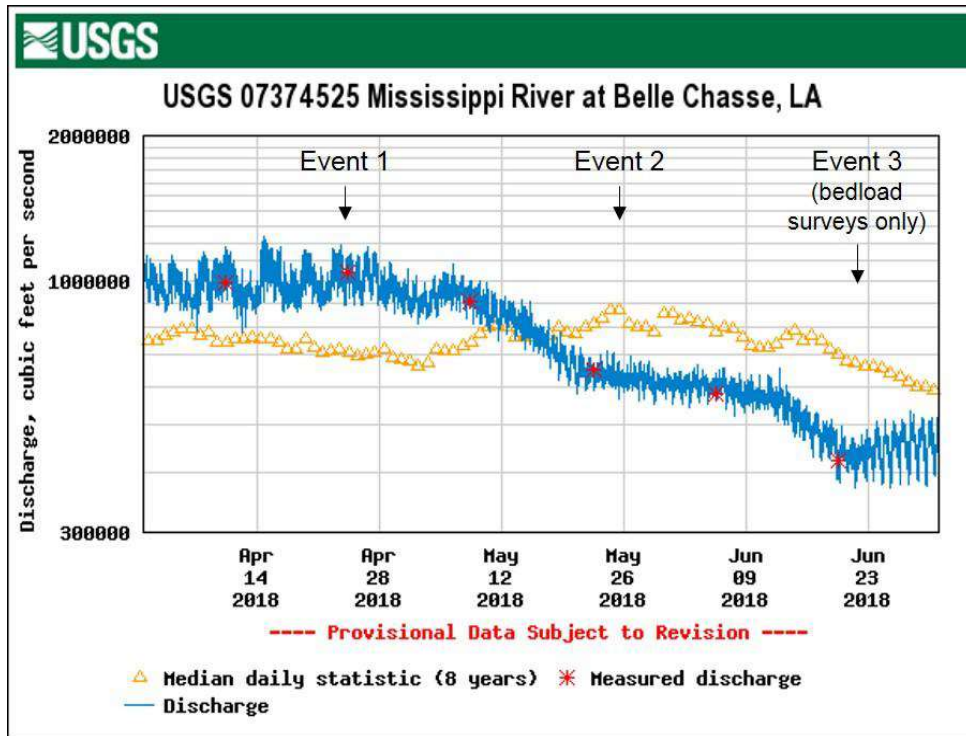


Figure 5.4. Top Panel: 2018 MR Survey Events. Bottom Panel: 2018 MR Survey cross-sections and sediment survey locations (figures reproduced from Allison et al., 2018).

The MR survey conducted in 2018 revealed the need to include the CHS terminal effects on the velocity near the proposed PLT location (PP-01) on Figure 5.4, particularly at the high flow (~1,000,000 cfs) event (Event 1). The model was revised to include the CHS terminal and model results for cross-sectional velocity distribution as shown on Figure 5.5.

The hydrodynamics and sediment transport model were originally calibrated and validated for two events (2009 and 2011). After additional data was available in 2018, the model was re-calibrated and re-validated for the 2018 period, including the effect of the CHS terminal. The comparison of the total sediment (sand) load with observed data for the 2018 period are shown on Figure 5.6 and for the 2008-2011 period on Figure 5.7.

Vertical profiles of suspended sand and fines concentration compared with observed data for the 2009 and 2011 events are shown on Figures 5.8 and 5.9. For the 2018 period the vertical profiles of suspended sand concentration are compared with observed data as on Figures 5.10 and 5.11.

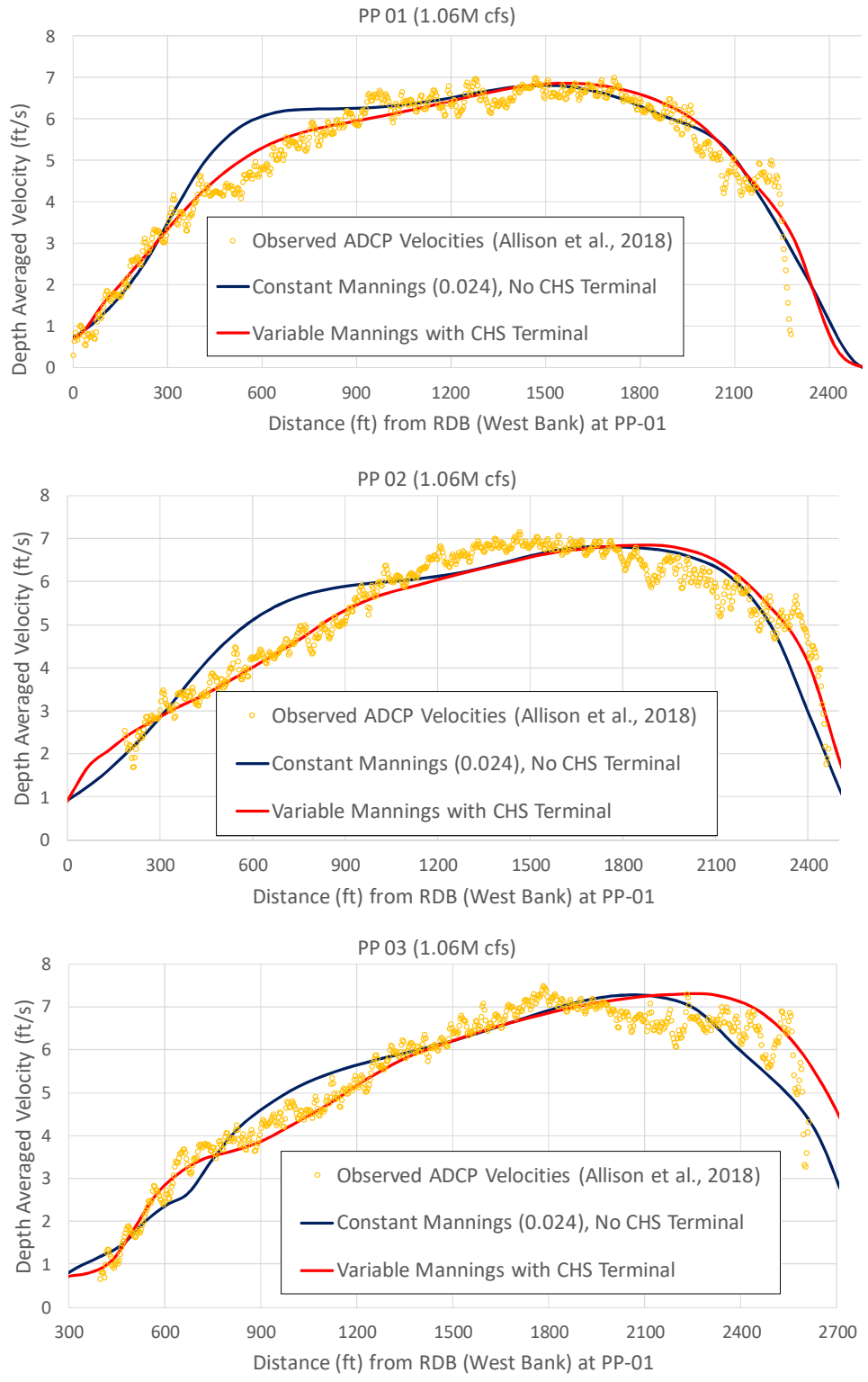


Figure 5.5. 2018 MR Survey Event 1 model results including CHS terminal shown in red line.

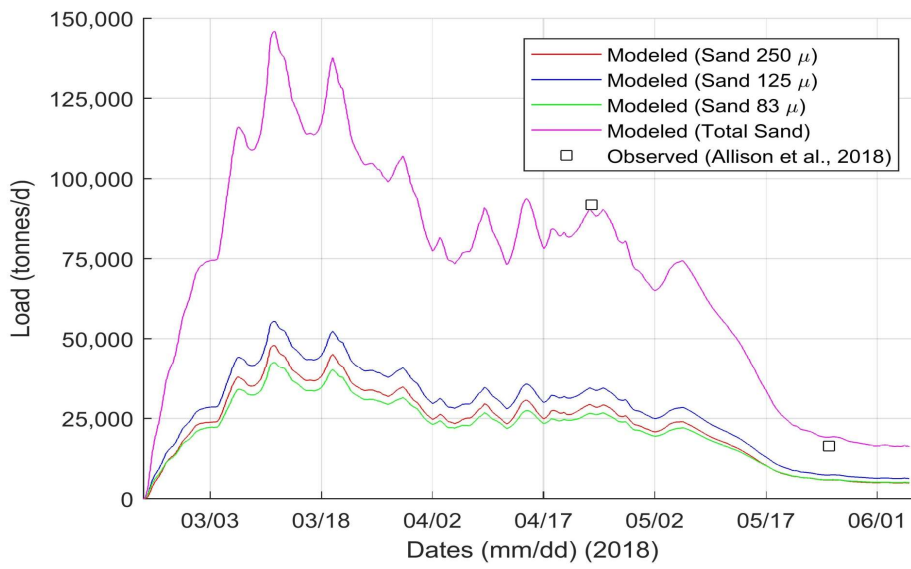


Figure 5.6. Calibration (Event 1) and Validation (Event 2) of 3D Delft3D model for total sand loads for the 2018 MR survey.

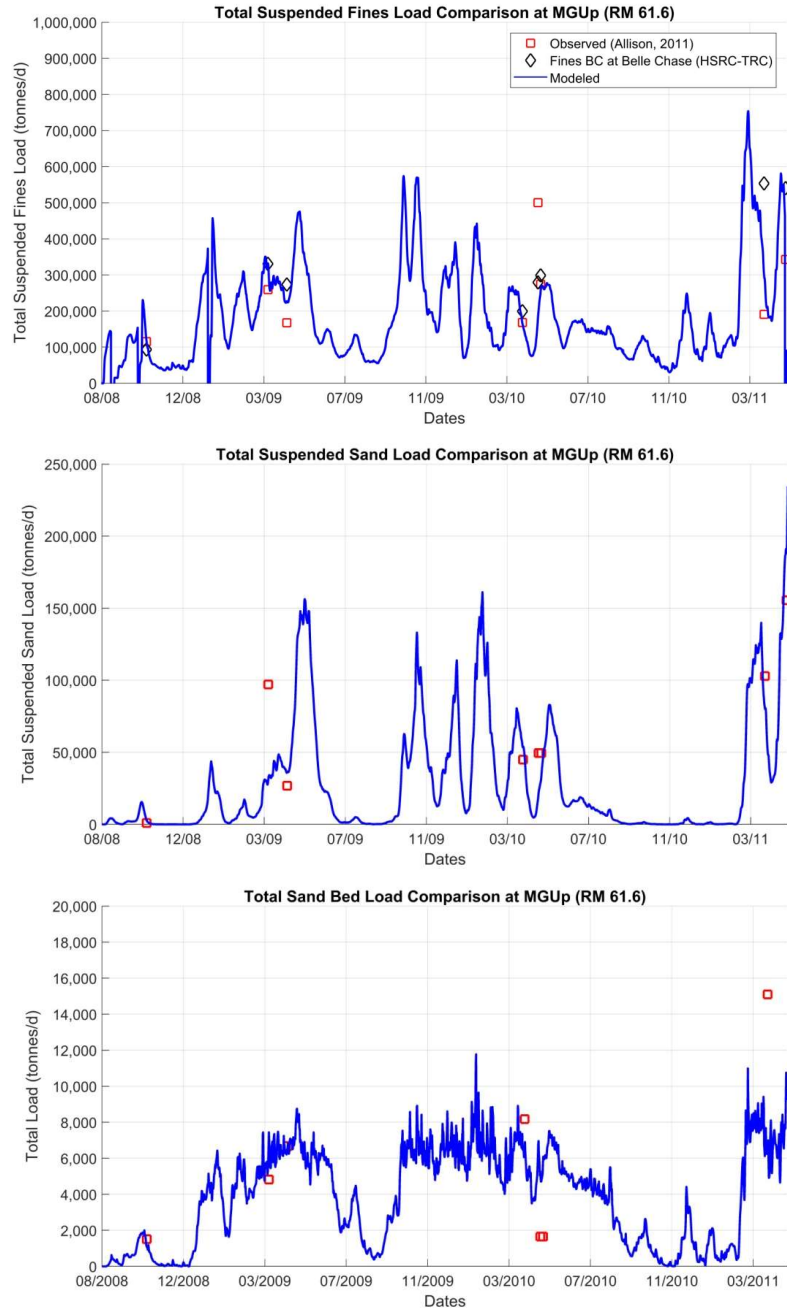


Figure 5.7: Validation of the 3D Delft3D model for the 2008-2011 period hydrograph. Comparison of modeled and observed fines (silt and clay) are shown in the top panel, suspended sand loads in the middle panel, and bed load in the bottom panel at the proposed MBSD location (RM 61.6)

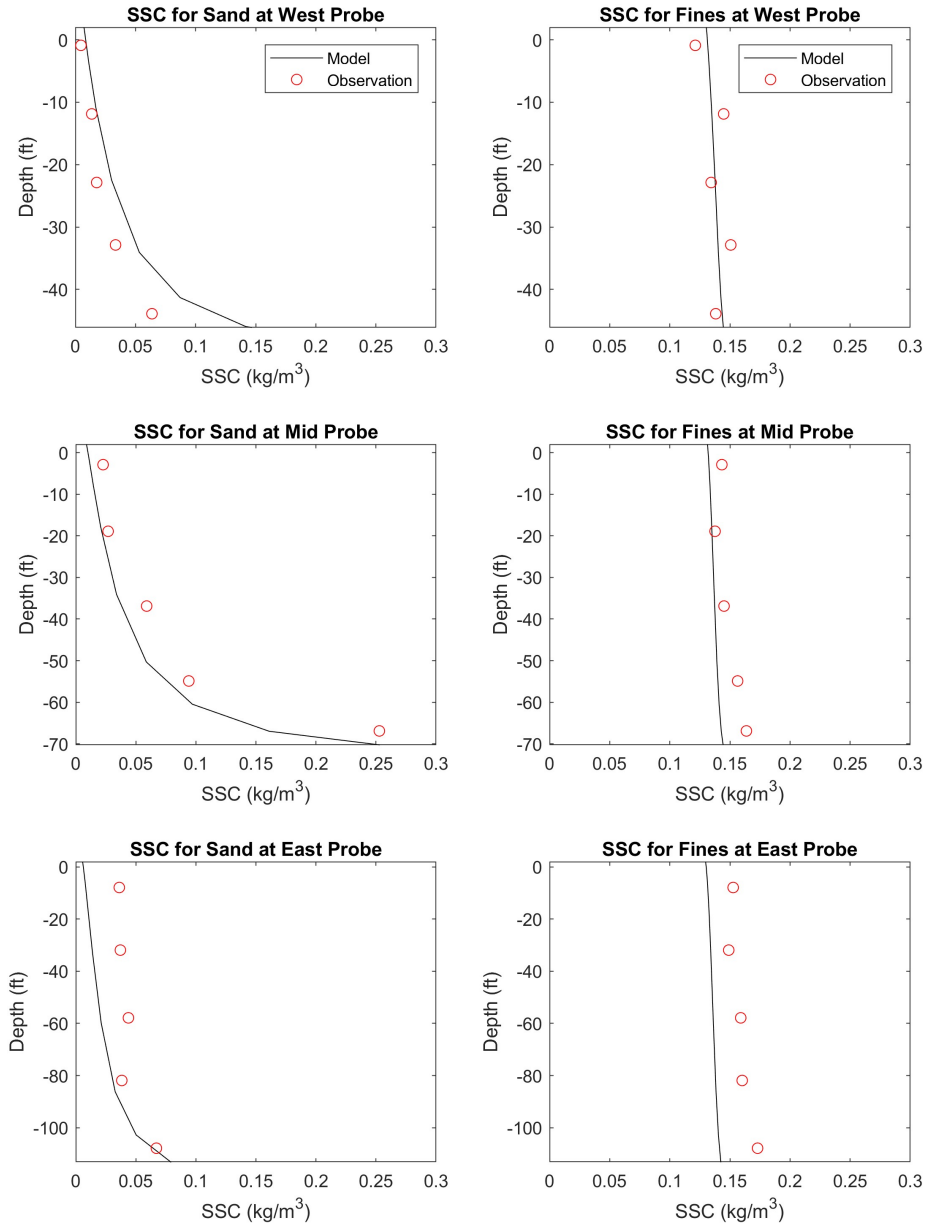


Figure 5.8. Model calibration (Apr 2009 event, MR flow 742,000 cfs): Vertical profiles of suspended sand concentration (left column) and suspended fines concentration (right panel). Probe locations shown on Figure 5.1.



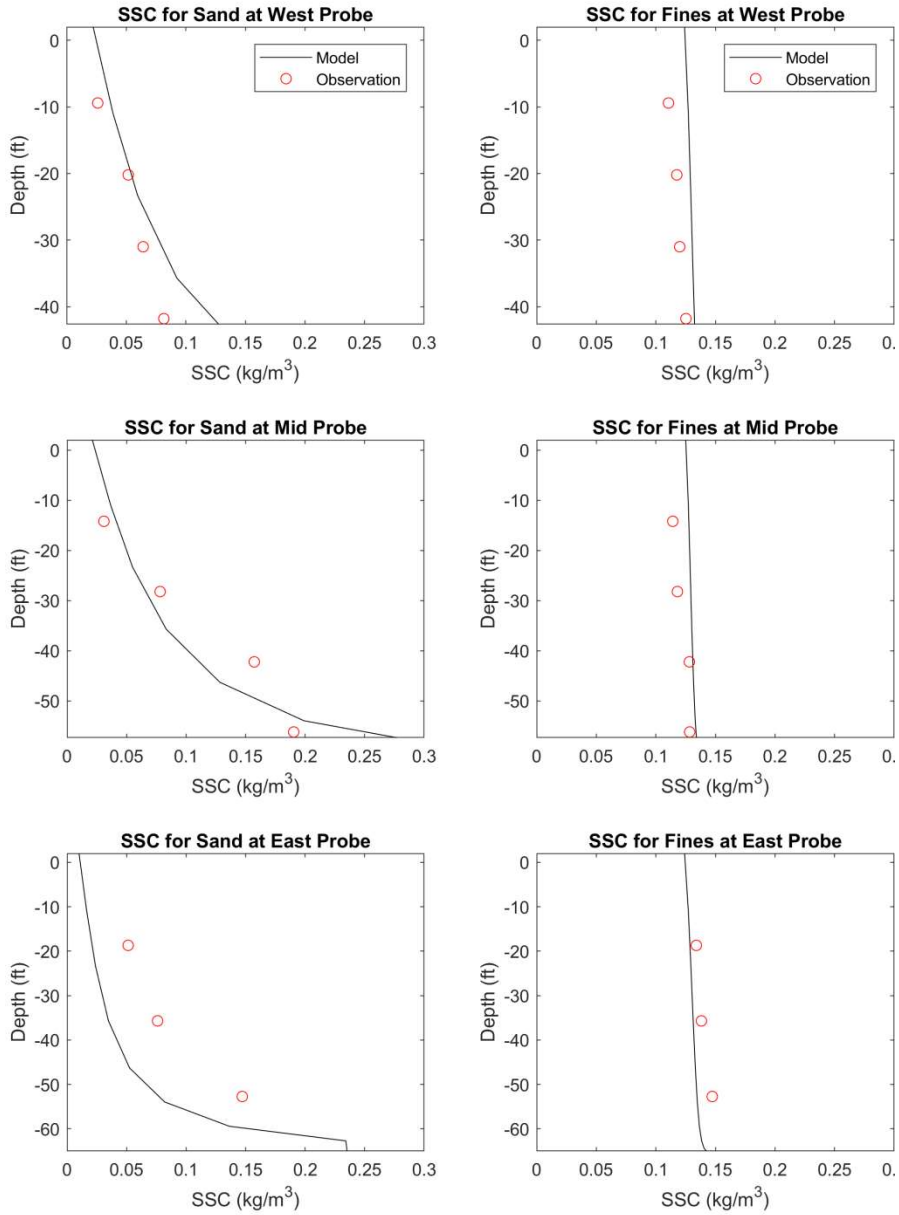


Figure 5.9. Model validation (March 2011 event, MR flow 966,000 cfs): Vertical profiles of suspended sand concentration (left column) and suspended fines concentration (right panel). Probe locations shown on Figure 5.1

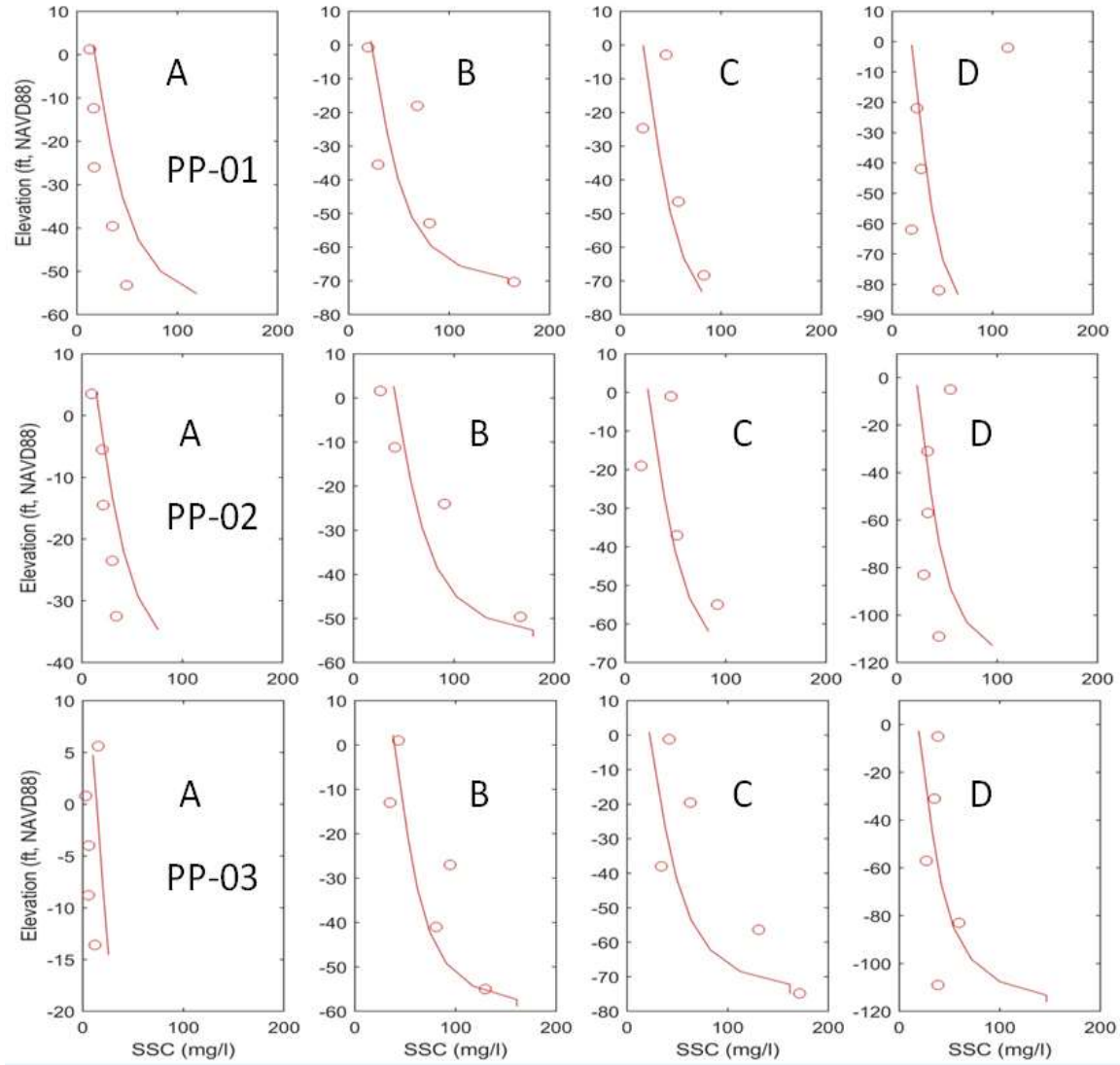


Figure 5.10. Model calibration (Event 1, 1,060,000 cfs MR flow) 2018 MR Survey: Comparison of vertical profiles of suspended sand concentration at locations marked in Fig. 5.4

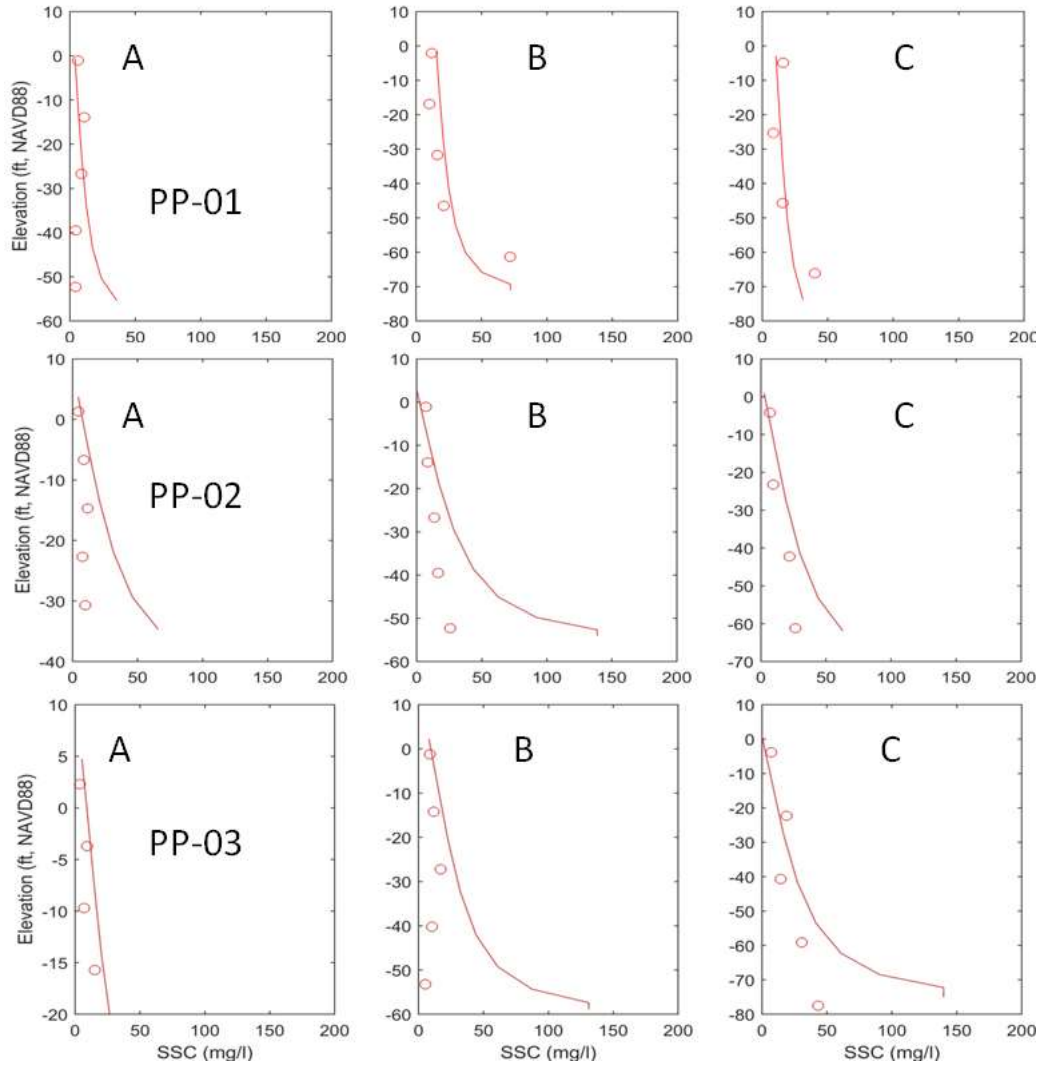


Figure 5.11. Model validation (Event 2, 620,000 cfs MR flow) 2018 MR Survey: Comparison of vertical profiles of suspended sand concentration at locations marked in Fig 5.4.

Figure 5.12 shows the comparison of modeled and observed cross-sectional contour plots of suspended sand concentrations at the three locations surveyed in 2018 (Figure 5.4). As seen from the figure, the 3D Delft3D model simulates the spatial distribution of the sand across the river section on the sand bar relatively well when compared to the observed data.

The calibrated FTNMS model is used to setup the FTN2Comp Delft3D model used for the PLT study and subsequently is calibrated with FLOW-3D model results as described in the following sections.

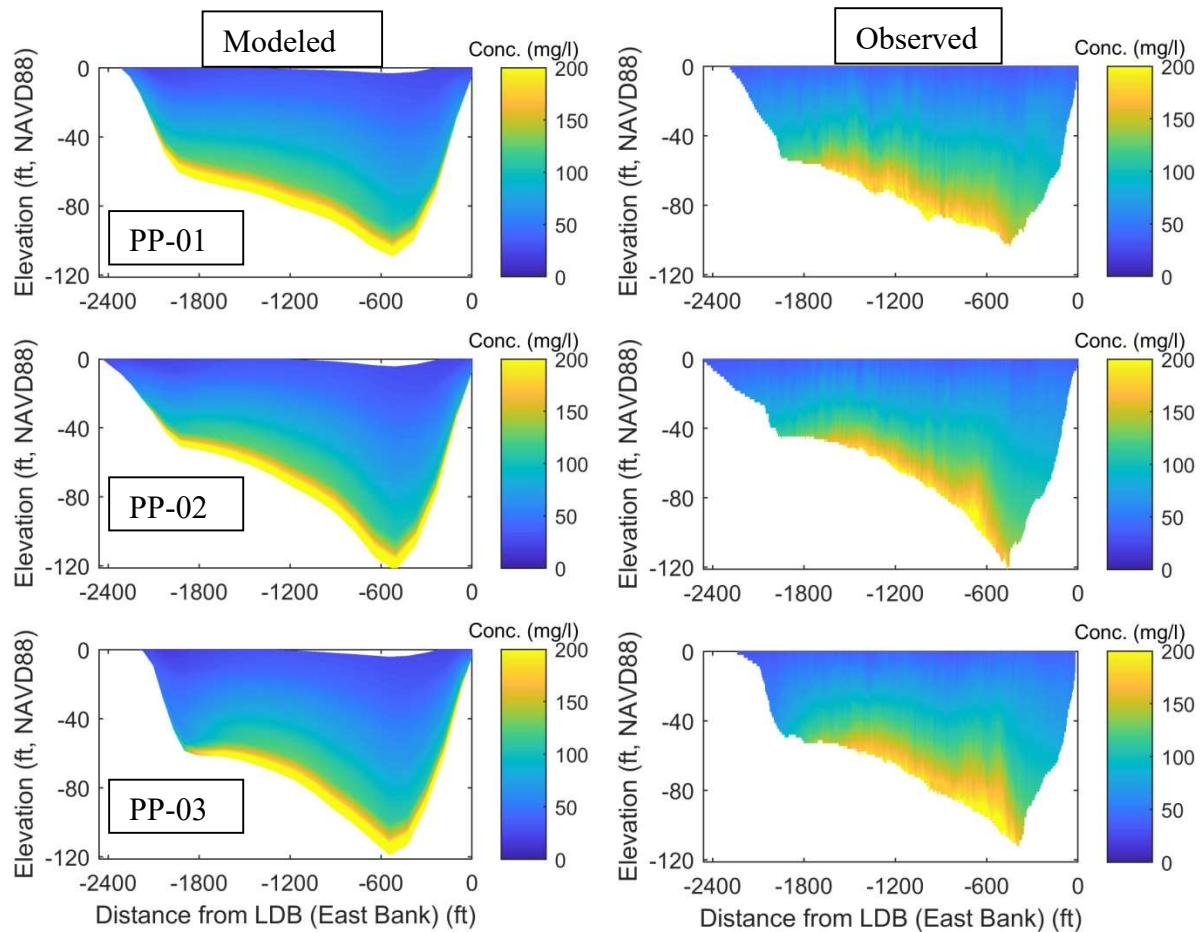


Figure 5.12. Comparison of modeled sand concentration with observed values at the three locations PP01, PP02 and PP03 for Event 1. The observed values were obtained from backscatter data of the ADCPs.

## 5.2 Delft3D Calibration with FLOW-3D

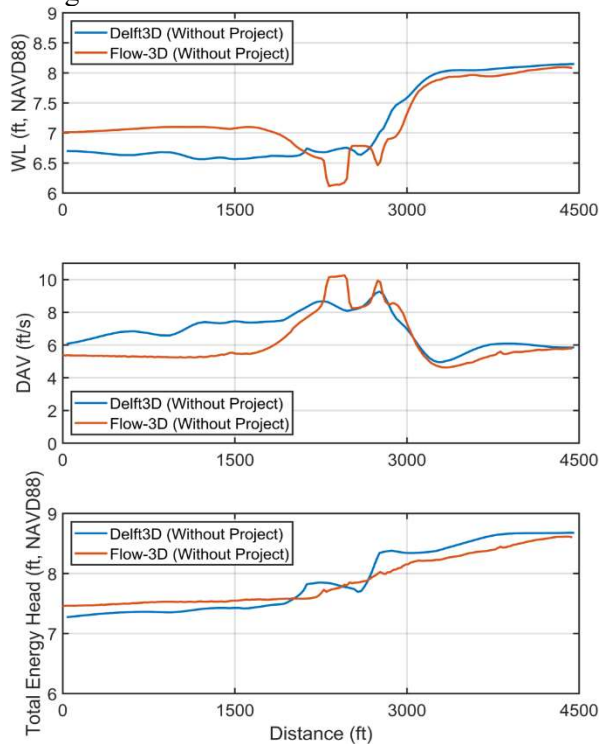
Table 5.1 shows the comparison of Delft3D FTN2Comp model predicted diverted discharge with the FLOW-3D FTNMSDI results. The boundary conditions for the two models were the same and the only value calibrated was the coefficients ( $C_{loss}$ ) of the porous plates representing the PLT Dock structure. For simplicity all the plates were set to have the same coefficient as it was found that variation of coefficient values between the plates affected little the velocity and discharge at the diversion intake. A calibrated value of 0.9 in the Delft3D model matched well both the diverted discharge as well as the water level, depth-averaged velocity and total energy head profiles (shown later in Figs 5.13-5.15 from the Delft3D model with the FLOW-3D model).

Figures 5.13 (Without-Project), 5.14 (with-project, PLT Dock only) and 5.15 (With-Project, PLT Dock + Ship) show the comparison of Delft3D FTN2Comp and FLOW-3D FTNMSDI model profiles after calibration of the porous plate coefficients. Water Level (WL) (upper panel), the Depth-Averaged Velocity (DAV) (mid-panel) and the Total Energy Head (TEH) (bottom panel) were compared along two transect locations as shown in the bottom of Figure 5.13.

Table 5.1. Comparison of calibrated Delft3D model diverted discharge with the FLOW-3D model along with calibration coefficients tested. A value of 0.9 was selected which gave the best comparison with the FLOW-3D diverted discharge.

| Case                           | MR Flow (cfs) | Diverted Discharge (cfs) |         | Percent Difference in Delft3D discharge from FLOW-3D (%) | FTN2Comp Delft3D Calibration Coefficients ( $C_{loss}$ ) |
|--------------------------------|---------------|--------------------------|---------|----------------------------------------------------------|----------------------------------------------------------|
|                                |               | FLOW-3D                  | Delft3D | FLOW-3D-Delft3D / FLOW-3D x 100%                         | Porous Plates (PLT Dock)                                 |
| Without-Project                | 1,000,000     | 74,900                   | 74,000  | +1.2                                                     | -                                                        |
| With-Project (PLT Dock Only)   | 1,000,000     | 67,400                   | 73,300  | -8.7                                                     | 0.1                                                      |
| With-Project (PLT Dock + Ship) | 1,000,000     | 66,500                   | 72,300  | -8.8                                                     | 0.1                                                      |
| Without-Project                | 1,000,000     | 74,900                   | 74,000  | +1.2                                                     | -                                                        |
| With-Project (PLT Dock Only)   | 1,000,000     | 67,400                   | 69,600  | -3.0                                                     | 0.7                                                      |
| With-Project (PLT Dock + Ship) | 1,000,000     | 66,500                   | 68,700  | -3.3                                                     | 0.7                                                      |
| Without-Project                | 1,000,000     | 74,900                   | 74,000  | +1.2                                                     | -                                                        |
| With-Project (PLT Dock Only)   | 1,000,000     | 67,400                   | 67,100  | +0.5                                                     | 0.9                                                      |
| With-Project (PLT Dock + Ship) | 1,000,000     | 66,500                   | 66,000  | +0.8                                                     | 0.9                                                      |
| Without-Project                | 1,000,000     | 74,900                   | 74,000  | +1.2                                                     | -                                                        |
| With-Project (PLT Dock Only)   | 1,000,000     | 67,400                   | 66,100  | +2.0                                                     | 1.2                                                      |
| With-Project (PLT Dock + Ship) | 1,000,000     | 66,500                   | 64,500  | +3.0                                                     | 1.2                                                      |

Along Structure C/L



Along MR RDB

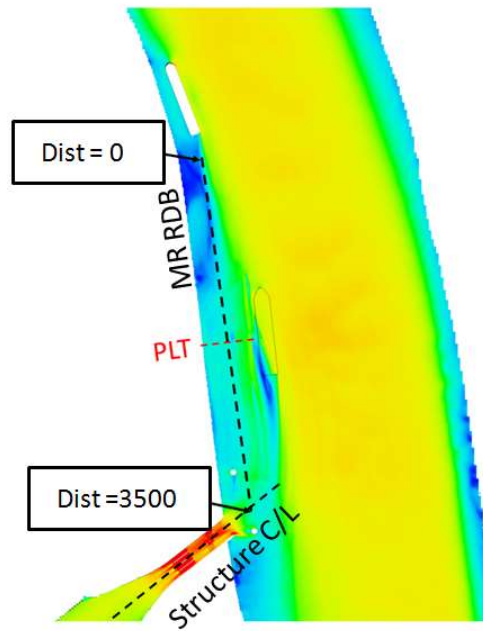
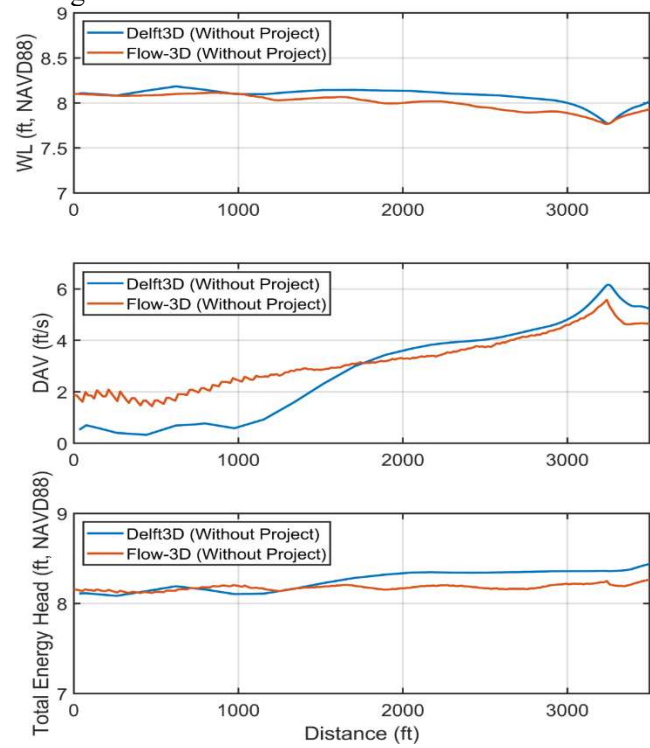


Figure 5.13. Without Project: Delft3D FTN2Comp (3D) and FLOW-3D FTNMSDI modeled water level, depth-averaged velocity and total energy head comparisons along two lines, along the RDB and the structure centerline (shown in bottom). MR Flow is 1,000,000 cfs.

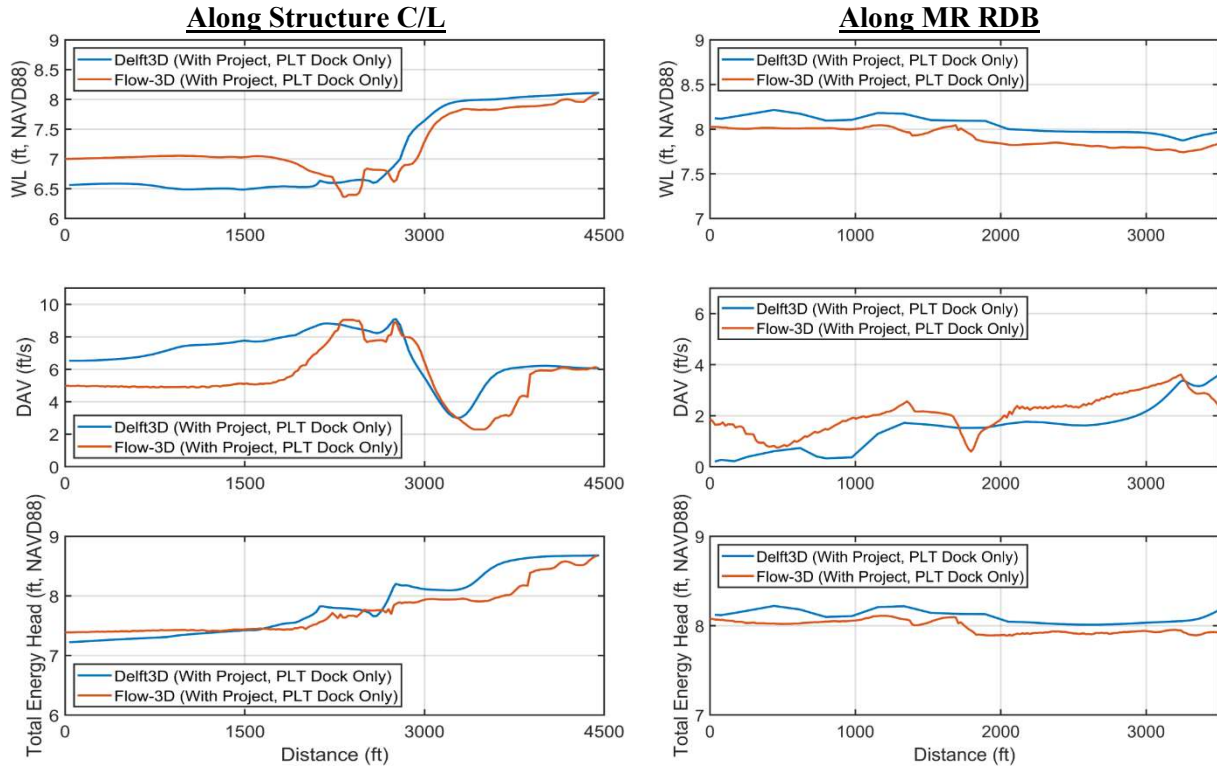


Figure 5.14. With-Project (PLT Dock Only): Delft3D FTN2Comp (3D) and FLOW-3D FTNMSDI modeled water level, depth-averaged velocity and total energy head comparisons along two lines, along the RDB and the structure centerline (same locations shown as in bottom of Figure 5.1). MR Flow is 1,000,000 cfs.



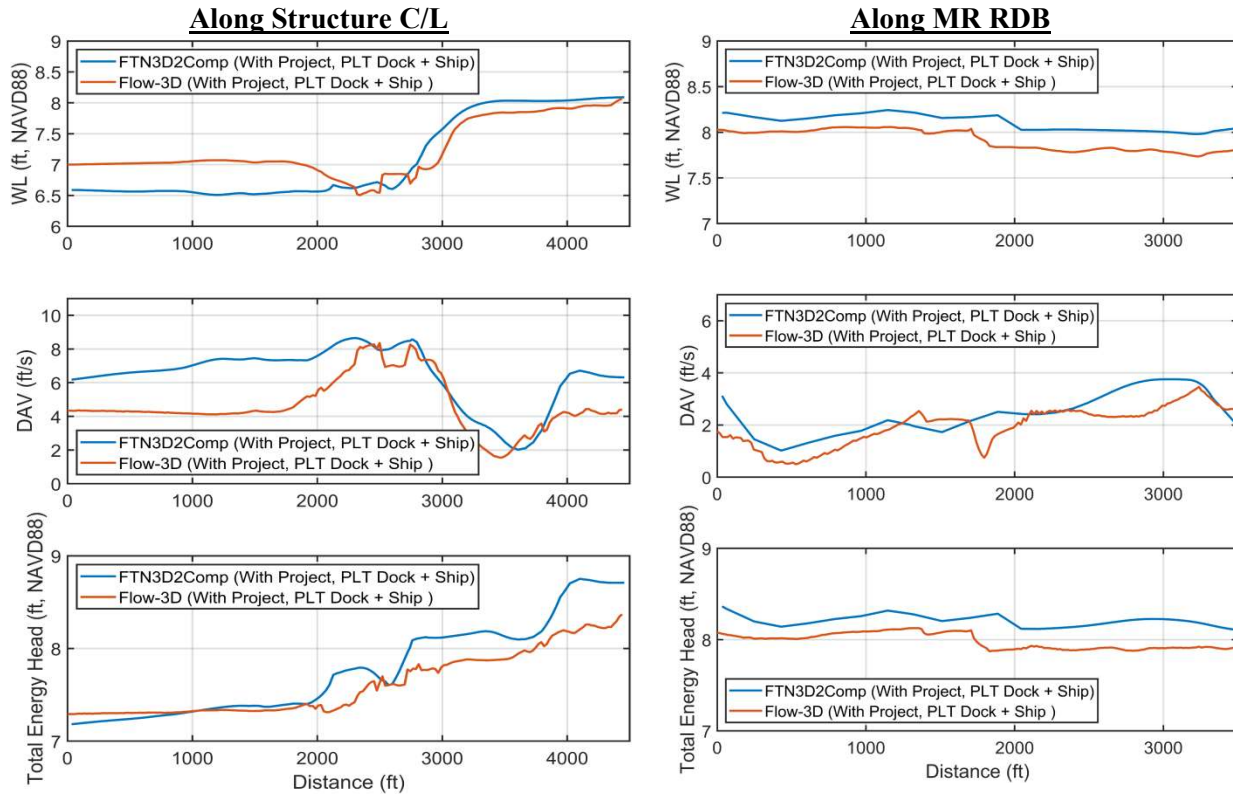


Figure 5.15. With-Project (PLT Dock + Ship): Delft3D FTN2Comp (3D) and FLOW-3D FTNMSDI modeled water level, depth-averaged velocity and total energy head comparisons along two lines, along the RDB and the structure centerline (same locations shown as in bottom of Figure 5.1). MR Flow is 1,000,000 cfs.

Figure 5.13 shows comparison of Delft3D and FLOW-3D model profiles after calibration along the structure centerline and along the RDB. The bottom figure shows the location of the lines along which the model results were compared, one along the Mid-Barataria Sediment Diversion (MBSD) structure centerline (C/L) and another along a line passing roughly parallel to the river along the RDB starting about 3,500 ft upstream of the intake C/L and ending at the intake. These two locations are chosen due to the importance of the hydrodynamics in the vicinity of the intake and the RDB where the PLT project is proposed. Note that this bottom plot is a generic figure showing the PLT Dock and Ship and is meant to simply signify the relative location of the lines with respect to project features under consideration, the specific case results shown here are from Without-Project (i.e., no PLT Dock or Ship) conditions. Overall both the models predict similar water level and DAVs. One of the differences observed in the models is

the zone immediately downstream of the CHS terminal where the DAVs are predicted less (~1 ft/s) in Delft3D compared to FLOW-3D (~2 ft/s).

Figure 5.14 shows the comparisons between the two models, under With-Project (PLT Dock only) of modeled WLs, DAVs and TEHs along the same line locations as on Figure 5.13. It is seen that while the overall trend between the two models match well for both water level and total energy head, some spatial variation in the velocities along the RDB is evident due largely to the different treatment of the porous planes in the two models. In general, the Delft3D model tends to slightly overpredict the water level (by < 0.25 ft) and consequently underpredict the velocities (by < 1 ft/s) along the RDB. Velocity predictions improve as one moves down the RDB towards the intake.

Figure 5.15 shows the comparison between the two models under With-Project (PLT Dock + Ship) condition. The profiles agree well within the two models with consistent variations shown in Figures 5.13 and 5.14, due to slightly different water level predictions between the models.

### **5.3 Delft3D Model Results: Discharge and Sediment Transport**

Once the Delft3D FTN2Comp (3D) model porous plate coefficients for the PLT structure components were calibrated, the same setup was used to run the FTNOMBA (2D) Delft3D model to generate basin boundary conditions (which will later be used as input at the mid-channel location into the FTN2Comp 3D sediment model) for sediment transport modeling shown in the next section. The 3D gate representation for the ship was changed to a 2D barrier with a loss coefficient of 0.9 for the 2D model. A comparison of 2D and 3D FTN2Comp model runs with the 2D barrier representation of the ship for the former and a 3D gate for the latter, under With- and Without-Project conditions indicated that the 2D barrier representation as an acceptable form of representation of the ship dynamics in a 2D version of the model. Note that the main purpose of the 2D model is to get comparative head losses and generate mid-channel discharge boundary conditions for the sediment modeling using the FTN2Comp (3D) model; the choice of this difference has no implication on sediment modeling which is still run in the 3D Delft3D model with the 3D gate representation of the ship.

Figure 5.16 shows the comparison of With- and Without-Project condition profiles at the same two transect locations as in Figs. 5.13-5.15 from the FTNOMBA 2D model. An important aspect to note here is that this is the first time in this study that the Delft3D model was run with influence of basin conditions included (full basin modeled) and with a downstream MR Q-H relation, the interaction of the basin WL, downstream WL in the river results in a draw-down in the river which is evident as a reduced water level ( $\sim 7.1$  ft, NAVD88) in these runs versus the previous calibration runs ( $\sim 8$ - $8.1$  ft, NAVD88) which were run without the basin. Note that the effect of the change in the boundary does not affect the calibration of the barrier coefficients which are intrinsic properties of the structures themselves and Reynolds number ranges (Section 3.3.2) which still remain invariant.

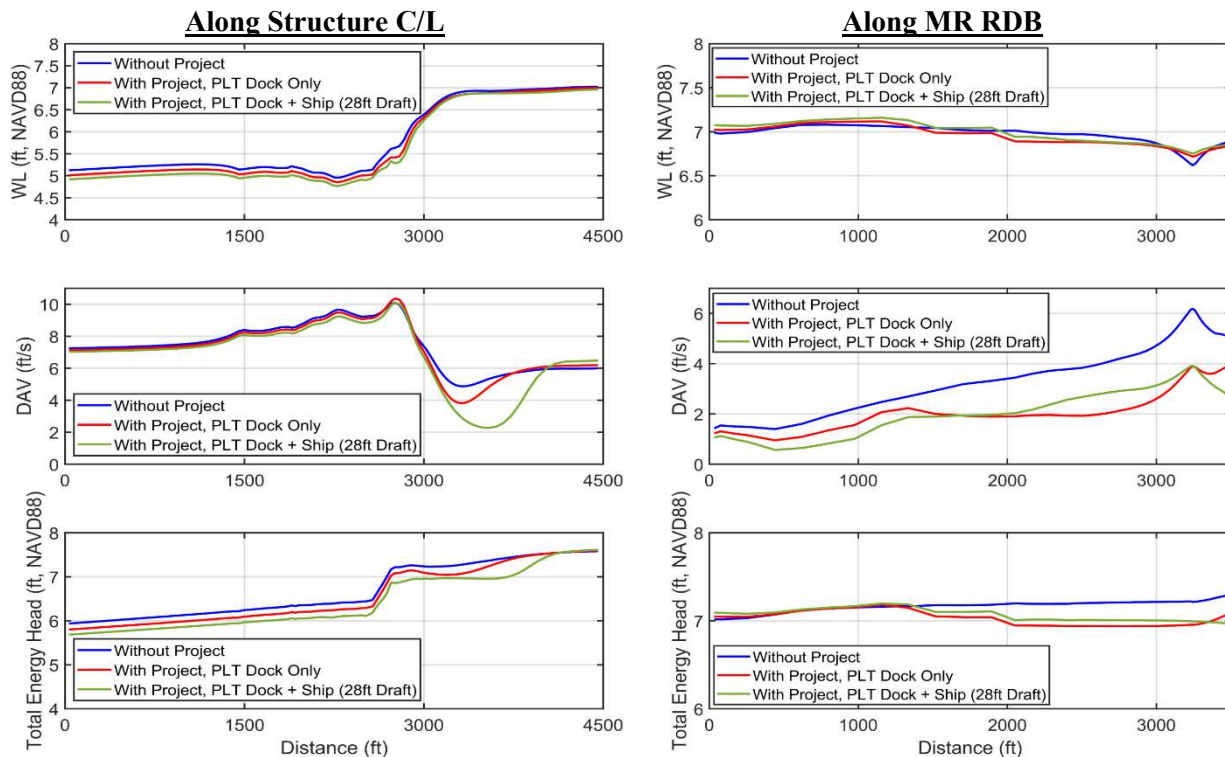


Figure 5.16. With- and Without-Project Delft3D FTNOMBA model comparisons: FTNOMBA (2D) Delft3D predicted profiles under With- and Without-Project conditions, including basin water level effects. MR Flow is 1,000,000 cfs.

To quantify the variation in diverted discharge with river discharge over a variety of river flows, for With- and Without-Project conditions, the FTNOMBA (2D) Delft3D model was run

for the 2008 hydrograph period for the interval when the river flow ranged from 450,000 cfs on the rising limb to 450,000 cfs on the falling limb (proposed operational period of diversion). The resulting Q-Q plot (MR discharge versus Diversion Discharge) is shown on Figure 5.17. Separate best fit curves are drawn between flow ranges below and above 700,000 cfs to distinguish the trends in the data. It can be seen that the reduction in diverted discharge between the With- and Without-Project conditions increase with increasing river discharge, primarily because of increasing drag losses at the PLT Dock structure and ship due to increasing river velocity with flow.

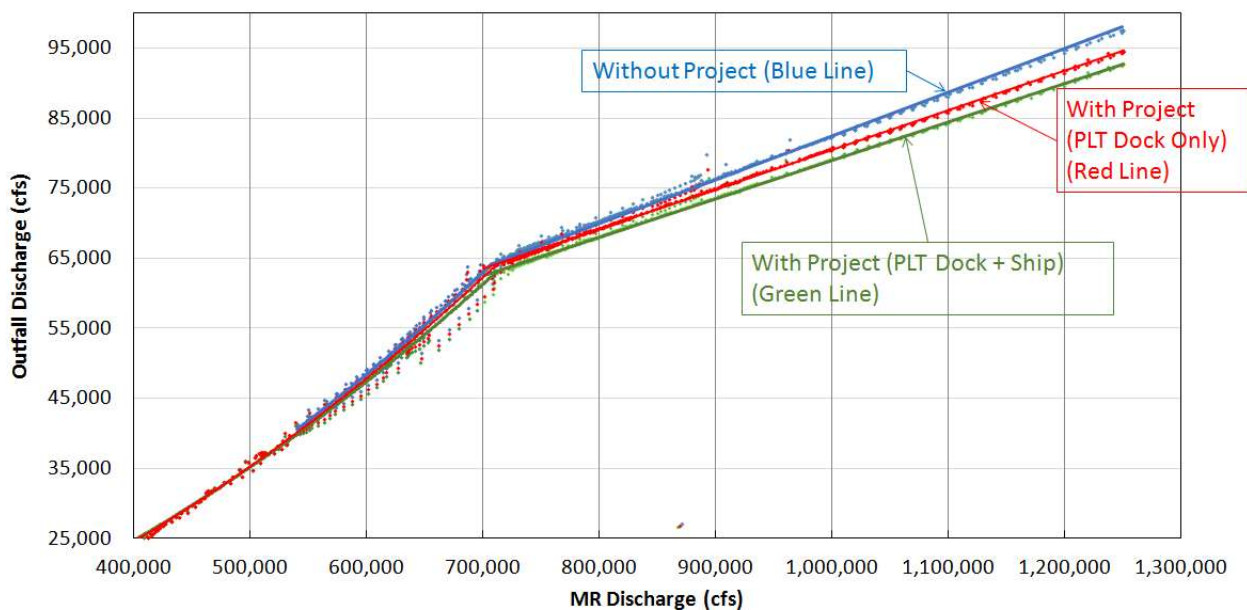


Figure 5.17. MR Discharge versus Outfall Discharge Plot for the three cases (Without-Project, With-Project –PLT Dock Only and With-Project – PLT Dock + Ship).

Table 5.2 shows the diverted discharge variation at specific MR flows (High, Medium, Low and Trigger flows) as well as the relative reduction due to the dock and the ship. At high flow, the reduction due to the PLT Dock alone is estimated to be about 2.4% and that due to the combined effect of the PLT Dock+Ship is estimated to be about 4.3%, suggesting that the additional 1.9% can be attributed due to the ship. The reduction, as noted before, decreases with decreasing river flow and is negligible at the trigger flow. Note that even though the diversion flow is shown to reach above 75,000 cfs in this table and Figure 5.17, in reality the diversion flow will be capped at 75,000 cfs using the gates. Thus, the presence of the PLT facility and the

PLT facility with the ship reduces the inlet flow capacity or the efficiency of the sediment diversion on the order of about 2 - 4 %. As a result of the reduced flow, fine sediments will be reduced somewhat proportionately, as shown later in the section, on the order of about 1 to 5%.

Table 5.2. Comparison of diverted discharge from FTNOMBA (2D) Delft3D model at Trigger (450,000 cfs), low (600,000 cfs), medium (800,000 cfs) and high (1,000,000 cfs) MR flow and relative percent reduction compared to the Without-Project scenario.

| MR Flow                    | Without Project | With Project (PLT Dock Only) | With Project (PLT Dock + Ship, 28 ft Draft) | Percentage flow reduction due to Ship (28 ft draft) only |
|----------------------------|-----------------|------------------------------|---------------------------------------------|----------------------------------------------------------|
| 1,000,000 cfs (High Flow)  | 82,400          | 80,400 (-2.4%)               | 78,900 (-4.3%)                              | 1.9%                                                     |
| 800,000 cfs (Medium Flow)  | 69,900          | 69,100 (-1.2%)               | 67,900 (-2.9%)                              | 1.7%                                                     |
| 600,000 cfs (Low Flow)     | 48,350          | 47,800 (-1.1%)               | 47,300 (-2.2%)                              | 1.1%                                                     |
| 450,000 cfs (Trigger Flow) | 30,000          | 30,000 (0%)                  | 30,000 (0%)                                 | 0.0%                                                     |

The FTN2Comp (3D) Delft3D sediment model was run using the discharge boundary conditions at the mid-channel location using the output from the FTNOMBA (2D) Delft3D model results for the same operational period of the diversion (450,000 cfs in the rising limb to 450,000 cfs in the last falling limb) for the 2008 hydrograph year. The discharge time series was capped at 75,000 cfs for the sediment runs. Figure 5.18 shows the histogram plots representing the variation in Total Sand and Fines load and SWR separately, under Without-Project (Run # 3), With-Project (PLT Dock only, Run # 4) and With-Project (PLT Dock + Ship, Run # 5) scenarios with MR flow. No morphology change is modeled in these runs. Mean values averaged over an interval of 100,000 cfs MR flow bins are plotted. The percent reduction in the sediment loads and SWR are also shown. The vertical bars ( $\pm$ Standard Deviation about the Mean) indicate the range of variability in the diverted sediment load and SWR due to the variation in the sediment load in the MR as a result of the hysteresis effect inherent in the fines and sand load distribution in the rising and falling limb. The sand load increases monotonically with increasing discharge with little variability while the fines load exhibits a more complex trend due to the hysteresis effect.

The percentage reduction in sand load is seen to be higher at MR flows exceeding 900,000 cfs with values ranging about ~15% due to the PLT Dock only and ~40-45% due to the combined effect of the PLT Dock and the Ship. The ship is seen to have a disproportionate additional impact on the sand load diverted. The fines load reduction is mostly less than ~5%. As a dedicated sediment diversion, whose primary purpose is to divert as much sand as possible (the fines being well distributed in the water column and are expected to be diverted with the flow anyway), the reduction in sand load was investigated further. The main reason for sand load reduction can be identified by tracking the dominant path ways of high near-bed Suspended Sand Concentration (SSC) which is the main source of the diverted sand in the river at four distinct river flows, namely, 1,250,000 cfs, 1,000,000 cfs, 800,000 cfs, 600,000 cfs and 450,000 cfs as shown on Figures 5.19 through 5.22.

Figure 5.19 shows the near-bed SSC spatial distribution along with velocity vectors under the three scenarios (Runs 3, 4 and 5 with no morphology change) at 1,250,000 cfs MR flow. A distinct bypassing effect of the high concentration RDB sand is seen under With-Project conditions as compared to that in the Without-Project. When the ship is not present, even though the dock is affecting the sand flow, sand is still able to bypass the PLT Dock and get diverted into the intake somewhat. On the other hand, when a ship is present a major percentage of the main sand plume, feeding the diversion, is now blocked either directly by the ship or is affected by its wake region. The blocked sand bypasses the diversion as mostly suspended load through two zones, a small portion between the PLT Dock and Ship and a major portion around the ship along with the main river flow bypassing the diversion, which in turn increases the concentrations slightly downstream of the diversion. This explains the disproportionate effect of the PLT Ship in reducing the diverted sand load versus the effect of the PLT Dock alone. Figures 5.20 to 5.22 show similar phenomenon with the exception that the near-bed cross-river concentration gradient along the RDB is lower at Medium and Low flows and explains the lower reduction effects seen at these flows than at the higher flows (>900,000 cfs).

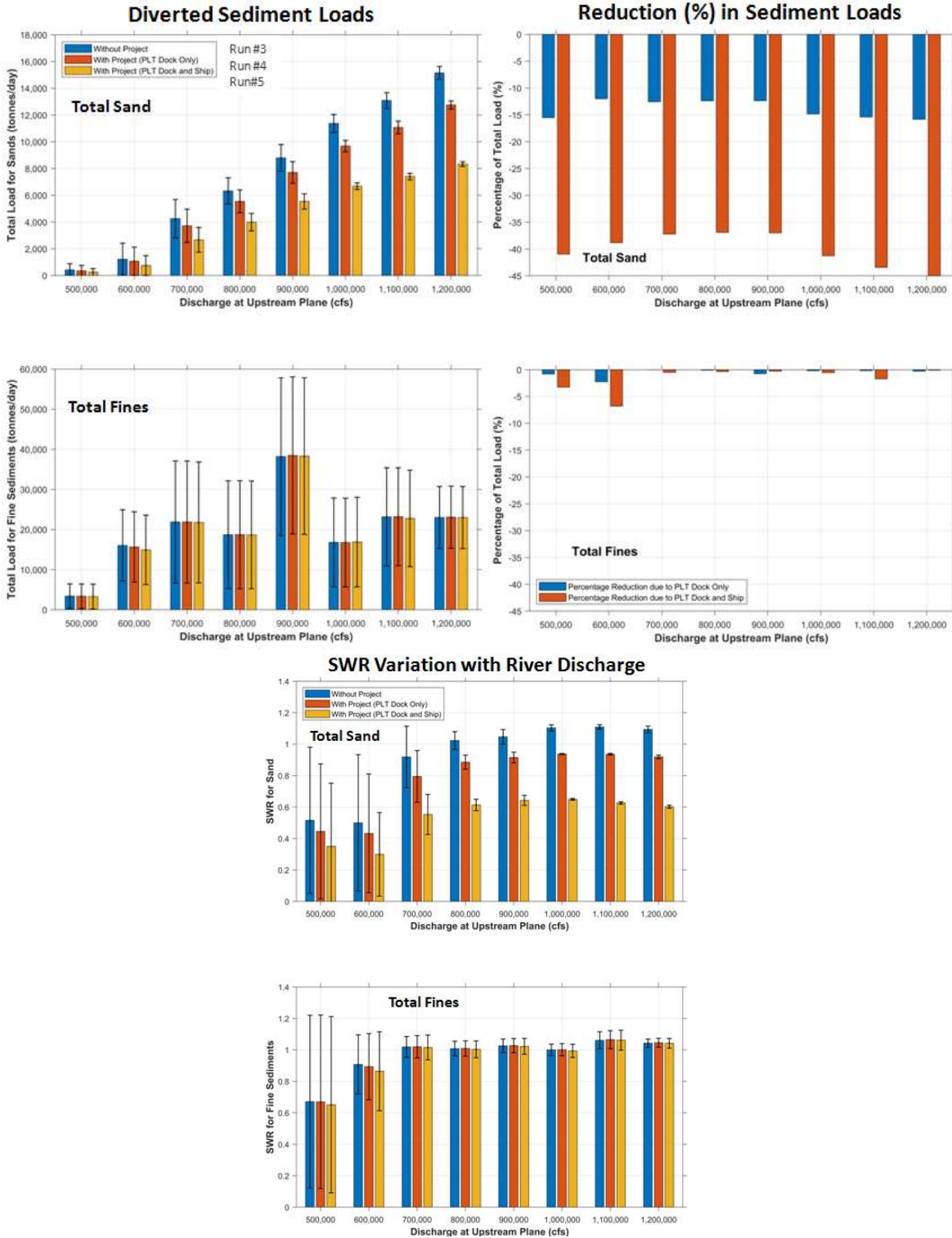


Figure 5.18. No Morphology Change (Runs 3, 4 and 5): Variation of Total Sand and Fines loads (upper left panel) and percent reduction from Without-Project scenario with MR flow. Bottom panel shows the variation in SWR of Total Sand and Fines. Model run was using the 2008 hydrograph year for the entire operational period.

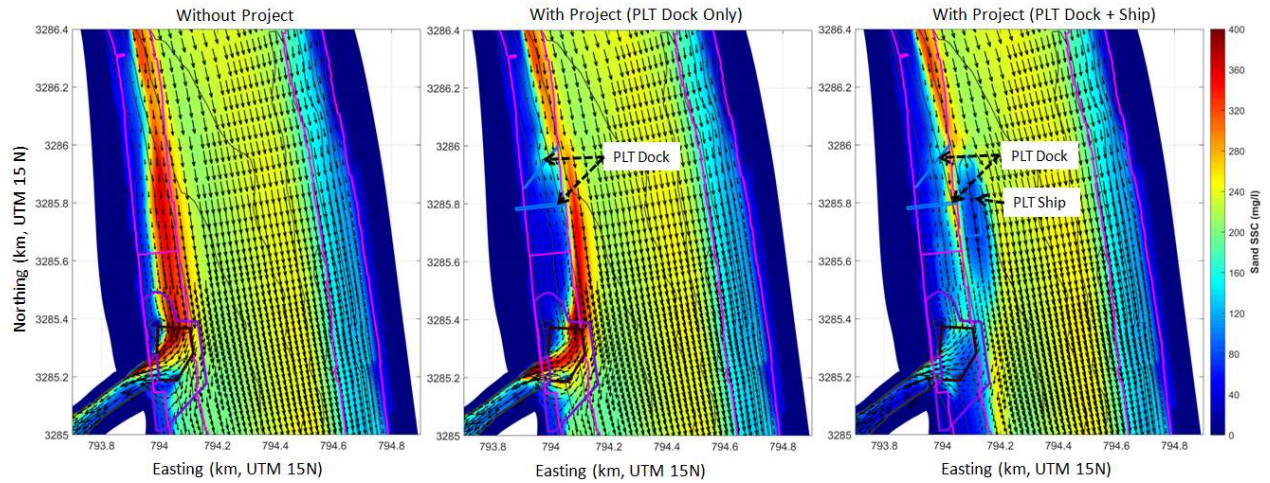
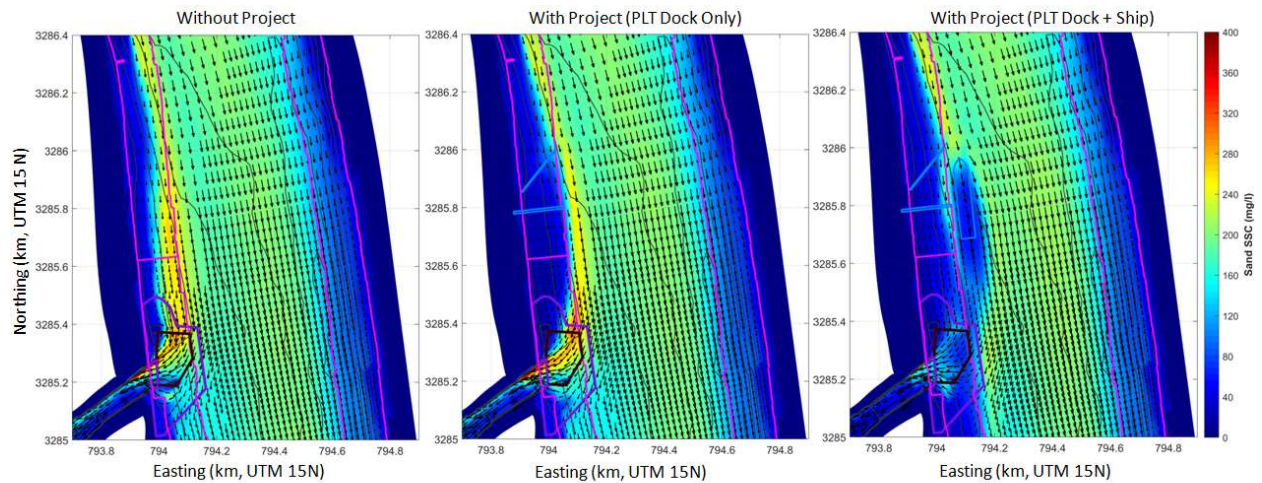


Figure 5.19. No Morphology Change: Near-bed Suspended Sand Concentration (SSC) at 1,250,000 cfs MR flow.



*Initial (USACE 2012) Bed Elevation Contours in ft, NAVD88 (Black lines) are shown at 20ft interval. DAV vectors are at 50ft interval. Revetment extents are shown by magenta lines, proposed rip-rap extents by purple line*

Figure 5.20. No Morphology Change: Near-bed Suspended Sand Concentration (SSC) at 1,000,000 cfs MR flow.



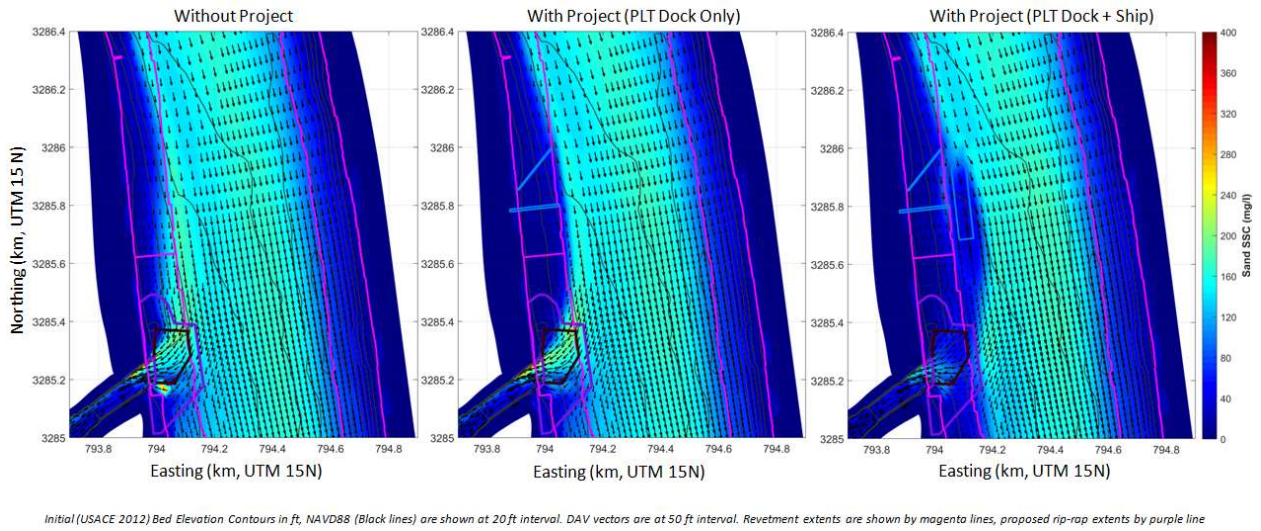


Figure 5.21. No Morphology Change: Near-bed Suspended Sand Concentration (SSC) at 800,000 cfs MR flow.

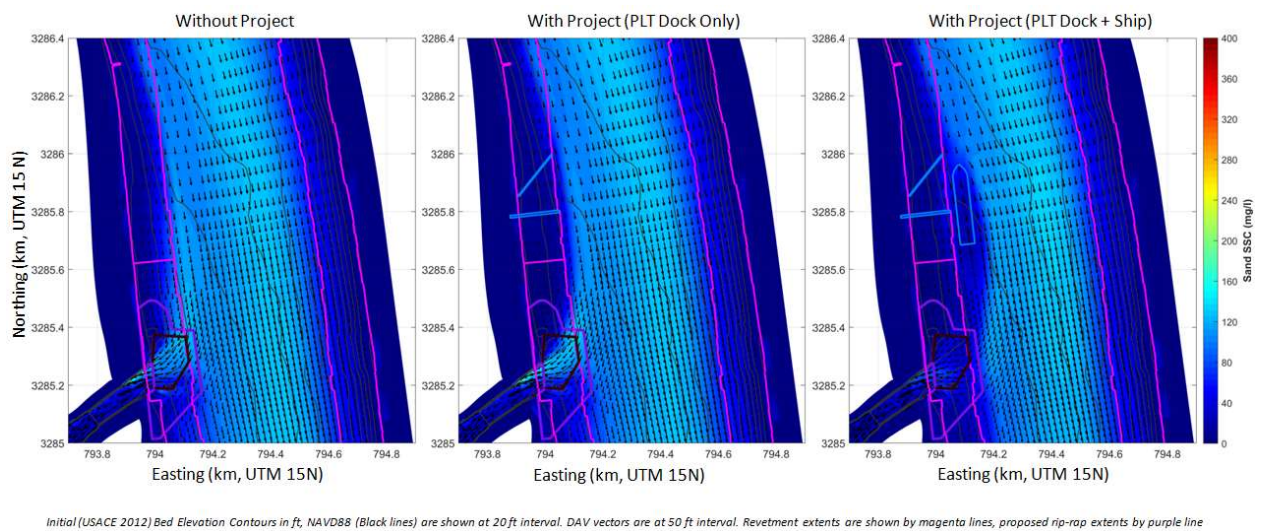


Figure 5.22. No Morphology Change: Near-bed Suspended Sand Concentration (SSC) at 600,000 cfs MR flow.

Figure 5.23 shows the variation of the diverted total sediment (Sand+Fines) load and corresponding CSWR (over 100,000 cfs discharge bins) with MR discharge. The reduction, under With-Project condition, as percentage of the Without-Project condition is also shown. Since the fines have a comparatively lesser reduction than the sand and the because fines load area about 2-3 times higher than the sand load in the river, the net reduction effect in the total sediment is less compared to that of sand alone. While total sediment loads and changes in them,

are reported, it should be noted that, the total fines captured, is reduced in approximately similar proportion as the reduction in diverted discharge due to the effects of the PLT Dock and/or the ship. This is because, the fines are well-mixed in the water column. Therefore, the critical sediment impact efficiency parameter is the reduction in sand load in addition to the hydrodynamic impact efficiency parameter of the reduction in diverted discharge. However, the reduction of the total sediment due to the presence of the PLT ship at MR flows greater than 900,000 cfs is higher (15-20%) compared to that at flows lesser than 900,000 cfs flows (5-10%).

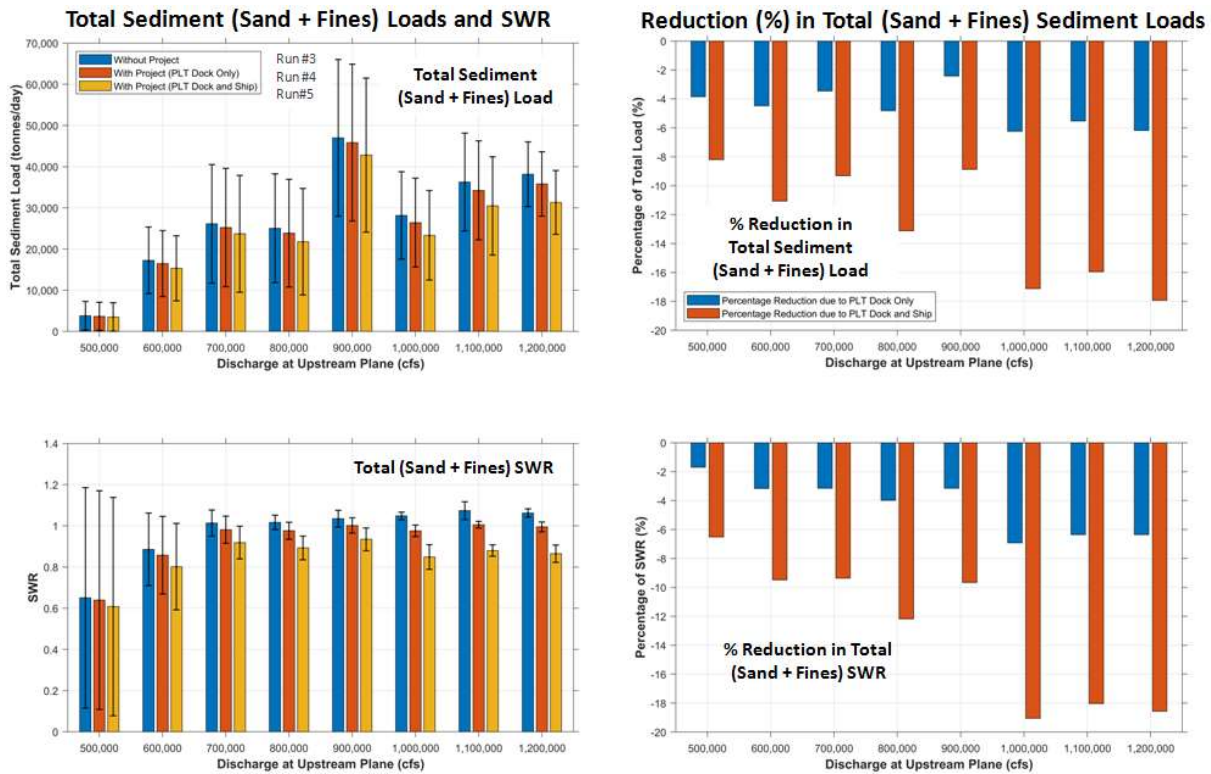


Figure 5.23. No Morphology Change: Variation of Total Sediment (Sand+Fines) and Total SWR (left panel) and percent reduction from Without-Project scenario of Total Sediment and Total SWR (right panel) with MR flow. Model run was using the 2008 hydrograph year for the entire operational period.

Figures 5.24 and 5.25 present model results from the with-morphology-change (but with non-erodible initial bed) runs (Runs 6, 7 and 8) and quantify effects of the PLT Dock and PLT Dock+Ship separately on the net reduction, similar to Figures 5.18 and 5.23. The main difference from the no-morphology-change runs is that these model runs take into consideration the temporal change in bed level and the effect of the bed material load supply to the diverted

sediment load, which can be locally deposited and eroded into the diversion, depending on the flow. Thus, the diverted loads are slightly higher at the higher flows (when sediment deposited at lower flows is available for transport) and lower at the lower flows (where the sediment being deposited in the river reduces the diverted load). Nevertheless, the reduction in the range of variation in the presence and absence of the ship is seen to be higher (30-45%) at MR flows exceeding 900,000 cfs than at lesser flows (15-20% reduction).

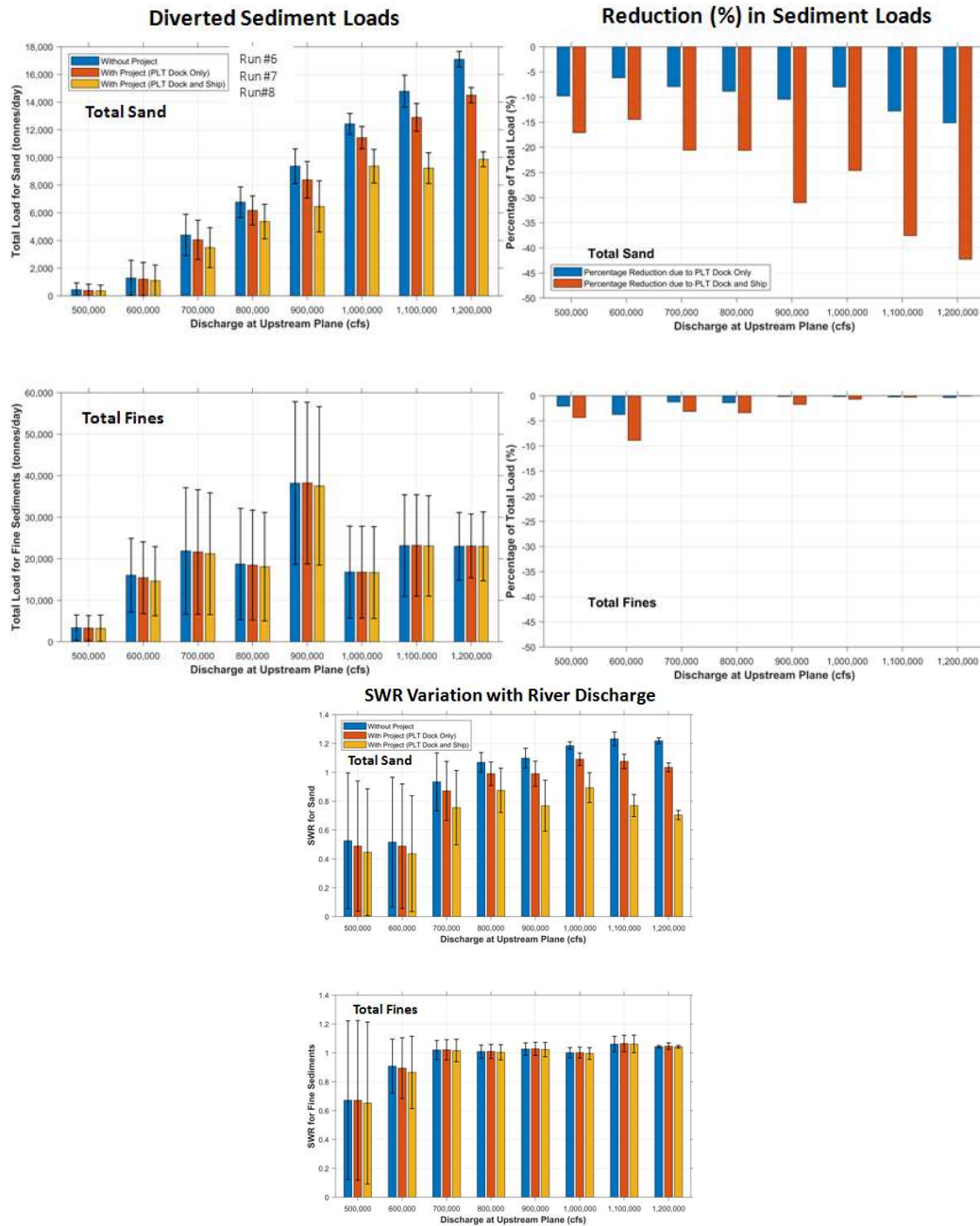


Figure 5.24. With morphology-change, non-erodible initial bed: variation of Total Sand and Fines loads (upper left panel) and percent reduction from-Without-Project scenario with MR flow. Bottom panel shows the variation in SWR of Total Sand and Fines. Model run was using the 2008 hydrograph year for the entire operational period.

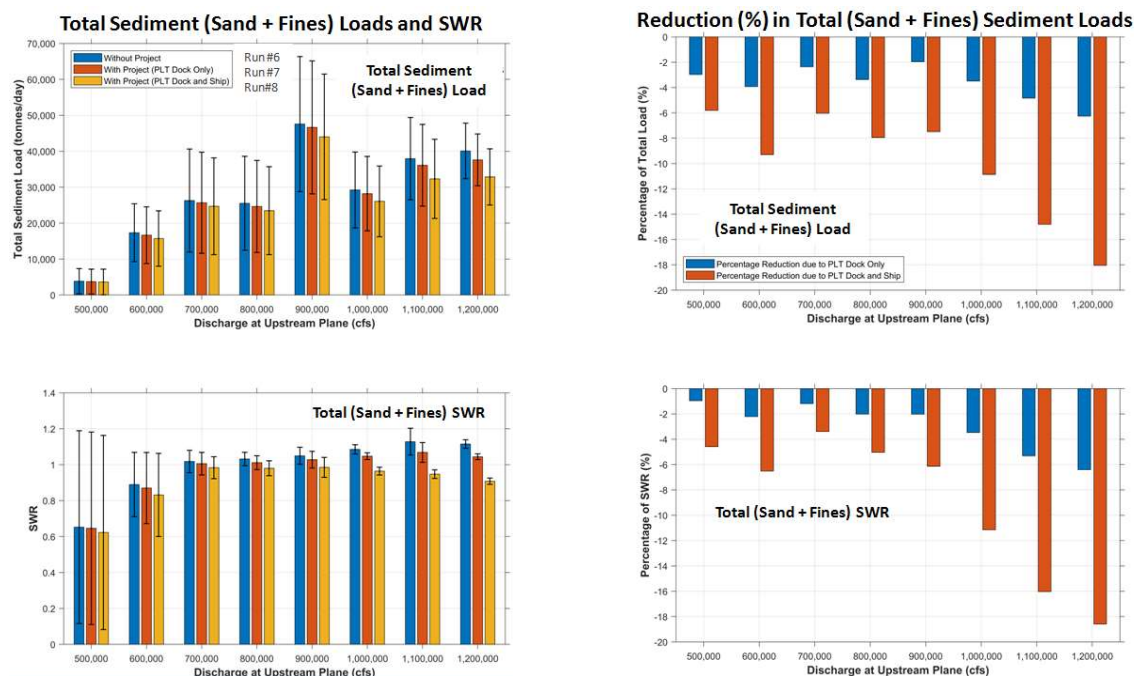


Figure 5.25. With-morphology-change, non-erodible initial bed: variation of Total Sediment (Sand+Fines) and Total SWR (left panel) and percent reduction from Without-Project scenario of Total Sediment and Total SWR (right panel) with MR flow. Model run was using the 2008 hydrograph year for the entire operational period.

Tables 5.3 and 5.4 show the annual estimations of diverted sediment loads, water volume, CSWR along with reduction percentages under with-structure scenarios with respect to the without-structure scenario. The upper panels in Table 5.3 and 5.4 respectively show the total annual water volume and sediment load diverted as well as that passing the river section, for the No-Morphology-Change (Runs 3,4 and 5) and With-Morphology-Change (Runs 6, 7, and 8) scenarios. The lower panel in the two tables shows the percent reduction under the With- Project scenarios. It is seen that the percent reduction in the sand load varies between ~11-15 % due to the PLT Dock only and between ~30-45% due to the combined effect of the PLT Dock and the Ship. Estimated reduction in fines load is less than 1% due to the PLT Dock only and between 1-5% due to the combined effect of the dock and the ship. The reduction in total sediment load is between 4-5% due to the PLT Dock only 11-14% due to the combined effect of the PLT Dock and the ship. The lower and upper ranges of the reduction are based on whether the model is run with or without morphology change and provide modeling results variability expected from the differing assumptions.

Table 5.3. No Morphology Change (Runs # 3, 4 and 5). Upper Panel: Sediment Loads and CSWR. Lower Panel: Percent Reduction for each With-Structure scenario compared to the Without-Structure scenario.

| Case                                 | Total Sand Load Diverted (MMT) (A) | Total Fines Load Diverted (MMT) (B) | Total Sediment Load Diverted (MMT) (C) | Total Sand Load in River (MMT) (D) | Total Fines Load in River (MMT) (E) | Total Sediment Load in River (MMT) (F) | Total Water Volume Diverted (TCF) (G) | Total Water Volume in River (TCF) (H) | Sand CSWR (-) (A/D)÷(G/H) | Fines CSWR (-) (B/E)÷(G/H) | Total CSWR (-) (C/F)÷(G/H) |
|--------------------------------------|------------------------------------|-------------------------------------|----------------------------------------|------------------------------------|-------------------------------------|----------------------------------------|---------------------------------------|---------------------------------------|---------------------------|----------------------------|----------------------------|
| Run#3 Without Project                | 1.48                               | 3.69                                | 5.17                                   | 19.29                              | 47.69                               | 66.98                                  | 1.01                                  | 13.35                                 | 1.01                      | 1.02                       | 1.02                       |
| Run#4 With Project (PLT Dock Only)   | 1.26                               | 3.66                                | 4.92                                   | 19.28                              | 47.67                               | 66.95                                  | 1.00                                  | 13.35                                 | 0.87                      | 1.02                       | 0.98                       |
| Run#5 With Project (PLT Dock + Ship) | 0.85                               | 3.60                                | 4.45                                   | 19.27                              | 47.62                               | 66.89                                  | 0.99                                  | 13.35                                 | 0.60                      | 1.02                       | 0.90                       |

MMT = Million Metric Ton (or Million Tonnes); TCF = Trillion Cubic Feet. Values are rounded to the second decimal place.

**Percent Reduction with Respect to Without Project Case:**

| Case                           | Reduction in Total Sand Load Diverted (%) | Reduction in Total Fines Load Diverted (%) | Reduction in Total Sediment Load Diverted (%) | Reduction in Total Sand Load in River (%) | Reduction in Total Fines Load in River (%) | Reduction in Total Sediment Load in River (%) | Reduction in Total Water Volume Diverted (%) | Reduction in Total Water Volume in River (%) | Reduction in Sand CSWR (%) | Reduction in Fines CSWR (%) | Reduction in Total CSWR (%) |
|--------------------------------|-------------------------------------------|--------------------------------------------|-----------------------------------------------|-------------------------------------------|--------------------------------------------|-----------------------------------------------|----------------------------------------------|----------------------------------------------|----------------------------|-----------------------------|-----------------------------|
| Without Project                | N/A                                       | N/A                                        | N/A                                           | N/A                                       | N/A                                        | N/A                                           | N/A                                          | N/A                                          | N/A                        | N/A                         | N/A                         |
| With Project (PLT Dock Only)   | 14.9                                      | 0.8                                        | 4.8                                           | 0.0                                       | 0.0                                        | 0.0                                           | 0.0                                          | 0.0                                          | 13.9                       | 0.0                         | 3.9                         |
| With Project (PLT Dock + Ship) | 42.6                                      | 2.4                                        | 13.9                                          | 0.1                                       | 0.1                                        | 0.1                                           | 0.0                                          | 0.0                                          | 40.6                       | 0.0                         | 11.7                        |

Percent Values are rounded to the first decimal place.

Table 5.4. With Morphology Change (Runs # 6, 7 and 8). Upper Panel: Sediment Loads and CSWR. Lower Panel: Percent Reduction for each With-Structure scenario compared to the Without-Structure scenario.

| Case                                 | Total Sand Load Diverted (MMT) (A) | Total Fines Load Diverted (MMT) (B) | Total Sediment Load Diverted (MMT) (C) | Total Sand Load in River (MMT) (D) | Total Fines Load in River (MMT) (E) | Total Sediment Load in River (MMT) (F) | Total Water Volume Diverted (TCF) (G) | Total Water Volume in River (TCF) (H) | Sand CSWR (-) (A/D)÷(G/H) | Fines CSWR (-) (B/E)÷(G/H) | Total CSWR (-) (C/F)÷(G/H) |
|--------------------------------------|------------------------------------|-------------------------------------|----------------------------------------|------------------------------------|-------------------------------------|----------------------------------------|---------------------------------------|---------------------------------------|---------------------------|----------------------------|----------------------------|
| Run#6 Without Project                | 1.62                               | 3.69                                | 5.31                                   | 19.60                              | 47.69                               | 67.29                                  | 1.01                                  | 13.35                                 | 1.09                      | 1.02                       | 1.04                       |
| Run#7 With Project (PLT Dock Only)   | 1.44                               | 3.66                                | 5.10                                   | 19.58                              | 47.67                               | 67.25                                  | 1.00                                  | 13.35                                 | 0.98                      | 1.02                       | 1.01                       |
| Run#8 With Project (PLT Dock + Ship) | 1.10                               | 3.61                                | 4.70                                   | 19.55                              | 47.62                               | 67.17                                  | 0.99                                  | 13.35                                 | 0.76                      | 1.02                       | 0.94                       |

MMT = Million Metric Ton (or Million Tonnes); TCF = Trillion Cubic Feet. Values are rounded to the second decimal place.

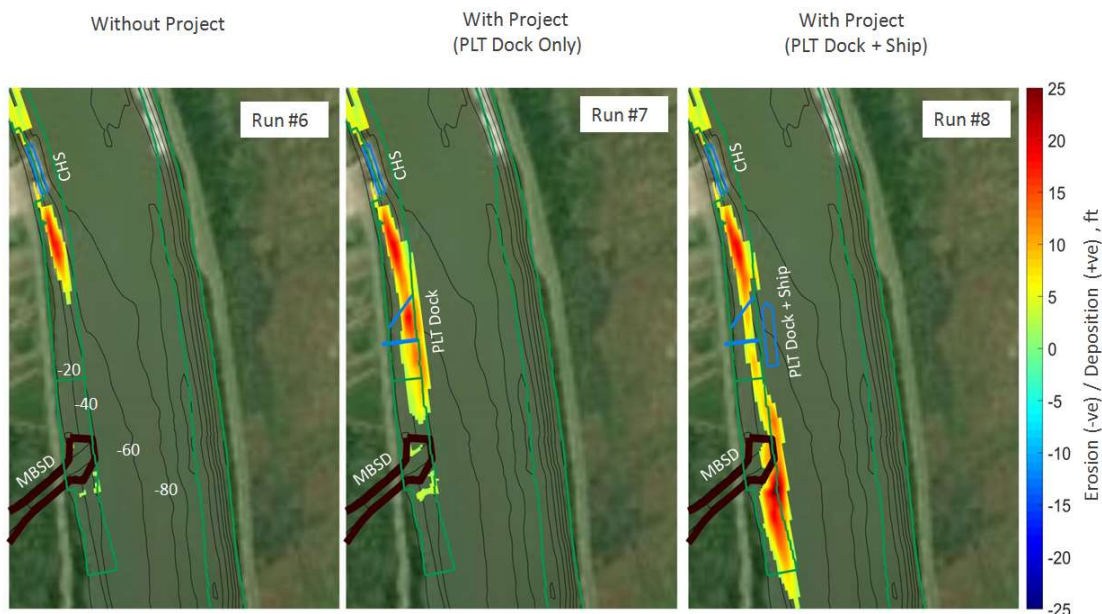
**Percent Reduction with Respect to Without Project Case:**

| Case                           | Reduction in Total Sand Load Diverted (%) | Reduction in Total Fines Load Diverted (%) | Reduction in Total Sediment Load Diverted (%) | Reduction in Total Sand Load in River (%) | Reduction in Total Fines Load in River (%) | Reduction in Total Sediment Load in River (%) | Reduction in Total Water Volume Diverted (%) | Reduction in Total Water Volume in River (%) | Reduction in Sand CSWR (%) | Reduction in Fines CSWR (%) | Reduction in Total CSWR (%) |
|--------------------------------|-------------------------------------------|--------------------------------------------|-----------------------------------------------|-------------------------------------------|--------------------------------------------|-----------------------------------------------|----------------------------------------------|----------------------------------------------|----------------------------|-----------------------------|-----------------------------|
| Without Project                | N/A                                       | N/A                                        | N/A                                           | N/A                                       | N/A                                        | N/A                                           | N/A                                          | N/A                                          | N/A                        | N/A                         | N/A                         |
| With Project (PLT Dock Only)   | 11.1                                      | 0.8                                        | 4.0                                           | 0.0                                       | 0.0                                        | 0.1                                           | 0.0                                          | 0.0                                          | 10.1                       | 0.0                         | 2.9                         |
| With Project (PLT Dock + Ship) | 32.1                                      | 2.2                                        | 11.5                                          | 0.1                                       | 0.1                                        | 0.2                                           | 0.0                                          | 0.0                                          | 30.3                       | 0.0                         | 9.6                         |

Percent Values are rounded to the first decimal place.

### 5.4 Delft3D Model Results: Morphology

Figure 5.26 shows the deposition extents and depths at the end of 1 year, diversion open and under Without-Project, With-Project (PLT Dock only) and With-Project (PLT Dock + Ship) scenarios. It is seen that the zone immediately downstream of the CHS terminal shows deposition as expected based on the hydrodynamic results shown on Figure 4.5 This region tends to deposit even without the presence of the PLT project. In presence of the PLT Dock only, deposition is seen to extend along the RDB under the Dock and immediately upstream of the diversion on the USACE revetment. It is recommended that any expected deposition on the USACE revetment be included in the structural stability calculations of the revetment around the diversion. The presence of the ship tends to reduce the deposition under the dock as well as immediately downstream of the ship mainly due to the increased velocities (see Fig. 5.32 later for flow velocities) under and around the ship. However, the presence of the ship is seen to increase deposition at the MBSD intake within the river as well as downstream of the intake on the USACE revetment.



Initial (USACE 2012) Bed Elevation Contours in ft, NAVD88 (Black lines) are shown at 20 ft interval. Revetment extents are shown by Green lines.

Figure 5.26. With-morphology-change, non-erodible initial bed diversion open (Runs 6, 7 and 8): deposition extents and depths at the end of 1 year of diversion operations, after immediate opening of the diversion under Without-Project, With-Project (PLT Dock only) and With-Project (PLT Dock+Ship) scenarios.

Figure 5.27 shows the difference of deposition depths at the end of 1 year between the With- and Without-Project conditions. As explained before on Figure 5.26, it appears that the existence of the PLT dock would induce deposition under the dock. In presence of the ship additional deposition is seen at the diversion intake and downstream of the diversion along the RDB.

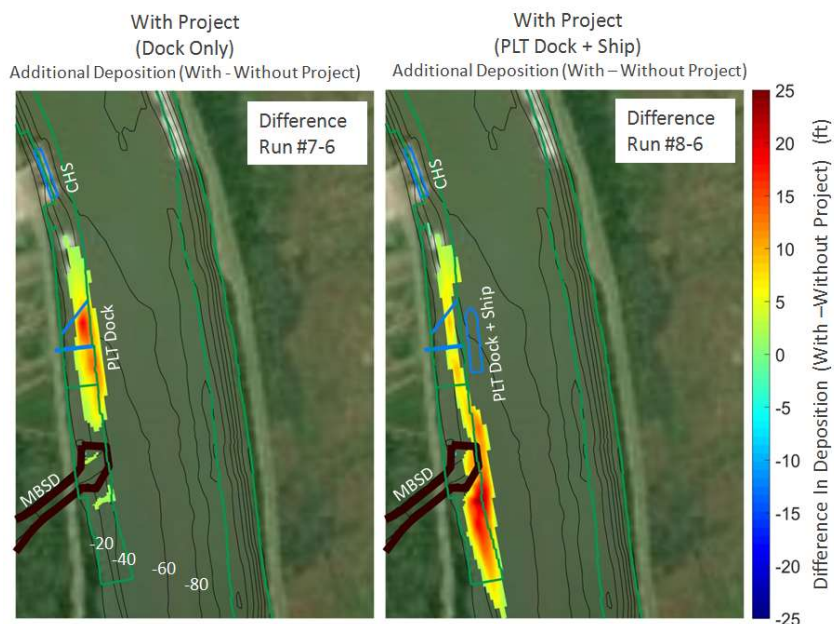


Figure 5.27. With-morphology-change, non-erodible initial bed, diversion open: difference in deposition depths (With – Without Project) at the end of 1 year of diversion operations, after immediate opening of the diversion.

Figure 5.28 shows the deposition depths and extents at the end of the same 1-year period but when the diversion is closed. Difference between the diversion open and closed deposition depths is shown in Figure 5.30. Results indicates that enhanced deposition occurs at the intake as well as between the -40 ft and -50 ft, NAVD88 contours in the river immediately in front of the intake in the presence of the ship. An interesting insight from this figure is that downstream of the diversion, the diversion open condition results in greater deposition along the shallower parts of the revetment than the diversion closed condition. This is because, when the diversion is open, the flow tends to bring the sand up on the shallower depths which otherwise remain free of deposits when the diversion is closed and the river flow is unaffected by the diversion flow.



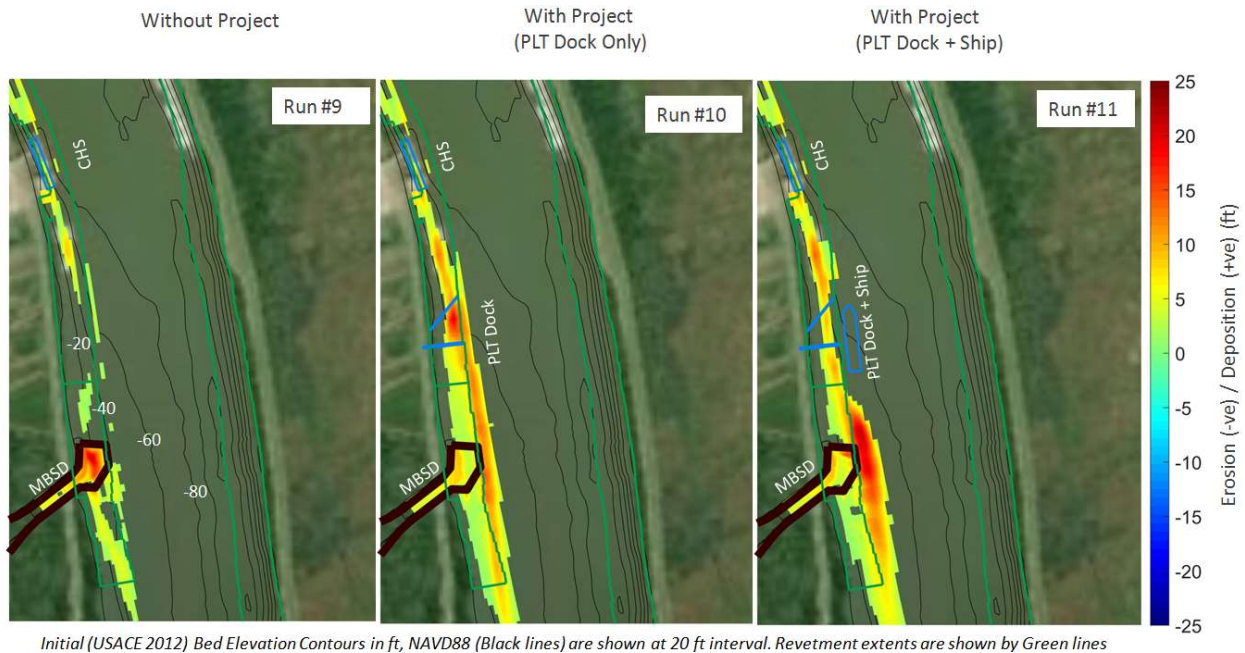


Figure 5.28. With-morphology-change, non-erodible initial bed diversion closed (Runs 9, 10 and 11): deposition extents and depths at the end of 1 year under Without-Project, With-Project (PLT Dock only) and With-Project (PLT Dock+Ship) scenarios.

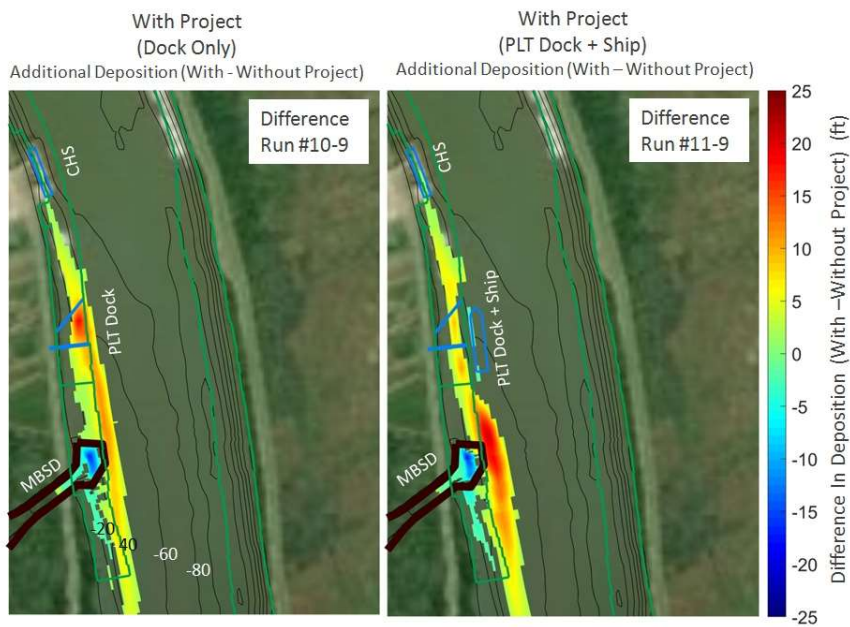


Figure 5.29. With-morphology-change, non-erodible initial bed diversion closed: Difference in deposition depths (With – Without Project) at the end of 1 year.

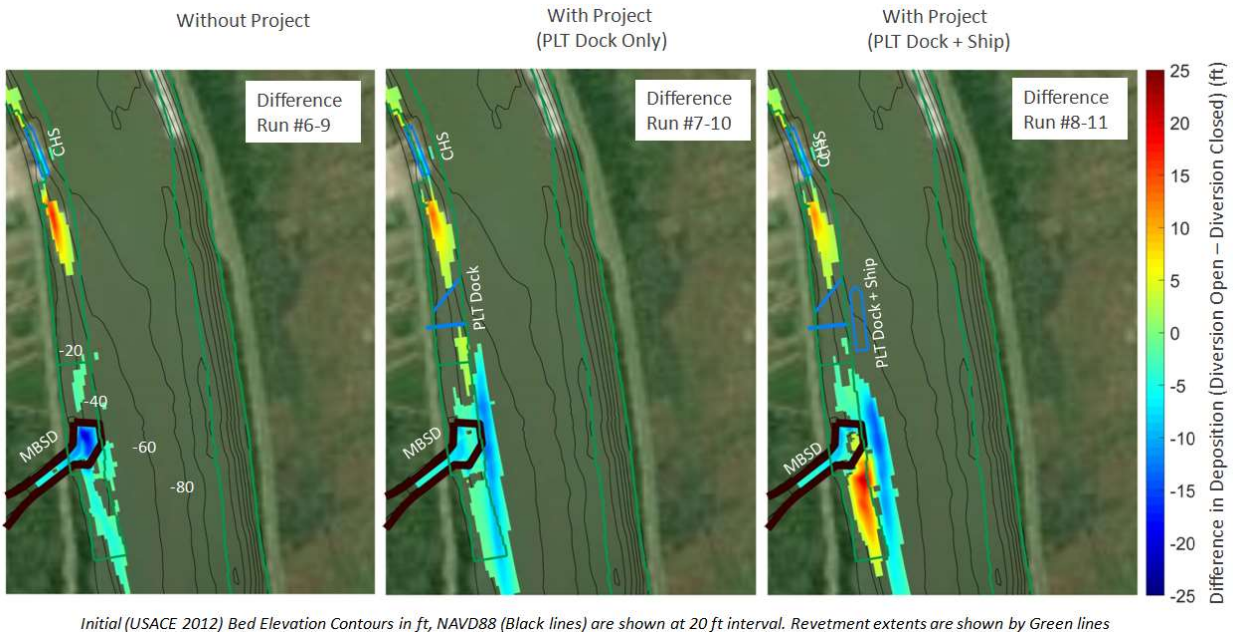


Figure 5.30. With-morphology-change, non-erodible initial bed difference in deposition depths under diversion open and closed scenarios (Open – Closed) at the end of 1 year.

Figure 5.31 shows the deposition and erosion results for the With-Project (PLT Dock + Ship) scenario at the end of 1 year. These results indicate that sandbar erosion under the ship is possible, even when a locally erodible stratigraphy is considered. It is to be noted that these results are largely qualitative because the Delft3D model is not calibrated to predict sand bar erosion rates for this study. Further investigation and verification of ship induced sand bar scour is recommended using ship scale fluid-structure interaction numerical models and/or with physical modeling. Additional stratigraphy information of sand bar using geotechnical information is also recommended to be incorporated into modeling.

Figure 5.32 shows the comparison of velocity profiles between the FLOW-3D and the Delft3D model under ‘No Morphology Change’ case. It is seen that except the location immediately downstream of the ship head, both models predict the velocity with good agreement indicating that the Delft3D model can be reliably taken to represent the flow under the ship. While velocities are less than 4 ft/s upstream of the ship near the bed, they increase to 4-6 ft/s under the ship due to flow constriction. It is therefore possible that the increased velocity, particularly near the bed, can thus cause erosion under the ship as predicted by the erodible bed runs.

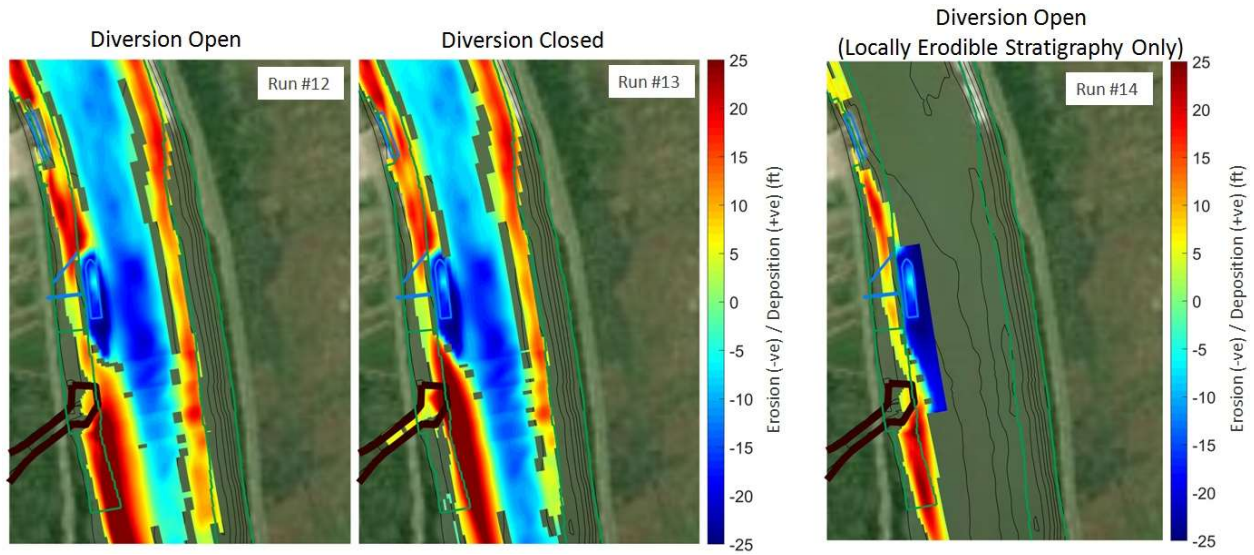


Figure 5.31. With-morphology-change, erodible initial bed (Runs 12, 13 and 14): deposition or erosion depths and extents at the end of 1 year under With-Project (PLT Dock + Ship) scenario. Left two panels are with entire river stratigraphy set as erodible with diversion open in the first panel and the diversion closed in the second. The right panel is for a model run with a locally erodible stratigraphy under the ship only.

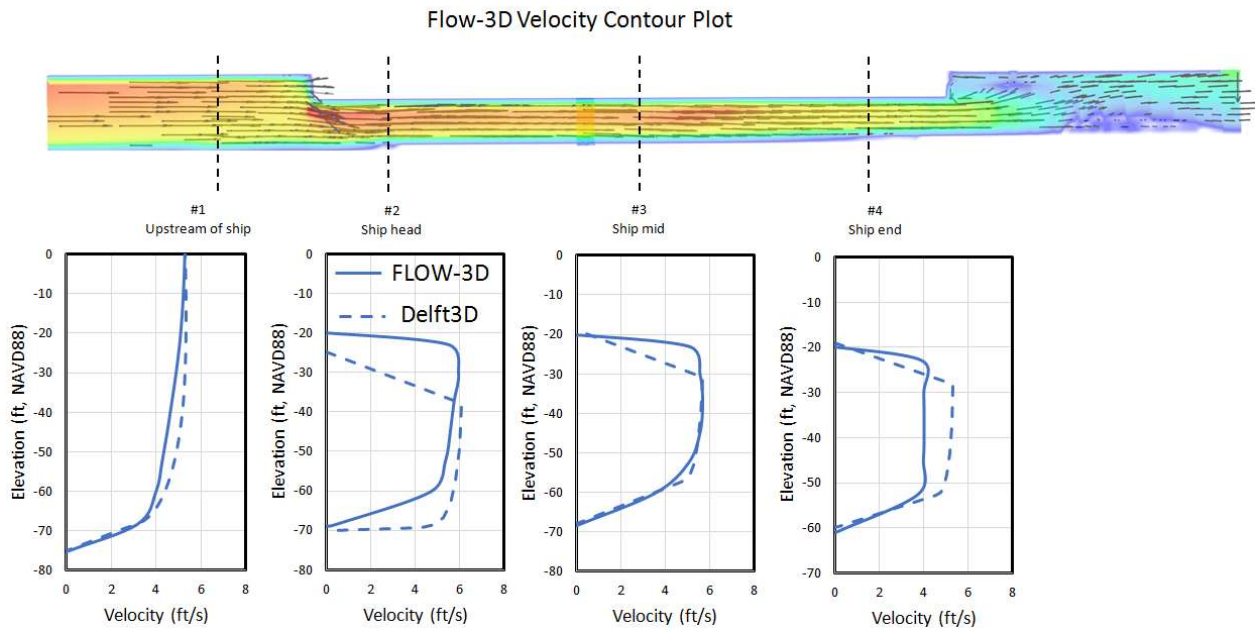


Figure 5.32. Comparison of vertical profile of velocity magnitude under the ship from FLOW-3D and Delft3D.

## 6.0 SUMMARY AND CONCLUSIONS

FLOW-3D and Delft3D models were developed to model the effect of the PLT Dock and Ship on the discharge capacity and the diverted sediment loads for MBSD.

Both models were calibrated/validated with observed data. In addition, the Delft3D model was calibrated with the FLOW-3D model results for hydrodynamics and diversion discharge to account for the energy losses resulting from the presence of the PLT Dock and Ship and the near-field effect of the velocity field at the intake.

The PLT Dock structure was represented as porous mesh planes following existing modeling methodology by CPRA (Meselhe et al., 2012). The porosity and drag coefficients were based on values in published literature and empirical studies and depend on the structural resistance to flow for portions of the dock that are under water.

The Delft3D (3D) sediment transport model was run to evaluate effect on diverted loads, SWR as well as short term morphology change in the vicinity of the diversion and the PLT Dock. Morphology and sediment transport model results are representative of the *immediate effect in one year* of diversion opening in response to a historical (2008) hydrograph. The effects of PLT Dock and Ship on diversion sediment capture efficiency and subsequent morphological response of the river in the vicinity of the intake and along the RDB were evaluated.

The following conclusions can be drawn from this modeling study:

1. Estimated changes in *hydrodynamics* due to the presence of PLT Dock Only are as follows:
  - a. ~2.4% reduction in diverted discharge at 1M cfs MR flow
  - b. ~0.1-0.3 ft of Total Energy Head reduction at MBSD intake at 1M cfs MR flow
  - c. Riverside intake velocities reduce from ~ 5 ft/s to ~2.5-4 ft/s at 1M cfs MR flow
2. Estimated change in *hydrodynamics* due to the presence of PLT Dock and Ship are as follows:
  - a. ~4.3% reduction in diverted discharge at 1M cfs MR flow
  - b. ~0.3-0.5 ft of Total Energy Head reduction at MBSD intake at 1M cfs MR flow

- c. Riverside intake velocities reduce from ~ 5 ft/s to ~1.5-2.3 ft/s at 1M cfs MR flow
3. Estimated reductions of sediment load due the presence of PLT Dock only are as follows:
  - a. ~11-15 % for diverted sand load
  - b. ~0-1 % for diverted fines load
  - c. ~4-5 % for diverted total load
4. Estimated reduction of sediment load due the combined presence of PLT Dock and Ship (moored during the entire operational period) are as follows:
  - a. ~30-45 % for diverted sand load
  - b. ~4-5 % for diverted fines load
  - c. ~11-14 % for diverted total load
5. The reduction in sediment loads estimated above in # 4 for PLT Dock and Ship scenario may be lower if intermittent ship operations are included in the analysis. However, the reduction, including intermittent ship operations, will still be greater than the reduction due to the PLT Dock alone mentioned in # 3.
6. Uncertainty in the reported reduction percentages include but are not limited to the following factors which are not considered in this study:
  - Nature of the MR Hydrograph
  - Long-term morphological impacts of the PLT Dock and/or ship
  - Frequency and timing of ship operations within the hydrograph period
  - Variation in ship draft
  - Local fluid-structure scale transient effects on the sediment transport and sand bar scour
  - Ship motion induced sediment transport and morphology change
  - Sensitivity of model to drag coefficients used to parameterize the structure losses
7. Deposition was noted under the PLT Dock, along the RDB and on the USACE revetment downstream of the diversion when the ship was present. Additional long-term numerical modeling and/or physical modeling is suggested to verify the evolution of this zone and its impact on sediment capture and hydrodynamics.
8. Increased deposition is noted at the diversion intake under diversion closed scenario due to the presence of the PLT Dock.

9. Presence of the stationary ship indicates some erosion of the native sand-bar due to the increased near-bed velocities under the ship. This model does not take into account the effect of ship movements on morphology. Additional numerical modeling at the fluid-structure interaction scale of the ship and/or physical modeling is recommended to verify this.
10. Dredging to maintain required ship draft at the PLT location can affect the stability of the sand-bar, which is the main platform over which sand travels towards the diversion intake and enables the intake to access the near bed high sand concentration zone.
11. The Delft3D model does not model head-cut propagation, bank collapse, scour under the revetment or rip-rap. Morphology results should be used with caution when using the absolute deposition/erosion depths for design.

## 7.0 REFERENCES

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**Concern ID: 61850**

**Commenters expressed concern that reasonably foreseeable industrial facilities like the Plaquemines Liquids Terminal and pipelines that may be built near the proposed MBSD Project structure or in the Barataria Basin would cause adverse impacts on the marsh ecosystem restored by the MBSD Project operations. One commenter expressed the opinion that industrial facilities that may be constructed near the proposed MBSD Project should be denied permit because they would be inconsistent with the objectives of the proposed MBSD Project.**

**Response ID: 16464**

The commenters' concern about the potential impact of future industrial development and activity on the habitat that would be created by the proposed Project was considered in Chapter 4, Sections 4.25.4 and 4.25.6 in the Cumulative Impacts section of the Draft EIS. These sections explain that reasonably foreseeable industrial facilities and infrastructure that may be constructed in the proposed MBSD Project area are expected to have negligible impacts on proposed Project-area resources because the facilities would be required to adhere to permit conditions imposed by regulating agencies such as wetland mitigation, SWPPP, and SPCC plans in order to be constructed and operated.

Furthermore, CPRA entered into a Memorandum of Understanding with the Plaquemines Port Harbor & Terminal District (PPHTD) and the Plaquemines Liquid Terminal, LLC (PLT) requiring PPHTD and PLT to perform sediment transport modeling and a navigation study to determine the impact, if any, that the PLT Project may have on the proposed MBSD Project, and to agree to certain terms and conditions, as needed, to ensure that the PLT, once constructed and operated, does not have unreasonable adverse impacts on the design, construction, or operation of the proposed MBSD Project. These steps would help ensure that the PLT Project remains consistent with the Louisiana Coastal Master Plan.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section

10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61933**

**Commenters expressed concern that the MBSD Project is going to cause a lot of problems for the community of Ironton and the neighboring communities. There is an alarming lack of detail and lack of analysis about how the MBSD Project would affect Ironton. Some specific concerns regarding Ironton include whether the MBSD Project would result in impacts on air quality, noise, traffic, emergency services, flood risks, and community cohesion.**

**Response ID: 16286**

The Draft EIS Chapter 4, Sections 4.7 Air Quality, 4.8 Noise; 4.13 Socioeconomics; 4.15 Environmental Justice; and 4.22 Land-Based Transportation identified potential air quality, noise, transportation, and flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 (Socioeconomics Technical Report) provides contextual information about the community. Section 4.15 Environmental Justice, has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. Also, in the Final EIS, Section 4.15.5.1 Environmental Justice has been added to provide a summary of impacts on the majority-Black community of Ironton, which is the closest community to the diversion, to assist understanding the projected impacts of the proposed Project on that community.

CPRA has engaged in public outreach meetings with the communities that would be impacted by the MBSD to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the communities projected to be impacted.

Outreach efforts to better understand community concerns regarding impacts, including cultural impacts, and mitigation and stewardship measures are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

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Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61940**

**Commenters found it unclear whether the Draft EIS discussion of impacted fishermen, including low-income and persons of color, is limited to those living in the Barataria Basin. For example, there may be Vietnamese fishermen or other fishers who reside outside the Barataria Basin but travel to the Barataria Basin to fish. Clearly these fishermen would be impacted by the Project. The State must clarify the inclusion of fishermen residing within and outside the Project boundary in both its impacts analysis and its discussion of potential mitigation for impacts to fisheries.**

**Response ID: 16299**

Fishermen who travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4 Operational Impacts in Commercial Fisheries of the Final EIS has been revised to acknowledge this.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) provides a suite of mitigation and stewardship measures applicable to fishers that may be impacted by the Project. Those measures would be available to any impacted fisher who relies on fisheries in the Barataria Basin, regardless of whether or not they reside in the basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

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are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62264**

**The commenter expressed concern that the Draft EIS understates the proposed Project's potential impacts on nitrogen and phosphorus in the Barataria Basin and requested that the Final EIS explain how nitrogen (N) to Phosphorus (P) ratios (N:P) indicate the health of waters. While a portion of LDEQ's narrative nutrient criteria calls for the maintenance of natural N:P ratios, this does not account for the fact that while ratios might remain relatively constant, the loading of N and P would certainly increase, likely resulting in increased algal growth (and potentially toxic algae blooms and hypoxic areas). The Draft EIS only refers to half of LDEQ's narrative nutrient criteria, leaving out the half stating that nutrient concentrations that produce aquatic growth that it creates a public nuisance or interferes with designated water uses shall not be added to any surface waters. (L.A.C 33:IX.1113.B.8). The commenter further explained that this portion of the criteria is arguably the most important, as it refers to actual impacts of nitrogen and phosphorus pollution. The commenter stated that the Draft EIS also fails to consider USEPA or other proposed numeric criteria. It is difficult to understand how the authors can make impact determinations when no consideration was given to half of the narrative nutrient criteria and no numeric nitrogen and phosphorus goals are given.**

**Response ID: 16438**

In response to this comment, the USACE has added the full narrative nutrient criteria statement to Chapter 3, Section 3.5.2.4 in Surface Water and Sediment Quality and to Chapter 4, Sections 4.5.5.3 and 4.5.5.4 in the Surface Water and Sediment Quality. As explained in Section 3.5.2.4, "the EPA generated sub-ecoregion reference condition metrics for total nitrogen (0.71 milligrams/liter[mg/L]) and total phosphorus (0.125 mg/L) for the Mississippi River and Barataria Basin concentrations (USEPA 2001). It is important to note that the reference metrics provide a numerical value to compare the Mississippi River and the Barataria Basin nutrient concentrations and are not intended to be used to evaluate waterbody status relative to the current narrative nutrient criterion." The USEPA reference metrics, however, are not enforceable criteria.

Proposed Project impacts associated with nutrient loading and algal blooms are addressed in Section 4.10.4.4 in Aquatic Resources of the Final EIS. A reference to Section 4.10 is included in Section 4.5.5.3 in Surface Water and Sediment Quality of the Draft EIS. A reference to Section 4.10 Aquatic Resources has been added to Section 4.5.5.4 (Phosphorus) of the Final EIS. Clarifying language has been added to Sections 4.5.5.3, 4.5.5.4, and 4.25.5.4 in Cumulative Impacts. Appendix R2 Monitoring and Adaptive Management (MAM) Plan includes proposed monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species), in the Barataria Basin during proposed Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62277**

**Many of the impacts of the proposed Project are more dramatic in the first decade of the proposed Project operations; after 2030, the discussion of benefits and impacts in the Draft EIS is based largely on a few model years. However, those model years do not acknowledge the increasing rainfall and river flooding of the past few years that can be expected to increase due to climate change. For example, it is foreseeable that a flood year like 2019 could become more normal over the next decade.**

**Response ID: 16484**

Climate change has altered rainfall and river flow patterns and may further do so in the future. Uncertainties regarding future conditions were summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in

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Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties).

Uncertainties regarding climate change were considered and incorporated into the Draft EIS conclusions throughout Chapter 4 Environmental Consequences. No related edits have been made to the Final EIS.

The USACE, together with the members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 62437**

**Commenters expressed concerns about potential increases in carbon dioxide emissions of the reasonably foreseeable industrial facilities that may be constructed and operated in the Project area of the proposed MBSD Project. One commenter requested that the Final EIS include an analysis of the scale of carbon dioxide emissions of reasonably foreseeable petrochemical facilities and their associated infrastructure in the proposed Project area.**

**Response ID: 16465**

The commenters' concerns about the air quality impacts of reasonably foreseeable petrochemical facilities in the Project area were considered in the air quality cumulative impacts analysis (see Section 4.25.7 Cumulative Impacts, Air quality).

Chapter 4, Section 4.25.7 Cumulative Impacts, Air Quality of the EIS addresses the air quality impacts of reasonably foreseeable future petrochemical facilities in the Project area. As noted in Section 4.25.1.1 Cumulative Impacts, air quality would only be negligibly impacted by operation of the MBSD Project action alternatives and therefore none would measurably contribute to cumulative air quality effects. While petrochemical and industrial facilities in the Project area may result in more than negligible individual or cumulative impacts on air quality during their operations, the Project alternatives would not contribute measurable impacts. Further, other petrochemical and industrial facilities in the Project area would be required to comply with applicable regulations and permitting requirements pertaining to air quality. Finally, the Project would result in permanent, indirect, minor, beneficial impacts on carbon sequestration and atmospheric GHG concentrations due to wetland creation and restoration within the Barataria Basin (see Chapter 4, Section 4.7.4.2 in Air Quality of the EIS).

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**Concern ID: 62469**

**The commenter stated concern that the assessment in the Draft EIS of potential impacts of the reasonably foreseeable project Plaquemines Port Harbor & Terminal District/Plaquemines Liquids Terminal (PPHTD/PLT) on the proposed MBSD Project operations cannot be accurate without including results of the previously conducted assessment of PPHTD/PLT's potential impact on sediment capture of the proposed MBSD Project intake structure.**

**Response ID: 16474**

The Sediment Transport section in Chapter 4, Section 4.25.4.4 Cumulative Impacts in the Draft EIS acknowledged that, based on a sediment transport study conducted by AECOM (2019), the reasonably foreseeable PPHTD/PLT facility may have moderate, adverse,

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permanent impacts on the sediment transport capability of the proposed MBSD Project. Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

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**Concern ID: 62496**

**The commenters requested that state and federal officials work with residents of Ironton for Project impacts on the St. Rosalie cemeteries. These are sacred sites to the people of Ironton because the graves of their ancestors are buried there. The Final EIS should include a discussion about the fact that the proposed MBSD Project would impact community visitation to these sacred sites at St. Rosalie by creating a large physical separation between the community of Ironton and the St. Rosalie sites.**

**Response ID: 16454**

As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, with input from the Section 106 consulting parties, the USACE and LA SHPO have determined that the St. Rosalie Plantation Cemetery (identified as Site 16PL280) and Ironton Cemetery would not be impacted by construction or operation of the proposed MBSD Project. The cemeteries are currently and would continue to be on private property. Residents of Ironton currently have access to the cemeteries via LA 23 and would continue to have access to the St. Rosalie cemeteries via LA 23 during and after the proposed Project is constructed. During the 5-year construction phase of the proposed Project, two-way traffic on LA 23 would be maintained. Northbound traffic would utilize the two existing southbound lanes, maintaining the existing two-lane capacity. Southbound traffic would utilize the shoulder, reducing southbound roadway capacity from two lanes to one. This reduction in capacity may cause delays for southbound traffic over a 1.5-year period during the duration of construction (see the Draft EIS, Chapter 4, Section 4.22.3.1 Construction Impacts).

To clarify potential impacts on Ironton, Section 4.15 Environmental Justice has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. For a summary of public outreach efforts related to the EIS refer to Chapter 7 of the Final EIS and for restoration planning see Section 1.8 of the LA TIG's Draft Restoration Plan.

CPRA held a public meeting in the community of Ironton. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures

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contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a Section 10/404 permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62499**

**Several Indigenous Peoples of the State of Louisiana are already experiencing losses of important cultural sites and historic territories due to erosion. They should have been consulted. The commenter understands there is no legal obligation, but state-recognized Tribal Nations like the United Houma Nation, Pointe Aux Chien Indians, and the Isle de Jean Charles Band of the Biloxi-Chitimacha-Choctaw-Muskogee Creek Indians would be MOST affected by this sediment diversion; so it stands to reason that there is an ethical obligation to invite and collaborate with their council. The fact that the state has recognized many of these Native Nations even if the federal government does not implies an obligation to consult with all Indigenous Peoples in an area that would be impacted by a state-sponsored project.**

**Response ID: 16457**

The USACE acknowledges the commenter's concern about ensuring that all potentially affected Tribal Nations be invited to participate in the Section 106 consultation process. As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, cultural resources consultations have been conducted in accordance with Section 106 of the NHPA. Appendix K Cultural Resources Information of the EIS includes the PA negotiated between the Section 106 consulting parties regarding the proposed Project. The PA explains the outreach conducted by the USACE to Tribal communities, identifies the Tribal Nations that decided to participate in the Section 106 Process, and explains that the USACE has and would continue to consult with any interested Tribal Nation who may have not yet requested to consult.

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**Concern ID: 62503**

**In the future, CPRA and the LA TIG must fully analyze how proposed and future oil and gas infrastructure would impact the Project and must take the position that permits**

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**that excavate or oil marshes would impact Project success and are, therefore, inconsistent with the Project.**

**Response ID: 15769**

EIS Chapter 4, Section 4.25 Cumulative Impacts provides an analysis of the cumulative impacts of reasonably foreseeable future oil and gas infrastructure, including but not limited to the proposed NOLA Oil Terminal, Gulf Coast Methanol Complex, and Venture Global facility.

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**Concern ID: 62507**

**Whether or not the CPRA feels compelled to affirmatively act to reduce impacts on BBES dolphins, the LA TIG's trust duties require that the LA TIG do so. LA TIG cannot allow one resource seriously impacted by DWH to be driven to functional extinction by a project intended to restore another resource.**

**Response ID: 15969**

The LA TIG recognizes the significant impacts the proposed Project would have on Barataria Basin bottlenose dolphins, as discussed in detail in both the EIS and the LA TIG's Restoration Plan. The DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources injured by the spill. See the Executive Summary and Section 3.2.1.5 of the Final Restoration Plan. The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows.

However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 of the Final Restoration Plan for a discussion of how LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 of the Final Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of

productivity also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project because they believe it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Consistent with the purposes of the proposed Project, the State of Louisiana has the duty, per the Budget Act, to minimize impacts on BBES dolphins. The MAM Plan (Appendix R2 to the Final EIS), the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), and Marine Mammal Intervention Plan (Appendix R5 to the Final EIS) include additional detail regarding the implementation of monitoring, stewardship, and adaptive management measures that would help mitigate potential impacts to bottlenose dolphins.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62508**

**The CPRA and LA TIG must revise their analysis of impacts on BBES dolphins in light of Marine Mammal Commission Study, and have incorrectly interpreted BBA18**

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**language as exempting them from the need to take affirmative action to reduce impacts to marine mammals.****Response ID: 15970**

The Final EIS includes an analysis of the impacts of the proposed Project on marine mammals, including bottlenose dolphins, in Chapter 4, Section 4.11 Marine Mammals. This includes the incorporation of Booth & Thomas (2021); Garrison et al. (2020); Schwacke et al. (2017) and additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The BBES dolphin impact conclusion in the Draft EIS was based in large part on Garrison et al. (2020), which predicted that only a “remnant population” of dolphins would continue to exist in Barataria Basin after diversion operations commenced. Thomas et al. (2021), a new study that built on this previous research, found more specifically that an “immediate and severe population-level decline” of 23 percent (95 percent CI 3 to 55 percent) would occur in the first year of operations. Their findings are consistent with the EIS determination of major, permanent adverse impacts to bottlenose dolphins. After the planned 50 years of operation, dolphins in three out of the four strata are predicted to be functionally extinct under the Applicant’s Preferred Alternative, with the remaining Island stratum being severely reduced relative to the No Action Alternative (median predicted population size of Island stratum is 85 percent lower [95 percent CI 28-99] under the Applicant’s Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant’s Preferred Alternative is 143 dolphins (95 percent CI 11-706) compared to 3363 (95 percent CI 2831-4289) under the No Action Alternative. In other words, the stock is predicted to be 96 percent smaller (95 percent CI 80-100) under the Applicant’s Preferred Alternative than then No Action Alternative.

CPRA states that it is aware of its responsibility to minimize impacts on marine mammal species and population stocks, to the extent practicable and consistent with the purposes of the proposed Project per Section 20201(b) of the Bipartisan Budget Act of 2018. In recognition of the potential for collateral injuries from the proposed Project and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of stewardship measures. See Section 3.2.1.1.5 of the LA TIG’s Final Restoration Plan and Appendix R to the Final EIS. The LA TIG is also committed to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

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are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62662**

**The proposed Project is likely to succeed because other diversions have also built land and restored ecosystems. Specific examples of land-building projects include the Caernarvon Freshwater Diversion, Davis Pond, West Bay, Fort St. Phillip, the Jaws, Wax Lake, and Mardi Gras Pass. Many of the benefits of the Project, in terms of soil creation and microbial processes, are not captured in the engineering of the modeling. Many of the fine sediments transported by the diversion cannot be dredged but are critical soil components.**

**Response ID: 16635**

The benefits to land building of fine sediments transported by the diversion were addressed in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in 4.2.3 Geology, Topography, and Geomorphology. The Delft3D modeling conducted for the EIS distinguishes the types of sediment (sands and fine sediments) that would be deposited in the basin. Table 5.2-1 in EIS Appendix E Delft3D Modeling lists the sediment classes included in the model. As described in EIS Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics, sand and fine sediments would contribute to land building in the basin in two ways - by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment could form marsh or land. The model's physics-based computations showed that the coarser sands would settle out before the finer sediment. As the sediment builds up, discharge velocities would increase over the previously deposited sediment and resuspend it, pushing it farther into the basin. Thus, the model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed without moving it by dredging and placement. In addition, Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS discusses the geomorphic impacts of diversion operations, including the Wax Lake Outlet, the Caernarvon Freshwater Diversion, the Davis Pond Freshwater Diversion, the Bohemia Spillway, and Bonnet Carré Spillway, and Mardi Gras Pass.

The likelihood of the Project's success and its potential benefits were considered in the LA TIG's Draft Restoration Plan. As part of evaluating the Project and alternatives, the LA TIG

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considered the likelihood that the Project would succeed and achieve the LA TIG's goals. Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the LA TIG's Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, these sections note that the knowledge gained through the projects noted by the commenters has been applied in designing the Project and evaluating whether and how the Project would restore and sustain critical marshlands. A full description of the range of benefits that would be provided by the Project is also included in Section 3.2.1.6 Benefits Multiple Resources of the Restoration Plan.

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**Concern ID: 62863**

**Combining the LA TIG Restoration Plan review with the Draft EIS, Mitigation and Stewardship Plan and MAM Plan review has created confusion. For example, having two versions of the Mitigation and Stewardship Plan and MAM Plan with different appendix numbers makes it difficult to cite the appropriate documents.**

**Response ID: 16672**

Commenters' concern that the combined public review for the USACE Draft EIS and the LA TIG Restoration Plan may have caused confusion for some readers is noted.

The LA TIG wanted to ensure that the Restoration Plan contained all information relevant to Trustee decision making and thus included two documents in the LA TIG's Restoration Plan that were also appended to the EIS. All comments on the Monitoring and Adaptive Management (MAM) Plan and Mitigation and Stewardship Plan have been reviewed by both USACE and the LA TIG and have been responded to, whether commenters referred to Appendices in the Draft EIS or Draft Restoration Plan.

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**Concern ID: 62864**

**There is significant confusion about funds available for mitigation versus monitoring and adaptive management. The EIS should clarify how much funding will be available for each.**

**Response ID: 16673**

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA

had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62874**

**CPRA should monitor sediment flow through the diversion annually, particularly in the first, more critical decade of operation. This will help determine whether the goals of the Project can be achieved with more efficient use of water flow in following years.**

**Response ID: 16681**

The sediment monitoring issues raised by the commenter were considered in Table 4.1-1 of the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS); therefore, no changes were made to the Final EIS on sediment monitoring. This included monitoring the sediment-to-water ratio in the flows conveyed into Barataria Basin as well as the sediment volume conveyed into Barataria Basin. As noted in the MAM Plan, these parameters would be monitored each year for the life of the Project, including the first decade of Project operation. The sediment-to-water ratio would be evaluated biweekly during operational events and quarterly during base flows. For more information, refer to of the MAM Plan (Appendix R2 to the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

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Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62875**

**CPRA should ensure systematic monitoring of algal blooms and their impacts in the basin, both before and after Project operation.**

**Response ID: 16682**

Sections 3.7.3.9-3.7.3.11 (Chlorophyll A, Phytoplankton Species Composition [including Harmful Cyanobacterial/Algal Bloom Species], and Harmful Cyanobacterial/Algal Bloom Toxins, respectively) in the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS) have been revised. Proposed monitoring includes both pre-construction and post-construction monitoring for the potential development of phytoplankton blooms raised by the commenter. Chlorophyll A would be monitored hourly at in situ gages and daily through remote sensing. Additionally, all three parameters will be monitored monthly, with additional discrete sampling events dependent on observations, systematically using in situ sondes and/or remote sensing, with results determining when phytoplankton sampling would occur and, in turn, when sampling for harmful algal bloom toxins should occur.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62921**

**Commenters suggested that the State of Louisiana must comply with the MMPA waiver and minimize impacts to marine mammal population stocks in ways that are practicable and consistent with the purposes of the Project. This includes considering alternative actions and modifications to Project operations to reduce or mitigate impacts to BBES dolphins while still meeting the Project purpose. The Mitigation Plan incorrectly suggests that actions to reduce impacts to dolphins is not necessary because it would negatively impact Project performance. The Trustees should research all possible mitigation actions to reduce impacts to BBES and invest in the restoration projects that effectively reduce this impact. These may include alternative construction designs or operational strategies, such as reduced diversion flow or salinity thresholds, that would reduce impacts to bottlenose dolphins.**

**Response ID: 16703**

CPRA prepared a Mitigation and Stewardship Plan and a Monitoring and Adaptive Management (MAM) Plan. Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

There is no requirement in the Bipartisan Budget Act that CPRA evaluate alternatives other than the Project. The Bipartisan Budget Act of 2018, Section 20201 requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

CPRA's updated MAM Plan (Appendix R2 of the Final EIS) includes measures and frameworks for minimizing and monitoring impacts of the proposed Project on marine mammals. In addition, the LA TIG has developed a Marine Mammal Intervention Plan. As described in the Federal Register notice announcing issuance of the MMPA waiver, the State's consultation with NMFS will be ongoing to appropriately address the evolving Project planning and design for the construction, operation, and maintenance phases. This ongoing consultation is described in the MAM Plan as well as the Marine Mammal Intervention Plan (see below and Appendices R2 and R5 to the Final EIS for more details).

As described in the Draft EIS, the MAM Plan identifies potential ways in which the LA TIG may reduce impacts to dolphins. The MAM Plan in the Final EIS has been updated to provide more detail about the strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols. However, the

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adaptive management strategies and actions are largely reliant upon data that would be collected during either the pre-construction monitoring period or once operations commence. Once operational data are available, they would be used to evaluate the potential Project modifications to further minimize impacts to marine mammals. There are limited minimization measures available that would reduce impacts on marine mammals and those limited measures would likely only benefit dolphins residing the furthest from the diversion structure (for example, the Island strata).

However, the LA TIG recognizes that despite these operational strategies, dolphins within Barataria Bay would likely experience significant impacts, as described in the EIS, given the purposes of the proposed Project. In response, the LA TIG has developed a Marine Mammal Intervention Plan that outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia (see Appendix R5 to the Final EIS). While the more severe actions such as euthanasia may not offset the ultimate outcome of mortality, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, the Mitigation and Stewardship Plan and MAM Plan include actions that would occur prior to operations to improve understanding of the BBES dolphins as well as improvement of stocks across the state (see Appendices R1 and R2 to the Final EIS).

In arriving at the mitigation and stewardship actions included in the Mitigation and Stewardship Plan, the LA TIG worked with experts within NOAA with expertise on marine mammals to ensure the consideration of all potential mitigation actions. In terms of operational strategies to reduce marine mammal impacts, as noted above, those strategies cannot be further defined at this time as they are largely reliant upon data that would be collected during the pre-construction monitoring period or once operations commence. One goal of the proposed Project is to deliver sediment, fresh water, and nutrients into the basin and the design of all of the action alternatives would accomplish that goal. Alternative diversion designs that accomplish that goal on the desired scale would not address dolphin impacts, as those impacts are largely related to salinity changes, which are driven by the transmission of fresh water into the basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions,

would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62923**

**Commenter suggests monitoring of dolphin pods after any future large oil spill be required and that polluters be held liable as responsible parties under the Oil Pollution Act.**

**Response ID: 16542**

The LA TIG's investments in monitoring and adaptive management and stewardship of key resources through the proposed Project and other recent and future efforts by the Deepwater Horizon Natural Resource Trustees have and will continue to enhance the robust marine mammal response network across the Gulf of Mexico. The Mitigation and Stewardship and Monitoring and Adaptive Management (MAM) Plans (see Appendices R1 and R2 to the Final EIS) include additional dedicated monitoring and response efforts in the Barataria Basin and across Louisiana. These resources will enhance the ability of Trustee agencies to respond to all threats to marine mammals and facilitate data collection in response to future spills. Under OPA, the LA TIG is tasked with holding responsible parties accountable for the damages to natural resources injured through discharges and threats of discharge.

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**Concern ID: 62926**

**Funding for a stranding program and UME response could be helpful for dolphins but will not help BBES dolphins.**

**Response ID: 16544**

Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock of the EIS and Section 3.2.1.5 (Avoids Collateral Injury) of the LA TIG's Restoration Plan acknowledge that a large number of dolphins would become ill and strand or die in Barataria Bay as a result of the Project. Funding for the stranding program and elevated stranding response for the Barataria Basin dolphins has been developed in recognition of the anticipated effects of the Project; those efforts would provide valuable data to inform adaptive management actions that CPRA could consider to further minimize adverse impacts on BBES dolphins while meeting Project goals. These investments are necessary to effectively implement the Marine Mammal Intervention Plan developed by the LA TIG and included in the Final EIS and Final Restoration Plan (see Appendix R5 to the EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions such as euthanasia may not offset the ultimate outcome of mortality, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

As described in the Draft EIS, the Monitoring and Adaptive Management (MAM) Plan identifies potential ways in which the LA TIG may reduce impacts to dolphins. The MAM Plan in the Final EIS has been updated to provide more detail about the strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols. However, the adaptive management strategies and actions are largely reliant upon data that would be collected during either the pre-construction monitoring period or once operations commence. Once operational data are available, they would be used to evaluate the potential Project modifications to further minimize impacts to marine mammals.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62929**

**Commenters suggested that the Project should consider moving the Menhaden Fishery to reduce interactions with BBES dolphins.**

**Response ID: 16545**

The location of the Menhaden fishery is outside of the authority of the USACE or LA TIG. The LA TIG suggests that existing fishery task forces within the State of Louisiana, including the Joint Fisheries Task Force Working Group within the Louisiana Department of Wildlife and Fisheries and the Finfish Task Force would be an appropriate forum to suggest the re-

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examination of laws and policies related to the menhaden fishery, given the many factors involved in decision making around that fishery.

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**Concern ID: 62933**

**Commenter suggests monitoring of dolphin pods after any future large oil spill be required and that polluters be held liable as responsible parties under the Oil Pollution Act.**

**Response ID: 16548**

The suggested actions are not within USACE's authorities.

The LA TIG's investments in monitoring and adaptive management and stewardship of key resources through the proposed Project and other recent and future efforts by the Deepwater Horizon Natural Resource Trustees have and will continue to enhance the robust marine mammal response network across the Gulf of Mexico. The Mitigation and Stewardship and Monitoring and Adaptive Management (MAM) Plans (see Appendices R1 and R2 to the Final EIS) include additional dedicated monitoring and response efforts in the Barataria Basin and across Louisiana. These resources will enhance the ability of Trustee agencies to respond to all threats to marine mammals and facilitate data collection in response to future spills. Under OPA, the LA TIG is tasked with holding responsible parties accountable for the damages to natural resources injured through discharges and threats of discharge.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Concern ID: 62938**

**CPRA should work with residents of Ironton and Tribes to protect cultural resources and maintain access to cultural sites, including those separated from Ironton by the diversion channel. Commenters suggest that the Project mitigate for any loss of access to cultural sites, using the Lagniappe for the Working Coast project as an example.**

**Response ID: 16655**

As indicated in Chapter 4, Section 4.24 (Cultural Resources) of the EIS, cultural resources consultations have been conducted in accordance with Section 106 of the National Historic Preservation Act (NHPA). The Section 106 Consulting Parties are comprised of the USACE (the lead federal agency), the State Historic Preservation Office, the Advisory Council on Historic Preservation, CPRA (the Applicant), federal agency members of the LA TIG, and federally recognized Tribal Nations who expressed historic ties to the Barataria Basin and who choose to participate. This consultation resulted in the development of a Programmatic Agreement that is included in Appendix K Cultural Resources Information of the EIS. The Alternative Mitigation Plan (see the Programmatic Agreement and its attachments in Appendix K), was developed to mitigate for the Project's adverse effects on historic properties in the Barataria Basin caused by the proposed Project. The Programmatic Agreement identifies the Tribal Nations that decided to participate in the consultation, and explains that the USACE would continue to consult with any interested federally recognized Tribal Nation who has not yet requested to consult.

As indicated in Chapter 4, Section 4.24.2.2 of the Cultural Resources section of the Draft EIS, the NHPA Section 106 Consulting Parties have developed Stipulations in the Programmatic Agreement that contain prescriptive steps and potential mitigation measures should any portions of the known historic properties (that is, archeological remains of St. Rosalie Plantation) within the Construction APE be identified as NRHP eligible by ongoing Phase II analysis. This section has been updated in the Final EIS to clarify that neither the St. Rosalie Cemetery, the Ironton Cemetery or visitation access to them would be impacted by construction or operation of the proposed MBSD Project. The cemeteries are currently and would continue to be on private property. Residents of Ironton currently have access to the St. Rosalie and Ironton cemeteries via LA 23 and would continue to have access to the cemeteries via LA 23 after the proposed Project is constructed. To clarify potential impacts on Ironton, Section 4.15 Environmental Justice has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS.

Lagniappe for the Working Coast is a grant awarded by the National Estuary Program to a partnership between the Lowlander Center and state-recognized Tribes to mitigate erosion to areas, including archaeological sites, sacred to Louisiana's coastal Tribes through the backfilling of unused or abandoned canals excavated in coastal marshes. More information on National Estuary Program grants is available at <https://estuaries.org/initiatives/watershedgrants/>.

**Concern ID: 62943**

**The EIS should address mitigation measures for threatened, endangered (T&E) and special status species and their habitat, including adding a section to the Mitigation Plan that specifies the measures that will be taken to minimize impacts to T&E species.**

**Response ID: 16610**

Impacts to Threatened and Endangered Species (T&E species) were addressed in Chapter 4, Section 4.12 (Threatened and Endangered Species) of the Draft EIS. Those impacts are also subject to the ongoing consultation with the U.S. Fish & Wildlife Service and the National Marine Fisheries Service (collectively, the “Services”) under the Endangered Species Act (ESA). Appendix O of the EIS contains a Biological Assessment (BA) for T&E species. This BA discusses impacts to T&E species, as well as measures that would be taken to minimize impacts to T&E species.

For the species that the Project is “likely to adversely affect” (for example, pallid sturgeon), a request, along with the BA, was sent to the Services to initiate formal consultation regarding those species. The formal consultation resulted in Biological Opinions (BO) for those T&E species that includes specific measures to minimize the amount of take for the specified T&E species.

The USFWS BO on the proposed Project (included as Appendix O3 of the Final EIS) concludes the proposed Project would not be likely to jeopardize the continued existence of the pallid sturgeon and authorized the loss (by death or serious injury) of 48 pallid sturgeon per year. Section 5.2 of the USFWS’ BO requires that the diversion gate be opened or closed over a several hour period to allow fish sufficient time to migrate back to the river or away from the structure, that CPRA and the USACE coordinate with the USFWS to develop a Fish Monitoring and Removal Plan for pallid sturgeon, and conduct any cutterhead or suction dredging in the Mississippi River (if determined to be warranted at a later date) using operational parameters coordinated with the USFWS.

The NMFS’ BO on the proposed Project (included in the Final EIS as Appendix O4) concludes the proposed Project is not likely to jeopardize the continued existence of sea turtles and authorizes the incidental take of 783 sea turtles per year, including 370 Kemp’s ridley sea turtles (including up to 38 mortalities), 319 loggerhead sea turtles (including up to 10 mortalities), and 94 green sea turtles (including up to 9 mortalities). Section 8.3 of the NMFS’ BO requires that the federal action agencies ensure that the Project proponent monitor brown shrimp fishing effort in the action area; fund, implement, and annually report on a salinity monitoring program in Barataria Bay; and funds and implements a monitoring plan targeting the distribution, health, and habitat use of sea turtles in the Barataria Basin.

ESA consultation seeks to minimize impacts to T&E species. CPRA has updated its Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include a reference to Appendix O for T&E species. For State-listed and/or Special Status Species, potential impacts are identified in Chapter 4, Section 4.12.3 State-listed Threatened and Endangered Species of the Final EIS and conservation measures are discussed in the FWCAR (see Appendix T to the Final EIS).

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates,**

**and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the



landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62953**

**Many or most of the ongoing environmental harms to the Barataria Basin are not mentioned in the Draft EIS. Pipelines and wells present a significant present risk to the natural resources of Barataria Basin. Ongoing releases do indeed impact the health of the natural resources of the Barataria Basin, including marine mammals, fisheries, and endangered species. The Draft EIS discusses these releases in the context of its discussion of the potential impact of the continuing releases on the affected environment or in terms of their potential impact on the proposed MBSD Project.**

**Response ID: 15930**

The issues raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. The EIS notes in Chapter 3, Sections 3.2 Geology and Soils and 3.23 Hazardous, Toxic, and Radioactive Waste and Chapter 4, Sections 4.2 and 4.23, the existing presence of oil and gas pipelines and wells within the Project area. The EIS determined that increased water flow and sedimentation due to operation of the proposed Project could potentially create exposure to existing contaminated sites and inadvertent releases of contaminants resulting in minor to major, short to long term, adverse impacts over time. However, as noted in Section 4.2 Geology and Soils, burial of pipelines due to sedimentation from the proposed Project may be beneficial in that it would reduce the exposure of these pipelines to wave energy or collision damage and resulting risk of petroleum spills.

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**Concern ID: 62961**

**Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.**

**Response ID: 16532**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63063**

**Barataria Basin is host to thousands of miles of unused oil canals, whose neglect has altered local hydrology to the detriment of marshes within 2 kilometers of the "spoil banks" constructed of the cast aside materials from canal excavation. The Draft EIS did not consider these hydrologic alterations as significant. However, in the**

**commenter's experience, the cumulative impact of small canal projects can be significant.**

**Response ID: 16069**

The influence of canals and spoil banks on wetland losses in Barataria Basin can be found in Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. in the EIS; however, Chapter 3, Section 3.6.2.2.4 Canals and Spoil Banks in the Final EIS has been updated to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin.

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**Concern ID: 63069**

**The Draft EIS did not include detailed information about the potential impacts of the proposed Project on bottlenose dolphins.**

**Response ID: 16592**

The Draft EIS included an analysis of the impacts to marine mammals, including bottlenose dolphins, in Chapter 4, Section 4.11 (Marine Mammals). The EIS quantifies the impact on dolphin survival rates (the percentage of existing dolphins that would survive from one year to the next year) for different populations of dolphins (Table 4.11-5) from the most pronounced stressor, salinity, but also includes a qualitative assessment on other impacts such as wetland shifts, prey species impacts, HABs, water temperature, and other impacts. The Final EIS includes the incorporation of additional population impact analysis that was completed by Thomas et al. (2021) after the Draft EIS was released for public comment.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 63091**

**The proposed mitigation to provide access points farther down the basin will not adequately address the impacts to subsistence fishers (for example, increased costs of fuel or additional wear and tear on vessels associated with the additional travel). CPRA should use community expertise to co-design community-specific adaptation**

programs to ensure that disparately impacted communities are able to effectively respond to Project near-term and long-term impacts.

**Response ID: 16514**

CPRA is including funding for additional access points within the basin as part of its Mitigation and Stewardship Plan (Appendix R1 to the EIS). As part of developing and evaluating this measure, CPRA engaged the subsistence fishing community potentially impacted by the Project through public meetings and utilized community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS.

Locations for the additional access points have not yet been selected, and CPRA would work with impacted subsistence fishers to ensure those access points are placed in appropriate locations. In addition, fishers would have access to other fisheries mitigation and stewardship measures, such as gear improvements and retraining, aimed at assisting them to adapt to changing conditions. See Sections 6.3.3 (Aquatic/Fisheries Impacts) and 6.3.8 (Environmental Justice) of the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Concern ID: 63095**

**CPRA should communicate relevant thresholds and triggers for monitoring to the public on a regular basis.**

**Response ID: 16648**

As explained in the Monitoring and Adaptive Management (MAM) Plan, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. The dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operations.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship

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Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the



final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63120**

**The Draft EIS and the LA TIG's Draft Restoration Plan (Section 3.2.1.6.2) should be reconciled with respect to determinations for the saltmarsh topminnow, with the Draft EIS indicating minor to moderate benefits and the Draft Feasibility Report indicating both beneficial and adverse impact.**

**Response ID: 16269**

The Draft EIS Chapter 4, Section 4.12.3.1 in Threatened and Endangered Species and the LA TIG's Draft Restoration Plan (Section 3.2.1.6.2 [Benefits to Water Column Resources]) consistently noted a combination of adverse and beneficial impacts on the saltmarsh topminnow, with an overall minor to moderate benefit anticipated from construction and operation of the proposed Project; therefore, no related edits have been made to the Final EIS or the LA TIG's Final Restoration Plan.

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**Concern ID: 63127**

**The future without action is a future of increasing oil and gas leaks into the Barataria Basin. The commenters believe that many or most of the ongoing environmental harms to the Barataria Basin are not mentioned in the Draft EIS. The Draft EIS mentioned over 2,600 miles of hazardous liquid pipelines, and over 4,990 "unplugged" (Townsend-Small et al. 2016), inactive wells, 15,979 plugged wells, and 799 active wells. Many of these unplugged, unproductive wells are likely leaking methane into the upper atmosphere.**

**Response ID: 16188**

The EIS acknowledges that oil and gas development has affected the Barataria Basin (see Chapter 3, Section 3.2.3 in Geology and Soils and Section 3.23 Hazardous, Toxic, and Radioactive Waste Assessment of the EIS). In addition, literature provided by the commenter (Townsend-Small et al. 2016), has been reviewed and Chapter 3, Section 3.7.2.1 Climate Change and Greenhouse Gases in the Final EIS has been revised to include a discussion of

sources of GHG emissions in Louisiana, including oil and gas production identified in this reference, as well as other ongoing activities.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

**Concern ID: 63204**

**CPRA and State should work with willing landowners and users on closure of canals to increase proposed Project benefits.**

**Response ID: 16572**

CPRA and other LA TIG Trustees have a long record of implementing a variety of restoration projects, including closures of canals where appropriate and cost-effective for coastal restoration. These projects are consistent with the Coastal Master Plan, and CPRA anticipates that they will continue to be implemented in the future. Canal closures are not a feature of the proposed Project and were not evaluated in the Draft EIS. In response to comments from the community, however, CPRA's Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) evaluated canal closures as a possible mitigation measure and as a result the Final Mitigation and Stewardship Plan includes a funding allocation for canal closures in Grand Bayou.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63205**

**Potential basin impacts are understated; the proposed Project could support proactive efforts to create a cleaner Mississippi River and a cleaner Barataria Basin.**

**Response ID: 16573**

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In response to comments, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS. The Hypoxia Action Plan highlights the important role that sediment diversions can play in reducing nutrient loading into the Gulf of Mexico.

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**Concern ID: 63206**

**Commenter expressed appreciation for CPRA's indication that it would move away from the USACE's handful of dredging contractors, and recommendations were made to explore expanding other fields of expertise such as engineering or construction firms, as well as focusing on the use of locals to benefit the economy.**

**Response ID: 16574**

The EIS does not address how CPRA would select contractors for the Project if the Project is approved and funded; topics such as contracting are beyond the scope of the NEPA review. CPRA is required to follow, and does follow, the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 (Public Contracts). CPRA also conducts its procurement in accordance with the provisions governing the Hudson and Veteran's initiatives and the Louisiana First Hiring Act. CPRA has no authority to procure outside of these procurement statutes.

In furtherance of its work and mission, CPRA contracts for a variety of professional services (such as engineering services), consulting services, and construction work, all of which are procured in strict accordance with Louisiana law. As provided by law, CPRA makes all solicitations for work available to the public through the posting of public notices and advertisements for work, which are open to the public for competition.

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**Concern ID: 63207**

**Water pollution, especially nitrogen and phosphorus, may negatively impact the Project. The Mitigation Plan should 1) Fund LA's Nutrient Management and Reduction Strategy; 2) Fund ground activities upstream to reduce pollution in the river; and 3) identify projects in other states to reduce pollution loading.**

**Response ID: 16575**

The Draft EIS considered the impacts that water pollution within the Mississippi River, including nitrogen and phosphorus, may cause in Chapter 4, Section 4.5.5 Operational Impacts in Surface Water and Sediment Quality. In response to comments, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 Cumulative Impacts - Surface Water and Sediment Quality of the Final EIS. The Hypoxia Action Plan highlights the important role that sediment diversions can play in reducing nutrient loading into the Gulf of Mexico.

While the LA TIG's Final Restoration Plan is focused on wetland creation in Barataria Basin and not upland nutrient removal, Louisiana's Nutrient Reduction and Management Strategy highlights the important role that river diversions could play in reducing nutrient loads. See <https://deq.louisiana.gov/page/nutrient-management-strategy>. As stated in Section 4.25.5.2, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

While not part of this Project, the LA TIG is funding other restoration efforts on the ground to reduce nutrient pollution in the Mississippi River. Each of the 12 member states in the Gulf of Mexico Watershed Nutrient Task Force (Hypoxia Task Force) have nutrient reduction strategies that identify programs and projects to reduce nutrient loads to the Mississippi River and the Gulf of Mexico. These state strategies can be found at <https://www.epa.gov/ms-hf/hypoxia-task-force-nutrient-reduction-strategies>.

Federal agencies also provide financial and technical support and conduct scientific studies that support improvements in local water quality throughout the Mississippi River Basin and reduce nutrient loads to the Gulf of Mexico. Separate from this Project, other funding is available for nutrient reduction projects in other states.

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**Concern ID: 63350**

**The Mid-Barataria Sediment Diversion is the first project-level attempt at systemic ecosystem restoration to one of the world's treasures, the Mississippi River Delta. The future of the Gulf Coast depends on the modeling and permitting decisions in projects like the proposed Project.**

**Response ID: 16312**

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the Draft EIS explained how the proposed Project is designed to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The purpose of the proposed Project is also discussed in Chapter 3, Section 3.2.1.1 (Alternative 1 Description) of the LA TIG's Restoration Plan. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63575**

**The public should be fully informed about the level of funding that CPRA is proposing to fully implement its Mitigation Plan so that the public can meaningfully comment on the adequacy of the proposed mitigation.**

**Response ID: 15915**

Details regarding the funding that will be available for mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for certain measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

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potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63697**

**Commenters request that the EIS and Mitigation Plan include more details about planned EJ mitigation measures for diversion operations.**

**Response ID: 16507**

The Draft EIS considered impacts to low-income and minority communities due to Project operations in Chapter 4, Section 4.15.4 Operational Impacts in Environmental Justice.

In addition, since completion of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA engaged the communities potentially impacted by the Project, including low-income and minority community members, through public meetings to solicit input on CPRA's mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback from low-income and minority community members on the proposed mitigation measures. A summary of these public engagement meetings and other outreach efforts is provided in Chapter 7 of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (see Appendix R1). This includes additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted EJ communities and organizations concerning the implementation of the mitigation measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix

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R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63703**

**Commenters request that the agencies involved with developing the EIS meaningfully engage with affected EJ communities/organizations to inform the development of EJ mitigation measures. Specifically, it was requested that relevant materials are translated and presented in plain, non-technical language.**

**Response ID: 16508**

CPRA engaged the communities potentially impacted by the Project, including low-income and minority communities, through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback from low-income and minority community members on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). CPRA will continue to engage with potentially impacted communities and organizations with EJ concerns concerning the implementation of the mitigation and stewardship measures. Additionally, CPRA has and will continue to provide requested translation and provide key documents and information on the Project in English, Spanish, and Vietnamese.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and

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Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63706**

**A commenter noted that traditional notions of fair market value might not be sufficient or fair compensation for low-income and minority populations affected by the diversion.**

**Response ID: 16509**

As part of any property acquisition to implement the Project, CPRA would compensate landowners for projected impacts to their properties caused by the Project in accordance with Louisiana and Federal law, including the Louisiana Constitution and the Fifth Amendment of the U.S. Constitution.

Recognizing the limitations on the degree of compensation permitted by federal and state law for property acquisition, CPRA's Mitigation and Stewardship Plan, Appendix R1 to the EIS, outlines numerous additional mitigation measures aimed at assisting low-income and minority populations potentially affected by the Project. In particular, CPRA's Final Mitigation and Stewardship Plan (EIS, Appendix R1) includes additional mitigation measures for the community of Grand Bayou, which is home to members of the Atakapa-Ishak Nation/Chawasha Tribe, including a ridge restoration canal backfilling project, and sidewalks and floating gardens. In addition, CPRA's Final Mitigation and Stewardship Plan prioritizes portions of funding from several of the mitigation and stewardship measures for low-income and minority community members.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures

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contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63768**

**CPRA should work with local community and four-year colleges to prepare local graduates in project monitoring techniques. They should primarily use local contractors to carry out the monitoring work.**

**Response ID: 16685**

According to CPRA, it encourages the use of local contractors within the limitations allowed by law. CPRA uses several assistance programs to help ensure contractors have skilled local candidates available for employment. One example of such a program is the Coastal Science Assistantship Program (CSAP), which provides a stipend to local students to assist in CPRA's various coastal activities. These programs are not specific to the proposed Project and are not affiliated with the Project Monitoring and Adaptive Management (MAM) Plan.

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**Concern ID: 63823**

**Commenters noted that the proposed mitigation will not actually reduce impacts on dolphins, and there is no way to mitigate those impacts. Commenters noted that reducing human interaction will not reduce or address impacts of the projects on the local population.**

**Response ID: 16550**

Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock of the EIS acknowledges that according to Thomas, et al. (2021) most of the approximately 2,300 dolphins within the Barataria Basin will perish within the first 10 years of start of operations of the proposed Project (comparing the anticipated Barataria Basin 2027 dolphin population [2,307 dolphins] to the projected 2038 population under the Preferred Alternative [644 dolphins] indicates that approximately 72 percent of the dolphins would perish). That section further acknowledges that the anticipated dolphin mortality would be due to reductions in salinity levels rather than

other stressors and that mitigation and stewardship measures that would not reduce the salinity impacts, would be unlikely to reduce the projected dolphin mortality.

With respect to the Restoration Plan, in Section 3.2.1.5 (Avoids Collateral Injury) the LA TIG acknowledges that a large number of dolphins would become ill and strand in Barataria Bay as a result of the Project. The Mitigation and Stewardship Plan also acknowledges that the proposed mitigation may not minimize impacts of the Project on dolphins (see Appendix R1 to the EIS). Measures described in the MAM and Mitigation and Stewardship Plan were developed in recognition of the anticipated effects of the Project and to provide valuable data to inform adaptive management actions that could be considered to minimize adverse impacts on BBES dolphins while being consistent with the Project's purpose (see Appendices R1 and R2 to the Final EIS).

The LA TIG does not agree that there is no effective mitigation for this Project but recognizes that the mitigation will be limited (that is, primarily for dolphins around Grand Isle), depending on how operations are managed. Similar to mitigation, the stewardship measures described in the Mitigation and Stewardship Plan will primarily benefit other Louisiana stocks of dolphins outside of the Barataria Basin, though they will provide some benefit to BBES dolphins. For example, minimizing dolphin feeding will protect dolphins from vessel interactions. As noted in Chapter 4, Section 4.11 (Marine Mammals) of the EIS, a remnant BBES dolphin population is expected to remain near the barrier islands. Efforts to reduce anthropogenic stressors other than those from the Project through the Stewardship and Mitigation Plan will benefit the existing and future population in the Barataria Basin and throughout the state. However, the LA TIG recognizes that the impacts of the Project will likely be significant on marine mammals even with the proposed mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63915**

**Grand Bayou would be negatively impacted by water level, and yet is not likely to receive land-building benefits. CPRA should consider mitigation activities that enhances compliance for oil companies to reduce the impacts of oil and gas activities in the area.**

**Response ID: 16616**

The impacts on Grand Bayou raised by the commenter were considered in Chapter 4, Sections 4.15.4 Operational Impacts in Environmental Justice and 4.20.4.2 Operational Impacts in Public Health and Safety of the Draft EIS and in CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes funding for improvements and other mitigation and stewardship measures in the Grand Bayou community, many of which are targeted at improvements requested by community residents. This includes funding for raising homes and roads, boardwalks, and floating gardens. In addition, CPRA would purchase Project servitudes from landowners in the Grand Bayou community whose property is projected to be impacted by increased water levels caused by during Project operations. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Details regarding these mitigation and stewardship measures are set forth in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that

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USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

The Draft EIS recognizes causes and impacts of coastal land loss, including oil and gas activities (see EIS Chapter 3, Section 3.6.2 Wetland Loss). Enforcement related to other spills is not within the scope of the EIS or Restoration Plan. As explained in Section 4.2.4.2 (Mineral Resources - Operational Impacts) and depicted in Figure 4.2-5 of the Final EIS, operation of the Project is projected to infill canals within the basin near the Project outfall that were constructed as part of oil and gas production.

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**Concern ID: 63965**

**The Trustees should begin mitigation and adaptation during construction before impact as opposed to waiting after impacts occur to initiate the process.**

**Response ID: 16588**

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on mitigation and stewardship measures, including measures that would be undertaken by CPRA before Project construction. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, which now provides additional detail on several efforts that CPRA would undertake before Project construction, including funding for public and private oyster seed ground enhancement, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence fishing access (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

CPRA would be responsible for implementation of any mitigation actions and for monitoring and adaptive management associated with the proposed Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as

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special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64151**

**Commenter is concerned with the CPRA's apparent desire, in both the Draft EIS and Mitigation Plan, to condition its obligation to mitigate impacts to properties and communities, through its continuing reference to the current vulnerability of those communities or the fact that those communities would become more vulnerable in the future even under the No Action Alternative. Although many areas outside levee protection are in fact vulnerable and may become more vulnerable as sea-level rises and wetlands loss continues, many of those communities would not feel the full impacts for a decade or more absent the proposed diversion. Moreover, the causes of coastal wetlands loss can, at least in part, be attributable to the State's historic, and continuing, permitting of the destruction of coastal wetlands for pipeline and navigation canals, and the like.**

**Response ID: 15942**

**In the EIS, the No Action Alternative is evaluated to understand the anticipated changes in the environment that would occur irrespective of the proposed Project.**

**In addition, the Delft3D Basinwide Model was used to assess impacts of the No Action Alternative. For each resource in Chapter 4 Environmental Consequences, Sections 4.1 through 4.24, the analysis of the impacts for each Project action alternative is compared to the impacts under the No Action Alternative. The EIS acknowledges both the deteriorating conditions that are projected to occur under the No Action Alternative, as well as the degree to which the Applicant's Preferred Alternative and other action alternatives would alter those projected impacts, including in some cases by accelerating potential adverse impacts.**

**Additionally, the EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see EIS Chapter 3, Section 3.6.2.2.4 in Wetland Resources and Waters of the U.S.), and the analysis in the Final EIS has been updated to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. In addition, Chapter 1, Section 1.2.1 History of the Barataria Basin in Project Background and Chapter 3, Section 3.1.4 Overview and History of the Project Area in Introduction describes the historical reasons for coastal land loss within the Barataria Basin and notes that as a result of this coastal land loss, various agencies and non-governmental organizations have implemented coastal protection, restoration, and rehabilitation projects within the basin. These existing conditions have been factored into the analysis in the EIS.**

The mitigation and stewardship measures proposed by CPRA for proposed MBSD Project impacts described in Chapter 4, Section 4.27 Mitigation Summary of the Final EIS and in the Final Mitigation and Stewardship Plan (Appendix R1) are based on the understanding of anticipated impacts described in Chapter 4 Environmental Consequences, Sections 4.1 through 4.24. CPRA's Final Mitigation and Stewardship Plan provides details on the mitigation and stewardship measures CPRA would implement prior to the proposed Project beginning operations to ensure that the measure's benefits are in place in advance of the Project impacts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:40407**

Jenn Fair

To whom it may concern, please:

- - Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion
- - Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan
- - Center community needs in planned mitigation and stewardship efforts
- - Commit to developing a robust adaptive management program

thank you

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not



know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40408**

Matthew Phillips

The state's restoration plans are inadequate to meet the challenges of coastal restoration and the climate crisis. While the state dithers on real climate action, thousands of acres of our coast wash away each week. Though this diversion project will restore some crucial land, more attention should be paid to the political economy of coastal restoration, which serves corporate interests in the navigation and fossil fuel industries.

The Walton Family Foundation would like me to speak to those corporate interests, specifically in support of the preferred alternative in the Draft EIS and to encourage the use of Deepwater Horizon settlement funds. While I agree with both these priorities, the ability of corporate interests to tilt the agency's decision by flooding it with supportive public comments undermines the fairness, transparency, and ultimate success of this project. The Army Corps and NPS should be aware of the impacts of corporate-funded advocacy campaigns in support of this diversion.

Louisiana needs much more substantial protection to weather the crisis of climate change than the Mid-Barataria Sediment Diversion can possibly provide. The project is a stopgap, enabling oil and gas and navigation industries to extract every drop of value from this land and these communities before drowning them in the Gulf.

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**Concern ID: 62395****The state's restoration plans are inadequate to meet the challenges of coastal restoration and the climate crisis.****Response ID: 15920**

The intent of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill. Other complementary coastal restoration strategies are being considered for implementation by CPRA in their Coastal Master Plan and the LA TIG in their restoration planning process.

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**Concern ID: 62397****Though this diversion project will restore some crucial land, more attention should be paid to the political economy of coastal restoration, which serves corporate interests in the navigation and fossil fuel industries****Response ID: 15921**

Comment noted. The Project was included in CPRA's 2017 Coastal Master Plan and will complement other restoration projects being implemented in the area.

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**Concern ID: 62398****The ability of corporate interests to tilt the agency's decision by flooding it with supportive public comments undermines the fairness, transparency, and ultimate success of this Project. The Army Corps and NPS should be aware of the impacts of corporate-funded advocacy campaigns in support of this diversion.****Response ID: 15922**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. All public comments

received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

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**Correspondence ID:40409**

Marcia St Martin

I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion Project.

I am a 73-year-old resident of Louisiana, who loves the beauty of nature and enjoy our states access to seafood. According to the US Geological Survey 2011 analysis, Louisiana loses roughly a football field per hour of coast. The coast is a vital productive ecosystem necessary for breeding and survival of fish, shellfish, and wildlife. It is estimated that over 75 percent of the state commercial and recreational fishing depends on the state' wetlands. As result, when wetlands are lost, so are the habitats that sustain our commercial and recreational fishing industry. Louisiana will no longer be known as a fisherman's paradise.

The Louisiana and the entire Gulf Coast have sustained numerous tropical storms and hurricanes which resulted in loss of life and significant lost of property. Man made decisions and actions have caused climate changes, which has increase both frequency and destruction. The loss of wetlands has greatly reduced our coast and allowed for more intense storm surges reaching further into our state.

The powerful Mississippi River and its tributaries north into Canada and South to the Gulf of Mexico provides drinking water, commercial and industrial economic vitality as it travels through America heartland. However, as a result of our man-made decisions on the use of fertilizer and disposal of waste the quantity of nutrients flowing into the Gulf of Mexico has resulted in the creation of a Dead Zone in the Gulf of Mexico.

The Mid-Barataria Sediment Diversion will create a vital tool in helping to rebuild our wetlands, protect our coast and help reduce the Gulf of Mexico Dead Zone through the use of nutrients as a positive rebuilding tool. Help Louisiana commercial fishing industry and insure Louisiana recreational legacy as a sportsman's paradise.

For the above reasons I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion Project.

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**Concern ID: 62743**

**An estimated 75 percent of the state commercial and recreational fishing depends on wetlands. As result, when wetlands are lost, so are the habitats that sustain the fishing industry.**

**Response ID: 16121**

The commenter correctly notes the importance of wetlands to fisheries populations (and therefore the fisheries themselves), and the detrimental effect of wetland loss to many of those fisheries, as discussed in Chapter 3, Section 3.10.2 in Aquatic Resources and throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS.

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**Concern ID: 62984**

**Man-made decisions and actions have caused climate changes, which has increased both frequency and destruction [of storms]. The loss of wetlands has greatly reduced the coast and allowed for more intense storm surges reaching further into the state.**

**Response ID: 15797**

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Draft EIS Section 3.6 Wetland Resources and Waters of the U.S. acknowledged the role that wetlands play in attenuating waves and storm surge, noting that communities sheltered by wetlands may sustain less damage from storm surge. This section also acknowledged that threats to wetland habitat include increased storm frequency and intensity associated with climate change. Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety acknowledged that coastal wetland loss can lead to increased storm surge.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40410**

Rod Barthelemy

In reference to the article published in the May 4, 2021 issue of "The Plaquemines Gazette, according to the U.S. Army Corps of Engineers DEIS, when the proposed Mid Barataria Diversion is constructed and starts operating, Plaquemines Parish residents south of the diversion "could experience increased water levels, tidal flooding, and greater exposure to hurricane impacts."

Considering the above-mentioned impacts on lower Plaquemines Parish, will financial grants be made available to residents of Plaquemines Parish south of the diversion, inside the federal levee protection system, to elevate their residences in an attempt to mitigate the probable impacts?

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits

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prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40411**

Ben Broussard

I write to voice my objection to the Mid-Barataria Sediment Diversion. There will be irreparable loss to Louisiana fisheries because of the project. I do not want my tax dollars going toward something that will harm this vital industry.

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**Concern ID: 62373**

**Commenter stated that they do not want tax dollars going toward a project that would harm Louisiana's commercial fishing industry.**

**Response ID: 15880**

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

As explained in the Restoration Plan, the LA TIG is the group responsible for restoring natural resources and services within Louisiana that were injured by the DWH oil spill. The LA TIG is comprised of state and federal Trustees of natural resources, and the LA TIG's decision to fund this Project would be based on the Project's ability to restore for injuries to natural resources from the DWH oil spill, including aquatic resources.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40412**

Will Norman

I just want to commend the TIG, USACE MVN, CPRA, and the entire team involved in this very thorough RP and evaluation of the potential environmental impacts and benefits of the Mid-Barataria Sediment Diversion. This is an excellent document, your stakeholder engagement from the beginning has been amazing, and the investment in this type resilient storm and flood protection infrastructure is critical.

Great Job and thanks for all your hard work!

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**Concern ID: 67230**

**Commenters commended USACE, the LA TIG, and CPRA on the Restoration Plan, Draft EIS, and stakeholder engagement.**

**Response ID: 16950**

Acknowledged.

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**Concern ID: 62312**

**Investment in this type of resilient storm and flood protection infrastructure is critical.**

**Response ID: 15798**

Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the potential storm and flood protection benefits to some communities in the Project area and the adverse impacts and increased risks to other communities from the proposed Project.

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**Concern ID: 62331**

**The EIS is comprehensive and well-prepared, and used the best available information and data.**

**Response ID: 15782**

Acknowledged.

**Correspondence ID:40413**

Harrison Rainwater

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

As a proud Louisianan, avid hunter, fishermen, boater - I love Coastal Louisiana. For many generations in my family, the coast of Louisiana has provided countless memories and experiences. Unfortunately from generation to generation, there has been one common issues that persists - the degradation of our coast. My great grandfather, grandfather, father, brother and myself have witnessed the changes and land loss. I have seen the ability of rivers to build land, around places like the birds foot delta, and Atchafalaya Delta. The river has land building capabilities that must be utilized as a cost effective strategy to slowing coastal Land loss.

As a realtor in Louisiana, I have an interest in mitigating the vulnerability of our coastal communities. I've heard first hand the concern from many of my out of state clients regarding the future of our coasts. The ecological pressures created by the Mississippi River Levee System on coastal lands, make properties more vulnerable to hurricane damage, as well as potentially decreasing property values. The housing market is put at risk if we don't take bold action to restore the coast.

A crucial component to restoring the coast is reconnecting the Mississippi River to the surrounding marshes. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan. I believe in this answer to natrually restoring our coasts. Please consider this legislation as soon as possible, as with each storm that makes landfall, we are put further and further to risk.

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**Concern ID: 61737**

**The construction of levees along the Mississippi River precluded land-building sediments from entering Louisiana estuaries, which has caused a loss of Louisiana's coastal wetlands and other problems, such as making properties more vulnerable to hurricane damage and decreasing property values.**

**Response ID: 16024**

The impacts raised by the commenters were considered in the Draft EIS. Information about historic causes of land loss can be found in Chapter 3, Section 3.1.4 Overview and History of the Project Area and Section 3.6.2 in Wetland Resources and Waters of the U.S. The importance of maintaining wetlands for the protection of coastlines, coastal communities, and wildlife resources is discussed in Sections 3.6 Wetland Resources and Waters of the U.S. and 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Applicant's Preferred Alternative is to implement a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 62021**

**The ecological pressures created by the Mississippi River Levee System on coastal lands make properties more vulnerable to hurricane damage, as well as potentially decreasing property values. The coastal communities and housing market is put at risk if bold action is not taken to restore the coast.**

**Response ID: 16217**

The proposed MBSD Project is expected to reduce loss of coastal wetlands in Louisiana relative to the No Action Alternative. The EIS finds in Chapter 4, Section 4.13 Socioeconomics that the proposed Project would have minor, permanent, beneficial impacts on housing and property values as the land gained as a result of the proposed Project would decrease the risks of storm hazards, particularly in areas north of the diversion and in the west bank New Orleans area.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63354**

**The proposed MBSD Project is the most cost-effective way to address the current problems in a sustainable way.**

**Response ID: 16316**

The USACE and LA TIG acknowledge the commenter's support for the proposed Project. The LA TIG further notes that it strove to identify a preferred alternative that meets OPA's cost criteria and achieves the LA TIG's goals of comprehensive, integrated ecosystem restoration, through the creation of deltaic processes that supports an ecosystem that would be sustained over decades even in the face of rising sea levels and coastal erosion.

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**Correspondence ID:40414**

Tamara Lockhart

This is Tamara Lockhart. I work with the Restore the Mississippi River Delta Coalition based out of New Orleans and I do fully support the funding of the Mid-Barataria Sediment Diversion, and, although the plan has its upside, there also some faults to it, like from the mitigation plan we can see that the turtle population may be harmed, the dolphin population may be harmed, and a vast array of impacts on the people that do live in coastal Louisiana close to the project, so I would suggest that the project have more funding for mitigation affects, not only for wildlife, but for the people there as well. I'm not from Louisiana but being, I guess Louisiana-adjacent in Mississippi, you know, people go hard for their place you know where they live so I do believe you should take the concerns of the community into better consideration, that way everybody's needs can be addressed and dealt with effectively but we appreciate all the work that the Army Corps of engineer does so if you take my comment into consideration in your final piece of planning that would be amazing. Alright

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40415**

Jenny Wolff

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

Living, working, spending time friends and family in the coastal city of New Orleans and in the surrounding wetlands has been invaluable. The coast has molded us as people and as a city - but now it's our time to remold the coast with the power of the Mississippi River. As people outside levee systems are forced out of their communities, people within the levee systems are next if no action is taken. The river has unmatched land building capabilities that must be utilized as a cost effective strategy to slowing down coastal Land loss. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan. Centering community needs in planned mitigation and stewardship efforts should also be a priority. Plans to help communities deal with impacts of the projects should be clearly stated and fully funded.

Jenny Wolff

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**Concern ID: 61870**

**If no action is taken, the resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture.**

**Response ID: 15941**

The concerns raised by the commenters were considered in the Draft EIS. The EIS evaluates anticipated conditions in the Barataria Basin if no action is taken. Within the EIS, the No Action Alternative enables a comparison of anticipated future conditions without the proposed Project to anticipated future conditions with the proposed Project and the alternatives. Refer to Chapter 4 Environmental Consequences of the EIS, for a description of anticipated conditions under the No Action Alternative for each of the resource areas evaluated. The Delft3D Basinwide Model was used to forecast conditions that would occur under the No Action Alternative which helped to inform the analysis in Chapter 4.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63334**

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**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40418**

Lynn Miller

Our marine animals are in great danger

Lynn Miller

Ocala, Fl

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**Concern ID: 62777****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).****Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40419**

Colin Casciato

To whom it may concern,

My name is Colin Casciato, and I am a fisherman from New Orleans. I write in support of the planned Mid-Barataria Sediment Diversion. We desperately need the Mid-Barataria Sediment Diversion, along with the other proposed diversions.

We need the Mid-Barataria diversion to create new marsh land and protect Louisiana from hurricanes and storm surge. If we do not do something to reverse the trend of losing marsh land, we will eventually lose all of our marshes. Losing our marshes will have an extremely negative impact on fish and shellfish species.

The benefits of the Mid-Barataria diversion outweigh the costs.

Myself and my friends regularly fish in the areas that will be "affected" by the diversion. We fish out of Myrtle Grove, Port Sulphur, Lafitte, as well as Hopedale, Delacroix, and Golden Meadow. We support the diversion even though it will introduce fresh river water to these areas. The area around Mardi Gras Pass still has great fishing, and redfish are less impacted by the introduction of fresh water than other species.

While the diversion will lower the salinity of certain areas and impact oysters, shrimp, trout, and other fish, those areas never should have been that salty in the first place. If it was not for the levee system, the Mississippi River would naturally regularly overflow its banks, deposit sediment and fresh water, and create new distributaries. When people are against the diversions due to impacts on oysters and shrimp etc. they are really fighting to keep the river in an unnatural state and to keep the waters unnaturally salty. The areas that will be impacted by the diversions should not have been that salty in the first place. The diversions will actually be bringing the river towards a more natural state. The diversion is basically just a planned distributary. Before being penned in by the levees, the Mississippi river was constantly changing course, creating new distributaries, and building new land. That is what we need to get back to with the diversions.

All around the marsh you can see ghost cypress trees leftover from a time when that area was much more fresh, as it naturally should be.

The fishing will still be great even if the affected areas are less salty. There will still be redfish and there will be more bass. The fishing will still be world class. Bass have moved into the MRGO, Shell Beach, and Hopedale areas following the building of the rock dam on the MRGO, and the fisherman, including myself, think catching bass is a lot of fun.

We need to take drastic steps to save our coast and marshes. The benefits of the Mid-Barataria Sediment Diversion greatly outweigh any costs.

Sincerely,

Colin L. Casciato - A fisherman in support of the Mid-Barataria Sediment Diversion.

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**Concern ID: 61870**

**If no action is taken, the resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture.**

**Response ID: 15941**

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The concerns raised by the commenters were considered in the Draft EIS. The EIS evaluates anticipated conditions in the Barataria Basin if no action is taken. Within the EIS, the No Action Alternative enables a comparison of anticipated future conditions without the proposed Project to anticipated future conditions with the proposed Project and the alternatives. Refer to Chapter 4 Environmental Consequences of the EIS, for a description of anticipated conditions under the No Action Alternative for each of the resource areas evaluated. The Delft3D Basinwide Model was used to forecast conditions that would occur under the No Action Alternative which helped to inform the analysis in Chapter 4.

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**Concern ID: 62662**

**The proposed Project is likely to succeed because other diversions have also built land and restored ecosystems. Specific examples of land-building projects include the Caernarvon Freshwater Diversion, Davis Pond, West Bay, Fort St. Phillip, the Jaws, Wax Lake, and Mardi Gras Pass. Many of the benefits of the Project, in terms of soil creation and microbial processes, are not captured in the engineering of the modeling. Many of the fine sediments transported by the diversion cannot be dredged but are critical soil components.**

**Response ID: 16635**

The benefits to land building of fine sediments transported by the diversion were addressed in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in 4.2.3 Geology, Topography, and Geomorphology. The Delft3D modeling conducted for the EIS distinguishes the types of sediment (sands and fine sediments) that would be deposited in the basin. Table 5.2-1 in EIS Appendix E Delft3D Modeling lists the sediment classes included in the model. As described in EIS Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics, sand and fine sediments would contribute to land building in the basin in two ways - by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment could form marsh or land. The model's physics-based computations showed that the coarser sands would settle out before the finer sediment. As the sediment builds up, discharge velocities would increase over the previously deposited sediment and resuspend it, pushing it farther into the basin. Thus, the model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed without moving it by dredging and placement. In addition, Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS discusses the geomorphic impacts of diversion operations, including the Wax Lake Outlet, the Caernarvon Freshwater Diversion, the Davis Pond Freshwater Diversion, the Bohemia Spillway, and Bonnet Carré Spillway, and Mardi Gras Pass.

The likelihood of the Project's success and its potential benefits were considered in the LA TIG's Draft Restoration Plan. As part of evaluating the Project and alternatives, the LA TIG considered the likelihood that the Project would succeed and achieve the LA TIG's goals. Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the LA TIG's Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, these sections note that the knowledge gained through the projects noted by the commenters has been applied in designing the Project and evaluating whether and how the Project would restore and sustain critical

marshlands. A full description of the range of benefits that would be provided by the Project is also included in Section 3.2.1.6 Benefits Multiple Resources of the Restoration Plan.

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**Concern ID: 62738**

**The proposed Project would affect salinity in the basin, but there would still be red drum and there would be more bass**

**Response ID: 16116**

As identified in Chapter 4, Section 4.10, Table 4.10-6 in Aquatic Resources of the Draft EIS, the commenter correctly notes that the proposed Project is anticipated to have an overall beneficial effect on red drum and largemouth bass abundance through either direct or indirect effects of the decreasing salinity induced by Project operations.

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**Concern ID: 63028**

**All around the basin there are ghost cypress trees left over from a time when that area was much more fresh, as it naturally should be.**

**Response ID: 16036**

Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the EIS describes historic wetland losses in the Barataria Basin, as those losses relate to changes in salinity. Further, Chapter 3, Sections 3.1.4.1 Mississippi River and 3.1.4.2 Barataria Basin of the EIS address the deltaic processes that formed the Barataria Basin and birdfoot delta; however, Sections 3.1.4.2 and 3.2.1.1 Historical Context, have been supplemented in the Final EIS to further discuss historic conditions.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63378**

**The diversion would result in a return to a more natural state in which a delta existed in the Barataria Basin and the saltier waters required by many important fishery species were naturally further south.**

**Response ID: 16304**

The concerns raised by the commenter related to the proposed Project's role in connecting the Barataria Basin to the Mississippi River were considered in the Draft EIS. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources, the proposed Project would impact salinity in the Barataria Basin, with salinity impacts benefiting some fishery species, such as bass and Gulf menhaden, and adversely impacting others, such as oysters and brown shrimp. Section

4.2 in Geology and Soils of the Draft EIS discussed the proposed Project's impacts on creating a delta in the basin. As identified in Chapter 2, Section 2.9 Summary of Environmental Consequences Under Each Alternative and discussed throughout Chapter 4 Environmental Consequences of the EIS, the No Action Alternative is compared to existing conditions to understand the anticipated changes in the environment that would occur irrespective of the proposed Project. Thereafter, the anticipated environmental consequences of the proposed Project action alternatives are compared to the results of the No Action Alternative analysis. Section ES.1 Introduction and Authority of the Executive Summary has been revised to include this clarification. In addition, Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Content have been supplemented in the Final EIS to further discuss historic conditions and the role that the diversion may play in the Mississippi River Delta cycle.

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**Correspondence ID:40420**

St. Mary Excel

Monica Mancuso

These comments are submitted by St. Mary Excel, a non-profit organization in St. Mary Parish.

Our organization does not hold technical expertise, but we offer these comments as residents in a coastal area.

St. Mary Excel is located in an area where sediment contributes to storm surge protection as the Atchafalaya and Wax Lake Delta are accretion forming.

Our hurricane protection includes the wetland areas to the south of the Morgan City/ Berwick area. The wetlands offer buffering before hurricanes impact inhabited areas.

This wetland protection positively contributes to our area sustainability within our location along the coast of the hurricane prone Gulf of Mexico.

The protection of the wetlands took many years to build, but the outcome of hurricane force wind reduction offered by the wetlands is immeasurable.

The area is now able to work on 100 year levee protection of the area and other coastal priorities to deal with sea level rise and subsidence.

We offer these comments as public input during the comment period on the impact of how the thoughtful use of sediment can be beneficial to people who live along the coast. Our area has benefitted from the hurricane force wind reduction offered by the deltaic wetlands.

We offer this testimony as part of the public comment period as leaders work for Mid-Barataria Restoration.

Monica Mancuso

Executive Director

St. Mary Excel

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Morgan City, LA 70380

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**Concern ID: 62233**

**Restoration of coastal habitat and the delta would provide protection from storm damage.**

**Response ID: 15752**

While the intent of the proposed Project is to reestablish deltaic processes to restore resources injured by the DWH oil spill, the Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the ancillary benefit of storm damage risk reduction on communities north of the proposed diversion due to the creation and maintenance of wetland habitat and increases in topography and land acreage within the delta formation area. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include

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additional information and figures further explaining the impacts of the Project on storm surge and wave height

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**Concern ID: 62313**

**The wetlands to the south of Morgan City/Berwick are an example of where sediment contributes to storm surge protection as the Atchafalaya and Wax Lake Delta are accreting sediment.**

**Response ID: 15806**

Wetlands south of Morgan City/Berwick are outside of the scope of this EIS, which includes the Barataria Basin and the Mississippi River birdfoot delta. However, a summary of select diversions and diversion-like features in southeastern Louisiana was developed in response to public comments regarding how various diversions and diversion-like constructed or natural features have affected their receiving environments and their recorded impacts on the natural environment. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

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**Correspondence ID:40423**

Charles Ballay

I am opposed to the Mid-Barataria Sediment Diversion Project for the following reasons: 1) Since we have lost a significant amount of our marshlands and estuaries already, it is imperative that we implement a plan that can build the most amount of marshland and estuaries and as fast as possible and feasible now. We do not have 50 yrs to build what we need. The MBSD will take too long to realize any significant land building and is an experimental project; 2) if this project had been implemented 50 or more yrs ago it would make sense since a lot of marsh areas would have still existed that could be saved and added to; 3) since the Miss River must be dredged in various locations between Baton Rouge and the Gulf for navigability and shipping purposes, the sediment that is removed for such should be pumped into the estuary areas of Plaquemines, St Bernard and Jefferson Parishes instead of other places (recently Congress appropriated \$245 million for this dredging work), and by doing so it would be saving money and creating marshland; 3) with the \$2 billion projected costs of the MBSD these funds could purchase two new dredges (at \$100 million each), dredge the Miss River, connect and pump the sediment thru 5 pipelines installed on the Westbank of Plaq Parish and 3 pipelines installed on the Eastbank of Plaq Parish; it would create substantial marshland in 5-10 years, at an annual opr costs of approx \$150 million a yr.; and 4) this would bring back the marsh/estuary areas that we have lost in the last 50-75 yrs and give us the much needed hurricane/tidal surge protection in 5-10 yrs in a much larger area than what the MBSD might possibly do.

Lastly I would suggest that a cost benefit analysis be performed on the MBSD project since we may never see \$2 billion available again for a single chance at saving our coast.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and

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breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62374**

**Commenter is opposed to MBSD because it doesn't build land fast enough.**

**Response ID: 15949**

The commenter's opposition to the proposed Project is noted. The commenter is correct that the proposed Project would take approximately 30 years to create its maximum projected acreage of 17,300 acres; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan).

The commenter's concern regarding the timeline required for land building was considered in the Draft EIS in Chapter 4, Section 4.2 Geology and Soils. A discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Geology and Soils section of the Executive Summary and to Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils of the Final EIS.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018, page 3-32) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in this Restoration Plan. It is also worth noting that the LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62375**

**This Project would have made sense 50 years ago because there would have been more marsh to save at that time.**

**Response ID: 15881**

Commenter's input is noted.

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**Concern ID: 62376**

**A cost-benefit analysis should be performed since there may never be \$2 billion available again for saving the coast.**

**Response ID: 15948**

NEPA does not require that an EIS contain a cost-benefit analysis unless it is relevant to the agency's decision. USACE typically assumes that a permit applicant has done its own economic evaluation of a proposed project. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

Consistent with OPA regulations (15 CFR §990.54), the LA TIG's Restoration Plan evaluates multiple alternatives based on a number of criteria, including the cost of the alternative. For more information see Section 3 of the LA TIG's Final Restoration Plan.

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**Correspondence ID:40426**

President, Plaquemines Parish Government

Kirk Lepine

This proposed Sediment Diversion will have a crippling impact on our residents, businesses, and heritage. We have been through so much adversity from hurricanes to an oil spill, and our residents continue to battle back stronger than ever. But this planned diversion is something we can rest assured would affect everyone here in Plaquemines. Our commercial seafood industry will be destroyed! Many generations of our seafood leaders will be left with nothing. Our communities will see a rise in tidal water like no other. Many investment properties will now be worthless. The Council passed a Resolution against the diversion and the EIS study, and the Administration strongly agrees! As Parish President it is my duty to protect all of Plaquemines residents and this diversion would not benefit anyone in Plaquemines Parish!

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest

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review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40428**

Daniel Jackson

Dear Mr. Laborde and Mr. Landry:

As a restaurant owner, a small business owner and a resident of New Orleans, Louisiana I am writing to express my strong support for the Mid-Barataria Sediment Diversion. This project is crucial for protecting coastal communities, including New Orleans, our local economies and the wildlife that is so important to our culture here.

Without action, the ecosystem in the Barataria Basin is at great risk of collapse and along with it our natural resources including storm protection and our fisheries. This area was one of the hardest hit by the 2010 BP oil spill and the settlement funds should be spent on this project, not only to restore the damage caused by the spill but to also benefit the entire northern Gulf Mexico ecosystem by ensuring we have healthy and stable wetland habitat for the fish and wildlife that depend on it.

This project will restore the natural processes that built Southern Louisiana by reconnecting the Mississippi River to the surrounding sediment starved areas. It will also enhance and extend the life span of other nearby restoration projects, maximizing our efforts and limited dollars. This is the only way that we can hope to keep pace with sea level rise, buffer ourselves from more frequent and stronger storms and adapt to climate change.

Constructing the diversion will not only create new jobs and positive economic impacts for communities south of New Orleans, but it will protect industries all over the coast, including the New Orleans restaurant and hospitality industry.

I also recognize that the bold action necessary to save our coast will not come without cost. Planned mitigation and stewardship efforts should be centered on community needs and input. We will not be truly successful in this if we knowingly leave our most vulnerable communities behind.

I believe what the scientific community overwhelmingly agrees on, this project and others like it are the best long-term solution for the challenges that we face. I support the selection of the preferred alternative in the DEIS for the Mid-Barataria Sediment Diversion.

Thank you,

Daniel P Jackson

New Orleans, LA

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing

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community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63392**

**The proposed Project would also enhance and extend the life span of other nearby restoration projects, maximizing our coastal restoration efforts and limited funding.**

**Response ID: 16354**

The commenter's input is noted. The cumulative impacts of the proposed Project and other restoration projects were discussed in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS, as applicable.

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**Correspondence ID:40431**

Emily Vuxton

Hello,

I am the Policy Director of the Coalition to Restore Coastal Louisiana and have submitted comments in my official capacity, however, these comments are my own personal thoughts and not affiliated with CRCL. I come from a family whose ancestors have lived along the river road in Southeast Louisiana for almost 300 years. Those ancestors lived along the river when the Army Corps river levees didn't exist. They lived through extensive flooding of their homes for years before the current levee system was built. However, back then, we were not losing land at the rate we are currently losing land. My ancestors did not know that this coastal land would disappear by my lifetime, caused by the creation of these levees. Now it is the responsibility of my generation to try to undo the damage that these levees created, so that my descendents can continue to live here for another 300 years. I believe that the Mid-Barataria Sediment Diversion is the best shot we have to undo the extensive damage that these levee systems caused. If we do not have land, noone will be able to live here in 300 years. I believe that CPRA should do the best they can to mitigate for losses and damages that will be experienced by vulnerable communities, including the community of Ironton. CPRA should listen to these community members and commit to doing actions that are the best for them, as directed by them. Vulnerable communities' livelihoods should be protected, as should their culture.

I support the preferred alternative and urge the Army Corps to permit this project quickly. I also support the use of Deepwater Horizon settlement dollars to fund this project.

Thanks,

Emily Vuxton

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**Concern ID: 62377**

**Commenter asserts that the proposed Project is the best hope for undoing the extensive damage that the levee systems caused, and that land building is essential.**

**Response ID: 15911**

The commenter's statement of support, which correctly notes that the purpose of the proposed Project is to reestablish and maintain deltaic processes in support of coastal Louisiana resources, is acknowledged. The EIS recognizes the role that Mississippi River levees have played as one factor in coastal land loss in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The Draft EIS recognized that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years. See EIS Chapter 4, Section 4.2.3. Geology, Topography, and Geomorphology for the discussion of projected future land loss under the proposed Project as compared to the No Action Alternative.

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**Concern ID: 62878**

**The EIS and Mitigation Plan does not adequately consider or mitigate for impacts to Ironton. The EIS should include air pollution buffers for Ironton and flood protection easement areas for Ironton and other vulnerable communities outside of levee protection.**

**Response ID: 16505**

The concerns raised by the commenters were considered in the Draft EIS in Chapter 3, Section 3.7.2 Air Quality, Existing Conditions; and Chapter 4, Sections 4.8 Noise, 4.13 Socioeconomics, 4.15 Environmental Justice, 4.22 Land-Based Transportation and 4.25 Cumulative Impacts. Chapter 3, Section 3.7.2 Air Quality - Existing Conditions identifies the existing air quality in the proposed Project area and provides that Plaquemines Parish is designated as “unclassifiable/in attainment” for all criteria pollutants. The resource sections in Chapter 4 address potential air quality, noise, transportation, and tidal flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 Socioeconomics Technical Report to the EIS provides contextual information about the Ironton community.

CPRA committed to implementing best management practices (BMPs) to minimize construction impacts in the EIS in Chapter 4, Section 4.27.1 Avoidance and Minimization and Appendix R1 Mitigation and Stewardship Plan; additional information on BMPs is also included in the Mitigation Summary Table in Appendix R3. Construction emissions would be highly localized, and consequently the Project is only anticipated to impact air quality within 0.5 mile of the construction footprint; however, Ironton is located approximately 0.5 mile from the construction footprint (see EIS, Chapter 4, Section 4.7.1 Area of Potential Impacts). As stated in the EIS in Chapter 4, Section 4.15 Environmental Justice, populations in Ironton would experience minor to moderate, temporary adverse, impacts due to increased noise levels, dust, and transportation delays during the approximately 5-year construction period. During operations, air emissions would be negligible since the diversion structure would be electric-powered (see EIS Chapter 4, Section 4.7.4.2).

Beyond the near-term impacts of construction, operation of the Applicant’s Preferred Alternative may have impacts on Ironton. Because it is within the New Orleans to Venice (NOV) Non-Federal Levee (NFL) W-05a.1 (La Reussite to Myrtle Grove levee reach) levee system, Ironton is not expected to be impacted by increases in frequency and duration of tidal flooding due to Project operations (see Section 4.15.4.2.2 Storm Hazards and 4.20.4.2 Public Health and Safety). Further, guide levees constructed parallel to the diversion channel will be constructed to an elevation of approximately 15.6 feet and will serve as hurricane and storm damage risk reduction against storm surges. However, negligible to minor increases in risk of NOV-NFL Levee overtopping south of the immediate outfall area (following the delta formation in the outfall area) due to storm surge during certain 1 percent storms, may impact low-income and minority populations within Ironton. These potential impacts may be exacerbated to the extent that Ironton residents experience unique vulnerabilities.

To ensure that impacts on the community of Ironton have been adequately disclosed and to make that analysis readily accessible in one location within the EIS (rather than throughout the various resource sections), a section has been added to the Final EIS that provides a summary of impacts on the community of Ironton under the Applicant’s Preferred Alternative (see Chapter 4, Section 4.15.5.1 Environmental Justice).

CPRA is not proposing specific mitigation to address or offset the negligible to minor increased risk in levee overtopping that could affect the community of Ironton inside the NOV-NFL system because this potential increased risk does not accrue until Project operations have resulted in the development of a delta (wetlands and marsh) in the area outside the NOV-NFL Levee adjacent to Ironton (circa 2040), and because this risk was identified for only

one of the 100-year storm scenarios modeled. However, to help Ironton prepare for and mitigate flood risk from storms generally, CPRA would designate a liaison to work with residents in Ironton prior to commencing operations of the Project on community preparedness for storm-based flooding and damage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts were undertaken to better understand and address potential impacts on communities with environmental justice concerns, such as low-income and minority populations, that may be disproportionately impacted by the Project, as discussed in Chapter 7 of the Final EIS. This included meetings in the community of Ironton. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted environmental justice communities and organizations concerning the implementation of the mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

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**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40432**

Paul Link

No substantial comment, just stating my support for the MBSD project. It has been sad watching the demise of the Barataria Basin in the 16 years I've been recreating there, and a large-scale sediment diversion is the only chance at slowing the loss.

Thanks,

Paul Link

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**Concern ID: 63334****The proposed MBSD Project would maintain and restore coastal lands and should move forward.****Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40433**

Jillian Bassman

I have lived in New Orleans since 2001 when I started Tulane University as a freshman. Although I grew up in the northeast, whenever I endeavored to move back I encountered the same issue as a lot of my fellow transplants: homesickness. New Orleans became my home. The culture and environment seeped into my blood when I wasn't paying attention. This place is my home now, and I am invested in keeping it my home both literally and figuratively.

I own a home here. I am enrolled in the LSU School of Nursing, because I want to do public health work with the underserved communities here. My dreams depend on New Orleans, and southern Louisiana being here in ten, twenty, and fifty years.

The time I have been fortunate enough to spend on the lakes, and rivers here and along the gulf is unmatched by anywhere I have ever been. I hope to be able to show the beauty in southern Louisiana to my friends from around the country and family members from around the world for years to come.

It is very important to me that the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion is selected. It makes the most sense to fund this project with the money from the Deepwater Horizon settlement, as the draft Restoration Plan outlines. Additionally I think we need to commit to developing a robust management plan for this issue. We need to focus on the needs of the community in doing this work.

Thank you for reading. Please do everything you can to help ensure that we can continue to love our state for everything it has to offer for years to come.

Sincerely,

Jillian Bassman

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**Concern ID: 62378**

**Commenter notes that their future plans depends on New Orleans existing into the future.**

**Response ID: 15912**

Comment noted.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter,

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including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project

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alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40434**

Waggoner &amp; Ball

David Waggoner

After many years of study, with great investment of resources, we are at point of decision. It is time to implement the Mid-Barataria Sediment Diversion. Comments from opponents, primarily in St. Bernard and Plaquemines parishes, are worthy of consideration but insufficient to delay further action on this keystone project of the Coastal Master Plan. Without action the loss will be more extreme than it will be with action. Opponents are primarily opposed to the short term effects, which must be mitigated, in terms of species loss as well as impacts on fishermen. A few more years of income production do not justify the looming collapse of not only the natural resource but the possibility of inhabiting the coast with its cities and settlements.

Do we trust the scientists who have studied this for more than a decade? Why do we have a Coastal Protection and Restoration Authority and a Water Institute? What can we do to utilize the river resource and limit land loss? Though there might be a less hard, more green diversion channel one could design, the time expended already, the permit that is almost granted, mean that now is time to move forward with the Mid-Barataria Sediment Diversion.

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**Concern ID: 61870**

**If no action is taken, the resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture.**

**Response ID: 15941**

The concerns raised by the commenters were considered in the Draft EIS. The EIS evaluates anticipated conditions in the Barataria Basin if no action is taken. Within the EIS, the No Action Alternative enables a comparison of anticipated future conditions without the proposed Project to anticipated future conditions with the proposed Project and the alternatives. Refer to Chapter 4 Environmental Consequences of the EIS, for a description of anticipated conditions under the No Action Alternative for each of the resource areas evaluated. The Delft3D Basinwide Model was used to forecast conditions that would occur under the No Action Alternative which helped to inform the analysis in Chapter 4.

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**Concern ID: 62379**

**A few more years of income production do not justify the looming collapse of not only the natural resource but the possibility of inhabiting the coast.**

**Response ID: 15913**

Comment noted.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for**

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**things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and

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Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63379**

**After many years of study, with great investment of resources, it is time to implement the Mid-Barataria Sediment Diversion. Comments from opponents, primarily in St. Bernard and Plaquemines Parishes, are worthy of consideration but insufficient to delay further action on this keystone project of the Coastal Master Plan.**

**Response ID: 16341**

The commenter's statement of support is noted. The evaluation of the impacts of the Project in the EIS was developed using the best information and data available to USACE and the LA TIG. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. Revisions have been made to the Final EIS based on public comments received on the Draft EIS, input from cooperating agencies, and continued Project communications. Changes between the Draft and Final EIS are identified through markings along the margins on the applicable pages, as described in Chapter 1, Section 1.7 Public Involvement Summary. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63380**

**Though there might be a less hard, more green diversion channel one could design, the time has already been expended and the permit has almost been granted, such that now is time to move forward with the Mid-Barataria Sediment Diversion.**

**Response ID: 16342**

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The commenter's support for the proposed Project is noted. USACE is neither a proponent nor an opponent of the proposed Project and has not made any decision with respect to the proposed Project.

Several design alternatives were considered as discussed in Chapter 2, Section 2.4.4 in Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow of the Draft EIS. The proposed design, with the hardened, open diversion channel, was designed as the most effective structure to meet the purpose and need of the action. As noted in Chapter 7, Section 7.6 Record of Decision of the EIS, the Final EIS is not a decision document. The USACE will issue its Record of Decision for the proposed Project after the close of the Final EIS public review period. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Correspondence ID:40435**

Chad Carson

I write in support of the Mid-Barataria Sediment Diversion project. Such a diversion project is necessary to head off the existential threat of coastal land loss to the state of Louisiana.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40436**

Merrel Holley

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

As someone who is from Morgan City, I have seen the ability of rivers to build land - growing up near the Atchafalaya delta and wax lake outlet, the land building capabilities are clear. Also as a someone invested in real estate in Louisiana, I have an interest in mitigating the vulnerability of our coastal communities. The pressures of the Mississippi River Levee System on coastal lands, make properties more vulnerable to hurricane damage, as well as potentially decreasing property values and making land inhospitable as levels sink.

A crucial component to restoring the coast is reconnecting the Mississippi River to the surrounding marshes. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

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**Concern ID: 62662**

**The proposed Project is likely to succeed because other diversions have also built land and restored ecosystems. Specific examples of land-building projects include the Caernarvon Freshwater Diversion, Davis Pond, West Bay, Fort St. Phillip, the Jaws, Wax Lake, and Mardi Gras Pass. Many of the benefits of the Project, in terms of soil creation and microbial processes, are not captured in the engineering of the modeling. Many of the fine sediments transported by the diversion cannot be dredged but are critical soil components.**

**Response ID: 16635**

The benefits to land building of fine sediments transported by the diversion were addressed in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in 4.2.3 Geology, Topography, and Geomorphology. The Delft3D modeling conducted for the EIS distinguishes the types of sediment (sands and fine sediments) that would be deposited in the basin. Table 5.2-1 in EIS Appendix E Delft3D Modeling lists the sediment classes included in the model. As described in EIS Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics, sand and fine sediments would contribute to land building in the basin in two ways - by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment could form marsh or land. The model's physics-based computations showed that the coarser sands would settle out before the finer sediment. As the sediment builds up, discharge velocities would increase over the previously deposited sediment and resuspend it, pushing it farther into the basin. Thus, the model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed without moving it by dredging and placement. In addition, Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS discusses the geomorphic impacts of diversion operations, including the Wax Lake Outlet, the Caernarvon Freshwater Diversion, the Davis Pond Freshwater Diversion, the Bohemia Spillway, and Bonnet Carré Spillway, and Mardi Gras Pass.

The likelihood of the Project's success and its potential benefits were considered in the LA TIG's Draft Restoration Plan. As part of evaluating the Project and alternatives, the LA TIG considered the likelihood that the Project would succeed and achieve the LA TIG's goals. Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the LA TIG's Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, these sections note that the knowledge gained through the projects noted by the commenters has been applied in designing the Project and evaluating whether and how the Project would restore and sustain critical marshlands. A full description of the range of benefits that would be provided by the Project is also included in Section 3.2.1.6 Benefits Multiple Resources of the Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:40437**

Carmo LLC

Dana Honn

As New Orleans and Louisiana begin to reopen, we find ourselves standing on the precipice of a major project to help protect our land, our wildlife, our food, our communities, our economy, and our very way of life. The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. This innovative project seeks to harness the Mississippi River's naturally occurring sediment to rebuild our wetlands and protect us from increasingly extreme weather. It's a plan that the majority of scientists believe can work. But it doesn't come without costs, and much of that sacrifice rests squarely on the shoulders of our independent commercial fishers. The majority of the fishing community recognizes that doing nothing isn't an option. In order to move forward, we must work together. A big part of that means providing fishers with the monetary, technical, and regulatory resources and tools they need to make the transition as we move from passively watching our rapidly disappearing coastal estuaries to actively rebuilding a more fertile and certain future. Thank you for your time and consideration,

Sincerely,

Dana Honn

Chef/Owner, Carmo, Cafe Cour

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63339**

**The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.**

**Response ID: 16297**

The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.



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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40440**

Jens Lorenz

Given the opposition of the governing authority of Plaquemines Parish to the Mid-Barataria Sediment Diversion project, and to get more value out of the improvements to be constructed, I would suggest that you add the following improvements to your project:

1. The proposed railroad bridge crossing the new diversion channel could also serve as a hurricane evacuation route out of the lower part of the Parish by embedding the rails in the deck, as is done with street car tracks, and adding safety curbs and vehicular accesses from the new bridge to Louisiana Hwy 23.
2. The upstream (northern) channel guide levee could serve as a roadway base for about one half of the distance to Lafitte from the River with the remaining half to be constructed as additional levee or as structure. This would provide an alternative to Louisiana Hwy 23 for traffic from Venice westbound and as a second hurricane evacuation route from the lower part of Plaquemines Parish.

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**Concern ID: 67231**

**Consider adding improvements, such as using the proposed railroad bridge crossing and channel guide levees as hurricane evacuation routes to the Project, to get more value out of the Project.**

**Response ID: 16951**

1. Emergency Evacuations for Plaquemines Parish are coordinated with USACE-New Orleans District, LADOTD, Plaquemines Parish Sheriff's Department, GOHSEP, and other entities as needed. Evacuations through the Eastern Tie-In of the Hurricane and Storm Damage Risk Reduction System (HSDRRS) in Oakville, Louisiana are routed north via Louisiana Hwy 23. The proposed railroad bridge would have dual access for authorized personnel to cross the project from the Mississippi River Levee for railroad and project operations, maintenance, and flood fighting purposes.
2. The upstream or northern guide levee would serve as a guide levee for diversion flows from the Mississippi River to Barataria Basin. Additionally, the guide levee would serve as a flood risk reduction levee replacing a portion of and as part of the New Orleans to Venice (NOV) flood risk reduction levee. The proposed guide levees would allow access for authorized personnel to access the Project for operations, maintenance, and flood fighting purposes.

The proposed Project would relocate Louisiana Hwy 23 in kind (or equivalent to the existing roadway) maintaining the current evacuation route. An alternate evacuation route for Louisiana Hwy 23 is not part of the MBSD Project and would not advance the stated purpose and need as stated in EIS Chapter 1, Section 1.4 Purpose and Need.

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**Correspondence ID:40441**

Loretta Tesvich

Dear Sir,

I just wanted to voice my opinion on the Mid-Barataria Diversion project. Our state bird is the Brown Pelican and that is wonderful. If you go out in the Bay there are many to see. But to get those Pelicans to nest and reproduce, an island was made from Dredging material especially for them. Our seafood industry could use the same consideration. My husband is a commercial oyster fisherman. He has 1,250 acres of oyster leases in the Barataria area which will be severely impacted by this Diversion. The leases were purchased from a person that cultivated these oysters all of his life. In turn that person bought them from someone else. So these leases have been producing seafood for over a hundred years. By considering placing dredged material in some of these areas, our Oysters would not be impacted by the fresh water from the Diversion. Many families live here in Plaquemines Parish who are involved in one way or another with the Seafood Industry. Whether it's catching the seafood, building oyster leases to produce the seafood, or the taxes which are collected on the seafood, this is a very valuable commodity to this Parish and State. But don't forget the number of restaurants in the New Orleans area that are Proud to let their customers know the seafood they are ordering is from local fishermen. Many of those customers are tourists visiting our city and State spending their own dollars helping our economy. There are also a number of people in Plaquemines that depend on this seafood in our Bays and Bayous to put food on their table. That same seafood is also used for their income. If the seafood industry dies, the local economy suffers and people will move elsewhere. People that move elsewhere take their tax dollars with them.

Please consider the above when making your decision on the Permit for this project. Thank you for your time.

Sincerely,

Loretta Tesvich

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes

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programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's

Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61908**

**Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana's attractiveness as a fishing area and place for swamp tours and authentic seafood.**

**Response ID: 16238**

EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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**Correspondence ID:40442**

Jonathan Duhon

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

Coastal Louisiana is part of me as a person - I have worked and recreated along the coast, as my family has for generations. I have also witnessed the changes and land loss of Coastal Louisiana – it must be mitigated so my generation, and future generations can continue to enjoy the vitally important resources of the marshes, swamps, bays, lakes, and everything depending on them. The river has land building capabilities that must be utilized as a cost effective strategy to slowing coastal Land loss.

As someone who is invested in property in Louisiana, and works in the real estate industry of Louisiana, I have an interest in decreasing the vulnerability of our coastal communities. The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge. For too long, the Mississippi River Levee System has starved our coastal lands of sediment, leaving them decayed, and making the properties that my wellbeing depends on more vulnerable to hurricane damage. This issue has implications on property values. The housing market is put at risk if we don't take bold action to restore the coast.

A crucial component to restoring the coast is reconnecting the Mississippi River to the surrounding marshes. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Please consider taking the following actions for the sake of our state and our coast:

Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Center community needs in planned mitigation and stewardship efforts.

Commit to developing a robust adaptive management program.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to

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them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and

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take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:40443**

Jonathan Duhon

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

Coastal Louisiana is part of me as a person - I have worked and recreated along the coast, as my family has for generations. I have also witnessed the changes and land loss of Coastal Louisiana – it must be mitigated so my generation, and future generations can continue to enjoy the vitally important resources of the marshes, swamps, bays, lakes, and everything depending on them. The river has land building capabilities that must be utilized as a cost effective strategy to slowing coastal Land loss.

As someone who is invested in property in Louisiana, and works in the real estate industry of Louisiana, I have an interest in decreasing the vulnerability of our coastal communities. The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge. For too long, the Mississippi River Levee System has starved our coastal lands of sediment, leaving them decayed, and making the properties that my wellbeing depends on more vulnerable to hurricane damage. This issue has implications on property values. The housing market is put at risk if we don't take bold action to restore the coast.

A crucial component to restoring the coast is reconnecting the Mississippi River to the surrounding marshes. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Please consider taking the following actions for the sake of our state and our coast:

Select the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion.

Fund the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Center community needs in planned mitigation and stewardship efforts.

Commit to developing a robust adaptive management program.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to

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them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and

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take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:40445**

Commenter

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

As someone who has lived all their life in the state of Louisiana and has visited Morgan City many times, I have seen the ability of rivers to build land and impact the livelihoods of those who reside near them. Also, as someone invested in Louisiana real estate, I have a personal interest in mitigating the vulnerability of our coastal communities. The pressures of the Mississippi River Levee System on coastal lands make properties more vulnerable to hurricane damage, as well as potentially decreasing property values.

If the Mississippi is not allowed to assume its natural course by diverting to the Atchafalaya, then some other course of action must be taken to reconnect it to the surrounding marshes in order to help restore the coast.

Therefore I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the proposed Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area,

community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40446**

ByWater Beachside LLC

John Helmers

As previously stated, I have valid concerns over the stated efficacy, size, location, and management of the Mid-Barataria Sediment Diversion and its potential negative impacts to crab, shrimp, oyster, and finfish fisheries, our seafood industry, and our hurricane protection system. The true costs and benefits of this diversion's implementation and operations should be determined, additional alternatives (dredging) should be considered, and a plan developed on how the negative implications will be addressed, with emphasis on those whose livelihoods will be at stake.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated

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from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63185**

**Additional development of mitigation plans and accountability for mitigation commitments is needed.**

**Response ID: 16562**

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final

Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 66342**

**The cost of the diversion is not justified and the project is questionable.**

**Response ID: 16772**

The NEPA regulations do not require a cost-benefit analysis for the EIS unless such an analysis is relevant to an agency's decision. USACE generally assumes that a permit applicant has made its own economic evaluation regarding the costs of a proposed project. However, as part of its public interest review, USACE will weigh the harms that would be caused by the Project against its potential benefits.

In the LA TIG's Restoration Plan, the LA TIG considers the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54.

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**Correspondence ID: 40448**

Loreen Callais

I oppose the Mid-Barataria Sediment Diversion. I know this will destroy our seafood industry. I had oyster bedding grounds on the east bank of lower Plaquemines Parish and in the late seventies when the levees holding back the Mississippi River started deteriorating and the corps did not repair them fresh water entered the area and we were shut down. To date not one oyster has grown or harvested and the land that has been built is a joke, yes it's building (very little marsh) 40 YEARS LATER. We need to stop this diversion now. Our parish has served the state of Louisiana well from oil & gas to seafood, we deserve better, this will finish the only industry left and the businesses all over this state that depend on our seafood.

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions,

would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Correspondence ID:40449**

New Delta, L. L. C

Gregory Meyer

I would like to state for the record that I am "FOR" Mississippi river sediment diversions. I am fifth generation in a home that was built in 1721 on the banks of the Mississippi River. Our home and family were here before the massive levees were built to cut the Mississippi river off from the estuaries. We are now in danger of devastation with the disappearing marsh Prairie and now living outside of the flood wall. I work on a daily basis in the new Delta being created by Mardi Gras pass and I see firsthand The massive amount of quick solid land building going on. I am in favor of river diversions as long as they run as designed and or not altered by special interests.

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**Concern ID: 63342**

**Other natural or man-made diversions have successfully built land, such that the proposed MBSD Project would also be expected to build land.**

**Response ID: 16302**

The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils indicates that the proposed Project is anticipated to build land in the Barataria Basin (with smaller amounts of land loss projected in the birdfoot delta). To facilitate comparisons between the proposed Project and other natural or man-made diversions, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Concern ID: 63390**

**The proposed Project would be beneficial as long it is run as designed and is not altered by special interests, and would help maintain wetlands that would minimize flood risks to the commenter's generational home, outside the levee system.**

**Response ID: 16352**

The commenter's support for the proposed Project is noted. Chapter 4, Section 4.6 Wetlands and Waters of the U.S. of the EIS discusses the extent of wetland maintenance and restoration that would be expected from the proposed Project, although Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction acknowledges the increased potential for flooding impacts outside of federal levee systems. Recognizing the potential for these impacts, CPRA has developed a number of mitigation and stewardship measures for infrastructure impacts, such as elevating public roadways. These measures, which have been revised in response to public comments since the release of the Draft EIS, are described in Appendix R1 (Mitigation and Stewardship Plan) of the Final EIS.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if the permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

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A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the D EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 (Mitigation Summary) of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40450**

Andree Duhon

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

Coastal Louisiana is part of me as a person - I have worked and recreated along the coast, as my family has for generations. I have also witnessed the changes and land loss of Coastal Louisiana – it must be mitigated so my generation, and future generations can continue to enjoy the vitally important resources of the marshes, swamps, bays, lakes, and everything depending on them. The river has land building capabilities that must be utilized as a cost effective strategy to slowing coastal Land loss.

As someone who has invested in property in Louisiana, I have an interest in decreasing the vulnerability of our coastal communities. The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge. For too long, the Mississippi River Levee System has starved our coastal lands of sediment, leaving them decayed, and making the properties that my wellbeing depends on more vulnerable to hurricane damage. This issue has implications on property values. The housing market is put at risk if we don't take bold action to restore the coast.

A crucial component to restoring the coast is reconnecting the Mississippi River to the surrounding marshes. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input**



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**into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Concern ID: 63354**

**The proposed MBSD Project is the most cost-effective way to address the current problems in a sustainable way.**

**Response ID: 16316**

The USACE and LA TIG acknowledge the commenter's support for the proposed Project. The LA TIG further notes that it strove to identify a preferred alternative that meets OPA's cost criteria and achieves the LA TIG's goals of comprehensive, integrated ecosystem restoration, through the creation of deltaic processes that supports an ecosystem that would be sustained over decades even in the face of rising sea levels and coastal erosion.

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**Correspondence ID:40451**

National Wildlife Federation

Emily Schatzel

I support the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

I am a proud Louisianian whose family roots in our beloved state can be traced back to the 1700s. Growing up in Terrebonne Parish left me with a childhood colored with memories fishing, boating, and enjoying our beautiful landscape. I want my children and grandchildren to be able to enjoy the same.

But as we all know, that will not be entirely possible. Our future coast will not look like the coast of the past.

Our landloss crisis is simply too far gone to fully restore and rebuild all that has been lost. Even in my lifetime, I've witnessed firsthand areas that were once marshy and have since turned into open water.

We are out of time, for both restoration and protection, when it comes to planning and studying. For both, more studies won't get it done. For restoration, dredging alone won't get it done. Every single other single project won't get it done alone either. For protection, levees alone are not enough.

We have to use what we have at our fingertips. That includes the knowledge we've already gleaned and verified over decades, the tons of land-building sediment that flows down and is lost off into the Gulf, and the unparalleled power of the river itself and we must move forward with the Mid-Barataria Sediment and restore our wetlands.

We must put the river to work, and the Mid-Barataria Sediment Diversion does just that. It will work in concert with nearby marsh creation projects to extend their longevity, which optimizes our investments. Not to mention the massive economic boon coming from the construction and sales related to the development of the project.

We have suffered for decades, with some of the most beloved parts of Louisiana falling off the map. Places where my ancestors traversed and treasured, fished and farmed and lived and loved.

We cannot let Louisiana fall off the map. Let's reverse the narrative and put Louisiana ON the map - literally and metaphorically. We can build land, innovatively and sustainably. We can model climate resiliency for coastal regions around the world. We have resources other vulnerable communities envy, with the ability to use nature itself to restore natural processes and build land.

The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the U.S. This project will build more wetlands than any other individual restoration project in the world, and it is exactly the scale of project we need to address the very serious challenges we face.

Please keep this critical project moving forward, for all of us. I want my children and grandchildren. to be able to enjoy all that Louisiana has to offer, for years and generations to come. I want them to know that when the time came and we have available solutions on the table – we did the hard work, and we made Louisiana better.

Thank you.

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**Concern ID: 63336**

**This proposed Project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.**

**Response ID: 16292**

The commenter's support for the proposed Project is noted. The proposed Project, by reestablishing deltaic processes, is intended to build coastal resiliency and protection for the coastal communities behind Barataria Basin. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

See Sections 3.2.1.6 (Benefits Multiple Resources) and 3.2.1.7 (Public Health and Safety) of the LA TIG's Restoration Plan for a detailed discussion of the proposed Project's potential benefits and public health and safety impacts, respectively.

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**Concern ID: 63339**

**The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.**

**Response ID: 16297**

The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.

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**Concern ID: 63388**

**Commenters noted that the time for planning and studying has run out and the river must be put to work. The Mid-Barataria Sediment Diversion would do just that. It would work in concert with nearby marsh creation projects to extend their longevity, which optimizes our investments. In addition, there would be a massive economic boon coming from the construction and sales related to the development of the proposed Project.**

**Response ID: 16350**

The commenter's support for the proposed Project is noted. The cumulative impacts of the proposed Project and other restoration projects were discussed in Chapter 4, Section 4.25 Cumulative Impacts of the Draft EIS, as applicable. Further, the comment is consistent with Chapter 4, Section 4.13.4.2 in Socioeconomics of the Draft EIS, which identified major economic benefits within the Project area during construction of the proposed Project.

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**Correspondence ID:40453**

Mark Hingle

Please do not destroy the recreational fishing revenue as well as the lives of commercial fisherman to save less land than the city of gretna.

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 66933**

**The Project would save less land than the city of Gretna.**

**Response ID: 16860**

The commenter's concern about the amount of land created or sustained by the Project was considered in the Draft EIS. As explained in Chapter 4, Section 4.2.3.2 Geology and Soils, Operational Impacts, the Project would increase the amount of land in the Barataria Basin by approximately 13,400 acres in 2070, but result in 3,000 less acres of land in the birdfoot delta in 2070 (see Chapter 4, Section 4.2.3.2.1 Geology, Table 4.2-4).

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**Correspondence ID:40454**

Caleb Kergosien

My name is Caleb Kergosien and I currently live in Diamondhead, MS. I have lived on the MS Gulf Coast, specifically Bay St. Louis, my entire life. The majority of my fondest memories growing up included fishing along the Gulf Coast and LA Marsh with my dad and friends. Growing up on a bayou that led to the Jourdan River allowed us to quickly hop in the boat and head off for a day of fishing for our favorite speckled trout and redfish.

As I recall the prolonged duration of the spillway being opened, I look back and realize how significantly the abundance of fresh water flowing into our fisheries negatively impacted what I and so many others around me loved to do. The Breton Diversion will essentially produce the same results. I hope that all those who share the same passion for boating and fishing as I do have their voices heard. I greatly look forward to the day I can take my kids out and catch quality fish the way I was able to do with my father and expect this to not be taken away from others and myself.

I only hope Mississippi has its voice heard and a say so in this matter and that fishing on the Gulf Coast/ LA Marsh remains strong for all of those who participate recreationally and especially for those who use this resource as a means of making a living. Please do not wreck our coast.

Thank you.

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**Concern ID: 62367**

**The Mid-Breton Sediment Diversion would have devastating impacts to the Mississippi Gulf Coast, similar to the opening of the Bonnet Carré Spillway.**

**Response ID: 15898**

The focus of this EIS is the proposed Mid-Barataria Sediment Diversion. The impacts of the proposed Mid-Breton Sediment Diversion are considered in this EIS as part of the cumulative impacts analysis, which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). However, there would be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion at such time the USACE releases the Draft EIS for that proposed project.

The proposed Project is not anticipated to have measurable impacts on ecological resources within the State of Mississippi, including distributaries of the Mississippi River.

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**Correspondence ID:40455**

Debra Canatella

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

The Mid-Barataria Sediment Diversion project will be invaluable for birds, and for people like me who enjoy watching birds. The importance of Coastal Louisiana to people who bird watch is substantial because of the amount of opportunity it provides as a birding location, as well as key habitat for birds that migrate through our yards. The Barataria Basin was one of the most impacted areas during the 2010 BP oil disaster. The Mid-Barataria Sediment Diversion is an ecosystem-scale restoration project that will address oil spill injuries to the Barataria Basin and benefit the northern Gulf of Mexico ecosystem's fish and wildlife that rely on healthy wetlands.. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

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**Concern ID: 62892**

**The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.**

**Response ID: 16191**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from

the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40456**

Kacie Wright

I have spent my career working on the coast. Planting trees, marsh grasses, talking to folks about the big problem of coastal land loss in Louisiana. But what we need most now, are big solutions to help slow down the crises before us. The river has potential to be that solution. I have seen the land building capacity of west bay diversion - - replicating the deltaic process further upstream is a good next step. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Since restoring the coast is about helping people, centering community needs in planned mitigation and stewardship efforts should also be a priority. Plans to help communities deal with impacts of the projects should be clearly stated and fully funded.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63342**

**Other natural or man-made diversions have successfully built land, such that the proposed MBSD Project would also be expected to build land.**

**Response ID: 16302**

The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils indicates that the proposed Project is anticipated to build land in the Barataria Basin (with smaller amounts of land loss projected in the birdfoot delta). To facilitate comparisons between the proposed Project and other natural or man-made diversions, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Correspondence ID:40458**

Samantha Carter

June 3rd, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Dear Mr. Laborde and Mr. Landry:

My name is Samantha Carter and I support the selection of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion and urge you to fund the project using the settlement dollars from the Deepwater Horizon oil spill, as outlined in the draft Restoration Plan. As a Louisiana resident I believe that project is integral to the future of our state.

We desperately need the Mid-Barataria Sediment Diversion to deal with the immense land loss problem at that we face. We must work with nature and the power of the Mississippi River to restore natural processes, rebuild wetlands, stop the encroachment of the sea and protect our coastal communities, economies and ecosystems. Using the river as a land building tool is the only way we can successfully restore our coast with the resources at hand. This project will let the river do the work for us and extend the lifespan of nearby marsh creation projects, maximizing our efforts and our limited dollars.

The long-term consequences of alternating our delta system for hundreds of years have finally arrived at our doorstep. The time for inaction is over and the time for easy solutions is past. This project will not come without costs and we must make sure that our most vulnerable communities are not left behind. I urge the USACE and the State of Louisiana to center its mitigation efforts on community needs, let community input lead that process from the beginning and focus on equity every step of the way. CPRA cannot do that alone, we must call on other state and federal agencies to help with workforce development, housing, loan programs and assistance, educational and training programs, mental health issues, subsidies for fisheries and anything else that the impacted communities identify as a need.

I encourage the state and federal agencies involved in fisheries management to take deep dive into how to help fishermen and women be successful in a restored, healthy and thriving delta. The fishing industry needs help with or without the diversion and the mitigation plans associated with the project could be the life line that many fishing families need to adapted to an ever-changing delta. There were oysters and shrimp (and dolphins) in Louisiana before the levees where ever even a thought and they will be here after sediment diversions are operational. We just need to help those that rely on the water get access to those resources that may be in new locations and help them to continue to adjust and transition to a hopefully much brighter future.

I moved to New Orleans in 2014 to work on coastal issues but this place has been in my heart for much much longer. Having lived all over the US in my life, I can say that there is truly no other place like southern Louisiana. I have invested my time, energy and resources into making a career, life and home here. The culture, the food, the music, the people, the landscape and the wildlife all come together to make a vibrant and unique way of life. It would be tragic to lose it all when we have the tools to save and protect it.

Louisiana may be one of the first to face such impacts from climate change but we will certainly not be the last. This is a huge moment for our state to become a global leader in climate change adaptation and create a robust restoration economy. Decades of world class science is overwhelmingly conclusive that sediment diversions are our best shot at a sustainable Mississippi River Delta. We mustn't let politics or a few very loud individuals jeopardize our ability to put the power of the river to work and save our coast. Through my work I have had the privilege of getting to know the science, policy and people in the coastal restoration world here and I am so proud to get to work on these issues as we make history.

Let's do this.

Samantha Carter

New Orleans, Louisiana

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**Concern ID: 62401**

**Decades of world-class science is overwhelmingly conclusive that sediment diversions are crucial to a sustainable Mississippi River Delta. Politics or a few very loud individuals should not jeopardize putting the power of the river to work and save our coast.**

**Response ID: 15925**

The USACE developed a comprehensive EIS that evaluates the beneficial and adverse impacts of the proposed Project. Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan.

All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted**

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**mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to

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implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and

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Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63935**

**State and Federal agencies should collaborate with CPRA to help with mitigation efforts related to workforce development, housing, education and training programs, mental health, fisheries subsidies and access to capital for people to go into business for themselves.**

**Response ID: 16582**

According to CPRA, it is collaborating with the LA TIG federal agencies (NOAA, DOI, USEPA, USDA) through the LA TIG framework as well as other venues, in the development and implementation of the Mitigation and Stewardship Plan. CPRA anticipates working with other State agencies, such as Louisiana Economic Development, on the workforce development, education and training programs included in the Mitigation and Stewardship Plan (Appendix R1 to the EIS). Finally, the State of Louisiana has been working with, and will continue to work with, Louisiana Sea Grant on the Seafood Futures initiative, focused on ensuring a long term, sustainable fishing industry in spite of coastal changes. Louisiana Sea Grant, based at Louisiana State University, is part of the National Sea Grant Program, a network made up of 34 programs located in each of the coastal and Great Lakes states and Puerto Rico. Sea Grant Programs work individually and in partnership to address major marine and coastal challenges.

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**Correspondence ID:40459**

Loyola University New Orleans & First Grace United Methodist Church

Anne Daniell

Please choose the plan that will bring about the most land growth/land building. From what I understand, Plan 5 is the one that would bring about the most growth.

As you certainly are aware, Louisiana has been losing copious amounts of land, with coastal lands sinking into the sea. Louisiana needs a \*robust\* land-building process in motion ... as soon as possible!

We need the verdant lands for storm protection, in addition to habitat for the wildlife that Louisianians love so much.

Please help to bring back our beloved place, our home!

Sincerely, Anne Daniell

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**Concern ID: 63353**

**The commenter strongly supports the Applicant's Preferred Alternative, but would prefer something larger. The commenter further notes that south Louisiana cannot afford to wait longer or accept lesser solutions because the coastline is sinking and local fisheries and wildlife habitat is washing into the Gulf. Fortunately, the Mississippi River offers a chance at salvation if the river is used correctly.**

**Response ID: 16315**

The commenter's support for the proposed Project is noted. The relative impacts, both beneficial and adverse, for the various capacity alternatives is explained throughout Chapter 4 Environmental Consequences of the EIS. Although the 150,000 cfs Alternative would result in the greatest degree of benefits (including the most land building), it also would result in the greatest degree of adverse impacts, particularly to marine mammals (see Section 4.11.5 in Marine Mammals), shrimp and oysters (see Section 4.10.4.5 in Aquatic Resources), and public health and safety (through increased water levels and inundation in areas closer to the immediate outfall, see Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). The USACE has supplemented Section 4.10.4.5.3 in the Final EIS to further discuss the impacts of the 150,000 cfs Alternative to brown shrimp and oysters. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG's Restoration Plan evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. While 150,000 cfs diversion would be expected to deliver more ecological benefits in terms of land creation and marsh building than the LA TIG's Preferred Alternative, it would also incur more collateral injuries and pose a greater risk to human health and safety; thus, it was not selected as the LA TIG's Preferred Alternative. See Section 3.2.4 (Overall OPA Evaluation Conclusions) of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. In making its NRDA decision,

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the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40460**

Matthew Derbes

My name is Matt Derbes, I'm from (Orleans, St. Bernard, and Plaquemines Parish). These are my comments on CPRA's and many others in charge of the trajectory concerning coastal restoration of our beloved state.

The people from where I reside are tired of feeling like our elected officials take them for granted. We are tired of feeling like we are having war waged against us by fake representatives. Our minds are blown on how a lot of situations are handled throughout our states history. CPRA is gravely misguided in my opinion. We fail to realize what we have. We fail to acknowledge the truth that only heavy intellectual reasoning and planning with actual members of the communities who are experts in their own rights (live and make money in the wilds/areas affected) with any changes made by the state other than sediment dredging by the U.S Army Corp of Engineers.

We have one of the most important ports in the world ninety and some odd miles above the mouth of the Miss. River that the Corps has managed since 1802. Throughout this process, I've gotten a gauge on how people feel semi locally and nationally. North of Covington and Baton Rouge most folks actually entertain the idea of the river running wild and beefing up the delta like back in the 1700's and are inconsiderate of the couple hundred thousand people that inhabit the land below New Orleans. We have our own culture and ways of life that must be protected. (And frankly, are under attack) But what's scary is the scientist at LSU and the misguided CPRA give people this confidence to have such stances. Their message is that everyone will have to adapt to these unreasonable changes. We know what it will take which seems impossible now, a nation wide effort (acknowledgement and support for starters) heavy dredging and protection rocks.

For example, even Kellogg cereal has and 8 billion dollar endowment not to mention such institutions as Harvard and Yale that make Kellogg look small. As mentioned above, where is the acknowledgment of our future. We're going to use that 8 billion once?? As we already found out after Katrina people have the stance we're not worth it. An endowment of that size could generate 300 to 400 million a year on our money. In my opinion the state can only do 400 to 800 million in dredging a year. We have dredging going on right now that is working but see people pretending that's not the answer.

Let's get down to the talking points.

The EIS shows the diversions in both sides are not a good move. Money being spent wrongly has already been discovered with the research of (millions spent) freshwater bivalves (goes to show how important) when the TRUTH is the the C. Virginica Oysters are the cornerstone of everything in our state. (Again realizing what we have) Tourism and everything that we hold dear from the sportsman paradise depends on the saltwater eastern oyster to survive. It's still the largest oyster fields in the world at the moment despite hanging on for dear life. The water surrounding the GNO and the Miss. Sound should always be 10 to 30 ppm salinity. One last note on the oysters. We want to remain real and authentic and we seen what happened when Chesapeake Bay was polluted, entrepreneurs were purchasing our seafood and calling it theirs. (Crabs and Oysters) So every state around Louisiana wins and we lose? No way.

We must also protect the other important fauna in our area. The dolphins, crabs, shrimp etc.

St. Bernard, Plaquemines, and other counties from Mississippi are against these diversions and the State doesn't seem to hear or care about them outside of these comment periods. Everyone I know has lost hope and I know the Corp will do the right thing in the end and protect this state. The freshwater flora that replaces the hearty saltwater flora is a dangerous thing when hurricanes come through. Water Lilly's are not land no matter what it looks like from a drones view.

We loudly say NO to the Mid-Barataria and the Mid-Breton diversions. We should close Mardi Gras Pass! That would take a little effort but can be done. Essayons!!!! The way things are going is discouraging. The recent vote (year or more back) went in favor of landowners and the public lost much water access. South Pass has silted in to where twenty foot boats are scared to traverse. That's ridiculous. So now I get the notion that the end game is less accessibility for John Q Public instead of fostering and having an air of stewardship where we do the right thing. All navigable channels should remain navigable. Do not cut two more holes in the levee ok?

High cfs water flows with little sediment is not the answer and that shouldn't be coming from me. Where are the top minds working on this? I will try to add to this and hope I conveyed the importance of stopping these diversions and showing the people of this state we are on the right path. The MRGO was a plan that was floated as the answer to a lot of problems but became one of the most regrettable endeavors that really only hurt. My dad spent his entire career keeping that open and his last job was building the dam to close it. We do not accept that our culture and way of life ruined for another experiment.

Sincerely,

Matthew Derbes

I forgot to add the the dangers of the pollution in the river! Smarter people than me are playing this off as if the river is a pure lifeblood the system needs. We need the saltwater bivalves the most.

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**Concern ID: 61957**

**Commenters are concerned with the lack of inclusion by CPRA. The CPRA held meetings, reached out to local communities throughout the process; however, the CPRA ignored most, if not all, of the input they received from the communities, shrimpers, crabbers, oyster fisherman, and others.**

**Response ID: 15903**

Chapter 7 Public Involvement of the Final EIS includes a summary of meetings that CPRA held with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1, which has been revised since the release of the Draft EIS in response to public input, for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

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potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62302**

**The diversion would cause land loss, then create freshwater marshes which are more susceptible to saltwater impacts of storm surge and increasing future storm surge impacts.**

**Response ID: 15815**

Additional analysis regarding the potential impacts of conversion from saline marsh and brackish marsh to fresh and intermediate marsh and on susceptibility to hurricanes and saltwater inundation in the Project area during operations has been added to Chapter 4, Section 4.6.5.1 Wetland Types and Extent of the Final EIS.

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**Concern ID: 62400**

**North of Covington and Baton Rouge most folks actually entertain the idea of the river running wild and beefing up the delta like back in the 1700's and are inconsiderate of the couple hundred thousand people that inhabit the land below New Orleans. Areas south of New Orleans have their own culture and ways of life that must be protected. Dredging works but people are pretending that's not the answer.**

**Response ID: 15924**

The EIS analyzes impacts throughout the Project area, including south of New Orleans. Dredging was considered under the category of "marsh creation." Marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5, Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the

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purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

USACE will consider all public comments received and will also conduct a public interest review, which considers various factors relevant to the proposed Project and weighs the projected harms of a proposed project against its projected benefits, before deciding whether to grant the permit and permission request.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://www.gulfspillrestoration.noaa.gov/restoration-areas/louisiana>).

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 63014**

**The commenter asserts that USACE should close Mardi Gras Pass. South Pass has silted in to where 20-foot boats are scared to traverse. All navigable channels should remain navigable.**

**Response ID: 15795**

Comment noted. Any proposed closure of Mardi Gras Pass is outside the scope of this EIS, which evaluates the potential impacts of CPRA's proposed Project.

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**Concern ID: 63154**

**Oysters are the cornerstone of everything in Louisiana (tourism and industry) and oysters need salinities of between 10 and 20 ppm. The oyster fields in the greater New Orleans area and Mississippi Sound are the largest oyster fields in the world at the moment, despite hanging on for dear life.**

**Response ID: 16155**

The salinity requirements of oysters are discussed in Chapter 3, Section 3.10.5.2 in Aquatic Resources and impacts on oysters from salinity changes due to the proposed Project are discussed in Chapter 4, Section 4.10.5.5 in Aquatic Resources of the EIS. The importance of oysters to the commercial fishery is discussed in Chapter 3, Section 3.14.3 in Commercial Fisheries and impacts on these industries/activities are discussed in Chapter 4, Section 4.14.4.2 in Commercial Fisheries.

Overall, the eastern oyster fishery in the Project area is expected to experience major, permanent, adverse impacts under the Applicant's Preferred Alternative relative to the No Action Alternative, although it is possible that areas near the barrier islands could be used as seed grounds and growing areas for adults when salinities are too low throughout the rest of the Barataria Basin. This determination considers expected impacts on oyster abundance as well as the anticipated response from commercial fishers.

As indicated in Table 4.16-2 of the EIS, recreational oyster harvest accounts for a very small portion of overall recreational fishing effort in the Barataria Basin; therefore, impacts to recreation and tourism associated with changes to recreational harvest of oysters are expected to be negligible.

While availability of shrimp and oysters from the basin would decrease due to the Project relative to the No Action Alternative, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional imports would likely also occur. Under the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp, though the impact would likely occur sooner and be more significant under the Applicant's Preferred Alternative.

The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which includes the Barataria Basin and the Mississippi River birdfoot delta (particularly for biological resources), as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS; therefore, negligible to no impacts on aquatic life in the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project. Because

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these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Correspondence ID:40461**

Loyola University New Orleans & First Grace United Methodist Church

Anne Daniell

P. S.

I sent a longer comment a few moments ago. But I want to add something.

Plan 5 appears to me to be the best plan. However, a decent alternate would be plan 1.

Thank you, Anne Daniell

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant's Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,



Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40462**

Mark Cognevich

My name is Mark Cognevich. I am a councilman for District 9 in Plaquemines Parish. I am writing to say I am 100% against the diversion. I can prove it will not work. I do not need scientific data. I will show you with historical Data. The Jump in Venice was cut open to the river in 1850. It is the width and depth as the diversion will be. So if diversions worked. Where is the land behind Venice. I can share more about the history of it if you would like

Thank you

Mark Cognevich

District 9 Councilman

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62784****Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.****Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of

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the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Correspondence ID:40463**

Joni Tuck

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Via email: CEMVN-Midbarataria@usace.army.mil

June 3, 2021

RE: Mid Barataria Sediment Diversion

To Whom It May Concern:

I am writing in strong support of the Louisiana Coastal Protection and Restoration Authority's (CPRA) Mid-Barataria Sediment Diversion project proposed for Plaquemines Parish on the Louisiana coast.

As a native and resident of Louisiana and someone who has worked as an advocate and practitioner of coastal restoration and protection for over 20 years, I have seen the unravelling of our Working Coast here in Louisiana for decades.

That unravelling threatens far more than the few populated areas immediately in the footprint of the proposed Diversion structure and outfall area - it threatens all of Louisiana, our people, our culture, our infrastructure, and our economy. As such, the need to address this existential threat to our continued existence in Louisiana has to be tailored to the benefit of the most people and systems, not one or two narrow bands of people or industries.

Of the project alternatives explored in the Draft Environmental Impact Statement (DEIS), the preferred alternative provides the most appropriate, balanced, and valuable opportunity to set Louisiana's most consequential basin on a course of sustainability in the face of subsidence, sediment starvation, sea level rise and climate change for decades beyond when the funding runs out.

Louisiana's land loss crisis is fundamentally driven by the disconnection of the Mississippi River from the delta through the construction of the Federal river levee system greatly accelerating the subsidence and degradation of the Delta and exacerbated by other human interventions over centuries. The Mid Barataria Sediment Diversion affords us the opportunity to make the necessary intervention to preserve and protect this Delta in a way that works with and mimics nature as well as the natural environmental and fisheries conditions which were present in these communities just a few short generations ago.

This project has been conceived, studied, and carefully considered for three decades. In that time, the Barataria Basin has lost square miles of land, been deeply impacted by the Deepwater Horizon oil spill, and seen population migrations and vital economic infrastructure continue to be built in the communities along and protected by this Basin. The DEIS provides yet another robust accounting of the potential impacts of this proposed project, and it is clear that the benefits far outweigh the potential negative impacts – even without the robust suite of mitigation measures proposed in the mitigation measures proposed.

With respect to the mitigation measures proposed, up-front monetary allocations to commercial fishermen for offsetting increased fuel costs and gear should be implemented in addition to lifetime gear licenses granted to commercial and recreational fishermen whose business or residential address is within the outfall of the proposed diversion once a favorable Record of Decision is approved. Similarly, up front allocations for offsetting increased fuel costs as well as any additional gear upgrades, surface right leasing, marketing/promotions etc for charter fishermen should also be made on a similar timeframe as well as marketing funds directed through both the regional Convention Center and Visitors Bureaus and the Louisiana Seafood Marketing and Promotions Board to maintain and increase tourism, recreation and the charter fishing trade across the Barataria Basin. Additional mapping and residential nonstructural flood risk mitigation measures specific to individual properties should similarly be developed to best inform potentially impacted residents on a similar timetable.

The Barataria Basin is essential to the culture, communities, economy and character of Louisiana and the American South, which is why billions of dollars have already been spent from a variety of sources including oil and gas and mineral revenues, local, state and federal general fund dollars, Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) dollars, private industry and landowners, and Deepwater Horizon fines and settlement dollars to engineer, design and construct scores of projects utilizing alternative methods such as dredging, pumping, rock placement, terracing, siphons, small scale sediment diversions, Christmas tree cribs, etc.

One could say that the Barataria Basin and Plaquemines Parish in particular are at the heart of innovation in coastal restoration and the sandbox in which we learn how best to manage both the threats we face and the resources we have been blessed with. What we have learned through that long history of learning at both large and small scales is that funding sources will deplete, dredged sediments pumped and shaped into land subside often within a few decades, but the River will continue to flow for generations and the sediments, nutrients and fresh water continue to build land as long as we allow it to flow.

Similarly, Plaquemines Parish and the surrounding communities are also being afforded the opportunity with this project to further capitalize on well over \$1 billion in economic impact through the construction of the project, adding hundreds of higher than average wage jobs to their communities. These jobs also will allow these communities to build a workforce pipeline of talent to continue to perform civil construction, earthworks, environmental restoration and surveying work in complex and challenging environments – all disciplines and skill sets which provide stable, lucrative incomes for workers and their families and flow on benefits of vibrant communities and a stable tax base for local governments.

In short – the time for studies and delaying decisions should come to an end. The time for doing is now. Safely reconnecting the River in a manner which is carefully monitored and managed while still mimicking the natural processes which built the Delta will free the rest of our Working Coast from our dim, sediment and nutrient starved future – and will allow us all to continue to flourish for generations to come. I strongly urge you to approve the implementation of this project without delay, and to continue to encourage the CPRA to work in collaboration with communities, residents and impacted commercial and charter fishermen to develop additional granularity around mitigation measures proposed.

If you have questions or need clarification on any of the points raised in this correspondence, please feel free to contact me via email at: [REDACTED]

Sincerely,

Joni Tuck

[REDACTED]

Metairie, LA 70001

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to

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comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that

USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63345**

**Local communities are being afforded the opportunity to capitalize on well over \$1 billion in economic impact through the construction of the proposed Project, adding hundreds of higher wage jobs to their communities. These jobs also would allow these communities to build a workforce pipeline of talent to continue to perform civil construction, earthworks, environmental restoration, and surveying work in complex and challenging environments, each of which would provide stable, lucrative incomes for workers and their families and that benefit would flow to the vibrant communities and add a stable tax base for local governments.**

**Response ID: 16306**

The commenter's support for the proposed Project is noted. The comment is consistent with the content of Chapter 4, Section 4.13.4.2 in Socioeconomics of the Draft EIS, which identified up to major economic benefits within the proposed Project area during construction of the proposed Project.

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**Concern ID: 63346**

**Through a long history of coastal restoration, it has become clear that funding sources will deplete, and dredged sediments pumped and shaped into land subside often within a few decades; however, the river will continue to flow for generations and the sediments, nutrients, and fresh water will continue to build land as long as it is allowed it to flow.**

**Response ID: 16307**

The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils of the Draft EIS discussed the long-term and

sustained source of sediment that would be provided by the proposed Project for the replenishment and restoration of lands (including wetlands) within the outfall area.

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**Concern ID: 63347**

**The commenter strongly urges that the proposed Project be approved without delay, and that CPRA continue to work in collaboration with communities, residents, and impacted commercial and charter fishermen to develop additional granularity around mitigation measures proposed.**

**Response ID: 16309**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. In response to comments, CPRA has expanded and refined the Final Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated proposed Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40464**

John Cope

As a long-term resident of New Orleans with a science education and an appreciation of nature, I am philosophically aligned with the concept that guided natural processes be employed in the restoration of ecosystems disrupted in part, or wholly, by human activities. I have been following at arms' length both the progress of the Restoration Plan and the debates focused thereon for some years, and have recently clarified my own thoughts on the subject. As stewards of Creation, we must, in my grandmother's words, "put our best foot forward" in our drive to maximize the value of our efforts in caring for what we are so fortunate to share.

Per the Plan's title, attention is focused on the sediment delivery of 281,000,000 metric tons of sediment over its 50 year operational life, while the means to achieve that result is the throughput of 75,000 cfs of Mississippi River water for an average of 110 days each year (per Draft Phase I; Phase II provides no figure for days). Using a range of published sediment densities, I calculated an expected range of volume/volume ratios to determine the efficiency of this effort; the results range from 6200 ft<sup>3</sup> H<sub>2</sub>O per 1 ft<sup>3</sup> sediment, for a sediment composed of flowing mud (108 lb/ft<sup>3</sup>), to 6,840 H<sub>2</sub>O per 1 ft<sup>3</sup> sediment, for a sediment composed of wet sand (119 lb/ft<sup>3</sup>). To me, this is a Water Diversion which happens to sweep along a tiny proportion of sediment; a very inefficient result, particularly given that the negative repercussions from the diversion are driven by the effects borne by the water in terms of:

- 1) A salinity differential, impacting commercial and threatened species by its suddenness and magnitude;
- 2) Dissolved fertilizers and industrial effluent, which are known to have led to oxygen-depleting algal blooms even in less-restricted environs; and
- 3) Local rise in water level, creating a potential for infrastructure and human endangerment, especially during storm events.

A truly alternative design incorporates a means of separating a large proportion of the water from the sediment by capturing sediment in basins within the channel bottom, while curving the main channel back to the Mississippi River to return the majority of river water to the Mississippi, while delivering a more sediment-focused slurry to Barataria Bay via a separate outfall channel. A dredge operating in the basins, powered by river current, would move the captured sediment, under well-controlled conditions, the short distance from the basins to the outfall channel. If additional hydraulic head is needed to keep the sediment flowing Bayward, water from Barataria Bay can be pumped in, again using the Mississippi as a power source, and directed to promote flow toward the bay. Over time, as the Barataria ecosystem adjusts to decreased salinity, and documentation is made regarding the adjustment of species to changing conditions, determination can be made whether to increase the fraction of river water allowed to enter the Barataria system.

This scheme will minimize item 1)'s salinity shock at the Project's outset, while allowing for the controlled variation of both the volume and salinity of outflow waters as deemed appropriate though observation of the attendant environmental impacts.

Regarding especially item 2) above, it appears that a political effort involving two Canadian Provinces and thirty-one of our United States (the Mississippi River watershed area) is

required in order to provide for the understanding of each jurisdiction's contribution to what are essentially wasted resources which cumulatively result in the stunting of fisheries throughout the Gulf of Mexico, if not beyond. If undertaken soon, with an eye toward the value added: to the farmer, of conserving fertilizer; to industry, of identifying potential uses for another's byproduct; to fishers, of maintaining the abundance and predictability of their catches; and to all, of lowering acidity in, and removing reproductive disruptors from, aquatic ecosystems, there is an opportunity to improve the quality of the Mississippi's fresh water by the time it is appropriate to ramp up its addition to the Barataria basin.

The life-threatening effects of item 3) will also be minimized through the application of a more limited proportion of water vs sediment, since the local water level will not rise as much as under the current Plan, and therefore, shutoff of the outflow in preparation for a storm event will allow the Project area's water level to relax more quickly toward a normal state.

The current Plan expects a yield of about 18.2% sand-sized particles, with 81.8% combined silt- and clay-sized particles. Being denser, sand tends to stay in place better once it arrives in a calm environment. Also, the property of high cation exchange capacity (CEC) for clay minerals means that they adsorb other cations from their surroundings. This can benefit agriculture, as when fertilizers are added to the soil. However, it can also mean that clays can trap pollutants, such as heavy metals, and thus transport them as the lightweight clay particles are moved by the flow of water. It may behoove us to minimize the percentage of clay minerals in our sediment transfer to the Barataria Basin; it so happens that a well-designed system of basins will preferentially capture the denser fraction of the sediment, similar to the operation of a gold mining flume.

In addition, the overall project should involve the planting of a variety of soil-stabilizing plants. Willows, which are salt-tolerant and pollutant-extracting, as well as black mangroves, which develop fish nurseries, should be introduced as soon as practical after emergent land appears, and faster-growing species are established.

Lastly, thinking more regionally, some additional small siphons placed broadly to the north of this Diversion would allow for the gradual freshening of the overall Project area above and including Barataria Bay. This would provide a slowly moving salinity gradient, detectable by many inhabitant species which can then more easily adjust via a gradual migration.

In summary, I understand the temptation to create a large impact quickly using familiar practices. However, the downside risks can be minimized by creating a split system to capture and concentrate sediment in one stage, followed by a transfer of the captured sediment to a separate second stage which delivers that sediment with a reduced volume of water having a chosen composition in terms of salinity and nutrients.

Best Regards,

John D. Cope

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New Orleans, LA 70115-4245

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**Concern ID: 61782**

**Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.**

**Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61897**

**Consider alternatives that transport more sediment and sand and less water, such as a conveyor belt or barge and utilizing a processing plant that removes the sediment from the Mississippi River to filter and neutralize the sediment before transport.**

**Response ID: 15991**

This suggested alternative would not meet the goals and objectives as stated in the purpose and need as described in Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. CPRA's intent is to reestablish sustainable deltaic processes between the Mississippi River and Barataria Basin through the introduction of fresh water, sediment, and nutrients from the Mississippi River into the Basin. Additionally, in light of the volume and nature of the material that would need to be transported, a conveyor belt is not feasible. In addition, as described in Chapter 2, Section 2.4 Step 2: Evaluation of Operational Alternatives - Location, Operational Trigger, Capacity, and Base Flow the proposed Project is designed to maximize sediment bed load transport. Previous studies of the Mississippi River have documented the positive correlation between river discharge and sediment load, demonstrating that higher river discharge levels are generally correlated with higher sediment loads. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were

discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40465**

Ross Ledet

I support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan. I further support using the natural power of the river to build wetlands, and in turn protect our communities from storm surge. This is a win-win proposition.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40466**

Daphne Misuraca

I am stating that I am opposed to the Mid -Barataris Desiment Diverson. I am resubmitting an email from Sara Wood as I have the same exact opinion.:

I am no one but a concerned Louisiana citizen and I am against the Mid-Barataria Sediment Diversion because it is a poorly researched and therefore will be a poorly executed plan that will have a devastating effect on our natural resources in Louisiana, while its proponents and cronies make bank. It is only because they are using \$1-2Billion of TAXPAYER dollars that the proponents are so haphazard and irresponsible because as sure as the day is long, we would not be to this point if it were solely a private investment. There would certainly be more deliberation and at a minimum be a full impact study and consideration of other more natural options with less risk and more beneficial to the area overall. According to the MS River Delta Organization, which is pro diversion, it admits "that there will be changes to the basin" but glosses over or fails to inform the public of the alarming loss of fisheries, including massive loss of dolphin life that are likely to result, plus the fact that the storm protection will be minimal and not long lasting. Typically, they use terms to confuse the public. "Freshwater" diversion is misleading when in fact, it will be a dirty river diversion, just consider the massive dead zone in the Gulf. Louisiana's economy relies heavily on the seafood industry not to mention tourism of which being a "Sportsman's Paradise" is key. The dirty water diversion will negatively affect our economy and thus trickle down to the quality of life here in Louisiana. Our lieutenant governor, Billy Nungesser is at the forefront of speaking out against the Mid-Barataria Sediment Diversion and I have read and heard the debate from both sides, and I agree with out Lt. Governor Nungesser.

[https://www.theadvocate.com/baton\\_rouge/opinion/article\\_062be400-bf1f-11eb-83c8-9fede5d3f370.html](https://www.theadvocate.com/baton_rouge/opinion/article_062be400-bf1f-11eb-83c8-9fede5d3f370.html)

I urge you to listen to the people who will be affected by your decision the most, the citizens of Louisiana, and I urge you to ignore the paid interests involved and reject the CPRA's application for the Mid-Barataria Sediment Diversion. Thank you.

Best regards.

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the

Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62790**

**Diversion of polluted and nutrient-laden waters into the Barataria Basin would result in harmful algal blooms (HABs) and expansion of the dead zone.**

**Response ID: 16371**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water

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meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-hf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model’s dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section has been added to Sections 4.5.5.3.2 and 4.5.5.4.2 of the Final EIS. Finally, the EIS acknowledges the potential for up to major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) in the Barataria Basin during Project operations to guide CPRA’s management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement.

The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

**Correspondence ID:40467**

Alan Mouton

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

As a Louisiana native, one of my greatest joys is spending time on my family's camp located in the wetlands of Lake Pontchartrain. Spending time friends and family at the camp, and in the surrounding wetlands is invaluable. This is still possible for us because the tragedy of coastal land loss has not washed us away - yet. Further south, people have been force out of their camps and homes, and I don't want that to happen to my family. I do not look forward to facing yet another hurricane season with a deteriorating coast. The river has unmatched land building capabilities that must be utilized as a cost effective strategy to slowing down coastal Land loss. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS,

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and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Correspondence ID:40468**

Andrea Murina

I do not feel that there is adequate science to support the use of freshwater diversion projects. The diversion of freshwater has occurred naturally with levee breaks in the past. This has not shown to subsequently increase land at a substantially fast pace. The east bank currently has diverted fresh water from the Mardi Gras pass which has not had an increase in marshland, and instead has had destruction of marine life. I am most concerned about the disruption to the coastal communities of Louisiana, Mississippi, and Alabama. This planned diversion would affect a large geographic region in terms of fisheries, and environmental impacts. Coastal erosion in south eastern Louisiana could be solved by dredging and the introduction of new innovative strategies to obtain sediment from the Mississippi river without the addition of large amounts of freshwater.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated

from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

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**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the

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Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Correspondence ID:40470**

Marla Cooper

I've wondered why, in the 1000 plus pages of the Draft EIS, there is no mention anywhere of the Gulf Hypoxia Action Plan. Many of the federal agencies who are cooperators with the COE (and the COE) are part of the Hypoxia Task Force, and signatories to the Hypoxia Action Plan, as is the State of Louisiana, of course.

If the goals of the Action Plan were met, starting with achieving a 20% reduction in N and P loading to the Gulf by the year 2025 (and more thereafter), some of the concerns about impacts of the MBSD and any subsequent diversions could be alleviated, at least partly. That clearly isn't a priority, but the Hypoxia Action Plan could also be seen as a mitigation effort already in place at a large scale upstream to reduce the nutrient loads that would be conveyed into the Barataria Basin, with risks of hypoxia and HABs there. It also represents a commitment by the parties involved to try to reach its goals.

That makes the complete ignoring of the Hypoxia Action Plan in the Draft EIS all the more striking. Back to the mitigation issue, in that Chapter of the Draft EIS - the "Draft Mitigation and Stewardship Plan" - there may be an indication of why. On p. 6 of that Chapter, it states that under Clean Water Act Section 404, "compensatory mitigation is required to offset environmental losses from unavoidable impacts to waters of the U.S.", and that 404 Guidelines state that the Corps District Engineer will issue a 404 permit only upon determination that the applicant has complied with the necessary provisions, including those to "take all appropriate and practicable steps to avoid and minimize impacts. "

The Hypoxia Action Plan has been in place for 20 years - had it been fully carried out, the river would be far cleaner now in terms of nutrient loads (it's better because of what has been done than if nothing had been done). The State of Louisiana has done very little to assist the Action Plan or promote its implementation, despite having that opportunity during the past 20 years that they were planning and promoting diversions under the Coastal Master Plan.

They also made diversions the main feature of their State Nutrient Reduction Strategy under the Hypoxia Action Plan, despite the fact that no new ones would be completed before the 2025 Target N and P reduction date (not clear how many will be completed after either). The Louisiana Nutrient Reduction and Management Strategy isn't mentioned in the Draft EIS either.

So, maybe that's part of the reason for having no mention of the Hypoxia Action Plan - it's not a good one if that's the case. The MBSD is being promoted as an answer to coastal land loss, but it definitely has connections to the Hypoxia Action Plan, just from a cause and effect standpoint. Why the HAP wasn't considered as mitigation for some MBSD impacts - or acknowledged in the EIS sections on Nitrogen and Phosphorus, or in their short discussions of hypoxia, isn't clear at all. (Actions to reduce hypoxia also help reduce HABs, another concern from impacts of the MBSD.)

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**Concern ID: 61817**

**Commenters stated that information about the Gulf Hypoxia Action Plan (Louisiana Hypoxia Working Group), which calls for a 20 percent reduction in nitrogen and phosphorus loading to the Gulf by 2025, is pertinent to the Draft EIS but is not mentioned. Commenters requested that the plan should be included in the Final EIS.**

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**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2008. Gulf Hypoxia Action Plan 2008 for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2013. Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2016. December 2016 Update, Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Response ID: 16428**

The USACE and the LA TIG agree that the Gulf Hypoxia Action Plan is relevant to the proposed Project area. Therefore, in response to these comments, a discussion about the Gulf Hypoxia Action Plan has been added to Section 4.25.5.4.4 Nitrogen and 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS. The Hypoxia Action Plan has highlighted the important role that river diversions could play in reducing nutrient loads. In addition, substantial nutrient load reduction could be achieved through the measures being implemented by the other states and entities involved with the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These combined efforts could lessen the potential impacts of excess nutrient loads to Barataria Basin and the northern Gulf of Mexico.

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**Concern ID: 62382**

**The State of Louisiana has done very little to assist the Hypoxia Action Plan or promote its implementation, despite having that opportunity during the past 20 years that they were planning and promoting diversions under the Coastal Master Plan.**

**Response ID: 15929**

USACE cannot speak to the state's assistance or promotion of the Hypoxia Action Plan. However, the USACE agrees that the Gulf Hypoxia Action Plan is relevant to the Project area. Therefore, the USACE has added a discussion about the Gulf Hypoxia Action Plan to Chapter 4, Section 4.25.5 Cumulative Impacts, Surface Water and Sediment Quality of the Final EIS.

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**Concern ID: 62383**

**The Louisiana Nutrient Reduction and Management Strategy, which included diversions as the main feature, is not mentioned in the Draft EIS.**

**Response ID: 15934**

A discussion of the Louisiana Nutrient Reduction and Management Strategy has been included in the discussion of Gulf Hypoxia Action Plan which has been added to Chapter 4, Section 4.25.5 Cumulative Impacts, Surface Water and Sediment Quality of the Final EIS.

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**Concern ID: 63190**

**Commenters recommend Hypoxia Action Plan be seen as a mitigation effort already in place and/or that its recommended actions be considered as part of the mitigation for Project.**

**Response ID: 16564**

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The commenters accurately noted that the Gulf Hypoxia Action Plan is relevant to the Project area. In response to these comments, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS. Similar text has been added to the LA TIG's Final Restoration Plan. The proposed Project is anticipated to reduce the amount of nitrogen and phosphorus that reaches the Gulf of Mexico through nutrient uptake in the marshes that would be created and/or sustained by the proposed diversion. Because the proposed Project is already anticipated to reduce the nutrients that contribute to the Gulf Hypoxia Zone (GHZ), further mitigation actions with respect to the GHZ for the proposed Project are not considered necessary. However, CPRA has committed to implement water quality monitoring for nitrogen and phosphorus (and other parameters) in the outfall area and to make the results of that monitoring available online to the public and interested parties in real time. Consequently, while the Hypoxia Action Plan would not be considered as mitigation for impacts associated with the Project, the anticipated reduction in nutrients reaching the Gulf through wetlands restoration and the water quality monitoring/access to water quality monitoring data would be consistent with the Hypoxia Action Plan.

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**Correspondence ID:40471**

Coastal Communities Consulting, Inc.

Sandy Ha Nguyen

To Whom It May Concern,

The board and staff of Coastal Communities Consulting, Inc. (CCC), a 501(c)3 organization headquartered in Gretna, believe that the Mid-Barataria Sediment Diversion (MBSD) project can and should exemplify community leadership in restoration decision-making. The next decade is a significant opportunity for Louisiana to establish itself at the vanguard of community-level environmental adaptation planning and restoration mitigation. CCC feels strongly that our state government, elected officials, the Coastal Protection and Restoration Authority and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the MBSD. This will open the door to creating a truly equitable restoration landscape; one where communities impacted by the MBSD and future coastal restoration projects are proactively engaged and consulted as restoration projects are planned, designed, and implemented. CCC is well positioned to be a valued partner to the State of Louisiana in charting a renewed path forward. We are pleased to submit these comments to the U.S. Army Corps of Engineers, New Orleans District, as part of the Draft Restoration Plan and Environmental Impact Statement: Mid-Barataria Sediment Diversion public comment period.

#### About Coastal Communities Consulting and its Clients

CCC supports the economic and environmental stability of coast-dependent small businesses in Southeast Louisiana. For a decade, we have provided technical assistance, economic development, environmental education, and continued disaster assistance to over 2,000 residents (fisherfolk, their families, and other coast-dependent businesses and individuals) of Orleans, St. Bernard, Plaquemines, Jefferson, Lafourche, and Terrebonne parishes. Our clients are members of Southeast Asian American, Central American, Black, Cajun, and Croatian communities whose homes and families and businesses overwhelmingly are located in low-income areas. Southeast Louisiana's fisheries-dependent residents have endured more overlapping disasters in one generation than anyone can reasonably expect of a community. They have suffered the levee breaches of Hurricane Katrina, the Deepwater Horizon oil spill's ongoing impacts on fish stock, the historic flood events of 2019, and COVID-19. Many of these same fishers have also survived forced refugee flight from Southeast Asia.

CCC understands the MBSD is designed to build land, and thus, increase the environmental and economic resilience of Southeast Louisiana to be sustainable through future disasters. As a non-profit dedicated to the futures of the region's commercial fisheries, however, we also understand that while restoration projects like the MBSD are discursively designed to protect fisherfolk and the ecosystems they depend on, in practice, the planning of these projects often leave out the region's most vulnerable coast-dependent residents. We commend the efforts made by CPRA and other agencies to include fishers, at the behest of organizations like CCC, in meetings and discussions and planning processes. However, we would challenge all government agencies involved with MBSD to do more in order to overcome decades of rift and distrust between commercial fishers and policymakers.

We cannot emphasize enough that in spite of these tensions, commercial fishermen and coastal residents are not against restoration. CCC's clients have fought to defend their



ecosystems, from resisting the land-wasting effects of exploratory oil drilling to working with agencies and academics to make their fishing techniques more environmentally sound. At the same time, they have cried out for coastal restoration for decades. The tension between fishers and coastal projects has always arisen not because of the projects' intended goals, but given the processes used to develop and implement coastal restoration projects.

CCC's clients aren't environmental justice communities; they are communities experiencing environmental injustice. Environmental justice demands that all communities who are vulnerable to racial, ethnic, economic, and ecological violence are not just considered, but "meaningfully involved" in "the development, implementation, and enforcement of environmental laws, regulations, and policies" . This is the purpose of NEPA, the DEIS, and ultimately, of the CPRA, whose mandate is to "establish a safe and sustainable coast that will protect our communities, the nation's critical energy infrastructure and our bountiful natural resources for generations to come" . For years, fishers have watched CPRA and other agencies debate the merits of allowing the Mississippi River to inundate the fish, crab, shrimp, and oyster ecosystems they rely on. For them, it is clear that the diversion will make fishing more economically vulnerable in favor of building marsh land—a trade-off that makes their families particularly susceptible to poverty, environmental instability, and resettlement. Not surprisingly, fisherfolk are scared.

The Coastal Master Plan and MBSD are huge undertakings with a myriad of needs and best outcomes to consider. We get it! But this means little to a shrimper who is worried about what a devastated brown shrimp population will mean for his daughter's finishing college or her ailing mother who has accrued acute healthcare costs. Fishing is not just our clients' livelihoods—it's their lives. In light of this, and coupled with rapidly moving disasters and environmental shifts, we believe that doing business as usual is no longer an option.

Therefore, we recommend an aggressive program of mitigation, adaptation support, and MBSD-adjacent coastal support. To carry out effective socioeconomic and place-based planning, we recommend that CPRA build coalitional partnerships across state agencies and parish governments. This includes partnering with community leaders to educate all agency partners about the current state of each fishery, what is being taken into consideration when designing mitigation measures, and the ways the mitigation measures forwarded in the DEIS will be implemented. It also means consistently sharing this information with impacted communities and community-based organizations, and collaborating with them to ensure that their needs are met in light of dynamic impacts to their lives and livelihoods.

In the eight years since our board and commercial fishing clients made us aware of the proposed sediment diversions in Barataria Bay and Breton Sound, CCC has listened to and followed Southeast Louisiana's coast-dependent communities' expertise. Through our daily work and engagement with fisher families and business owners, it was not difficult to locate where we could begin to proactively address the potential impacts of MBSD's design and implementation on fishing-dependent communities. While commercial fishers don't like change, CCC has helped several families begin to adapt their businesses and lives ahead of MBSD's likely impacts to the industry. Our adaptation strategies include much of the DEIS and draft Restoration Plan's mitigation and stewardship measures. As the MBSD moves forward, CCC looks forward to working with, educating, and engaging CPRA and others about effective adaptation. Together, we can effectively develop an equitable and just adaptation and mitigation program for not just MBSD, but ongoing restoration throughout the coast. In

this collaborative effort, our organization's ultimate goal is to establish a comprehensive Community Master Plan that will be implemented alongside CPRA's Coastal Master Plan.

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### CCC's Recommendations

Below, we have identified three primary areas of support that are necessary to equitably help fisheries and other coast-dependent communities adapt to the impacts of the proposed MBSD. Under each area, we offer specific programming and/or approaches that will allow for their effective implementation. We have identified these equitable mitigation measures in concert with the over 200 fishing-dependent residents in MBSD's impact zone who have submitted their own public comments, as well as a myriad of collaborators with expertise in community support, environmental change, and strategic planning.

#### I. MITIGATION PLAN

The mitigation measures proposed in the DEIS and draft Restoration Plan are a good first step. However, to equitably mitigate the impacts of the MBSD, it is important for vulnerable communities to contribute to how CPRA identifies and mitigates the diversion's likely effects on their lives and livelihoods. This includes establishing dedicated and effective funding streams to support all communities, small businesses, and workers impacted by MBSD, from construction to regular operation. Importantly, if the MBSD has as little negative impact on commercial fisheries as possible, this funding is less likely to be exhausted or need to be refreshed regularly.

- Establish and maintain an MBSD Fisheries Mitigation Fund — Mitigation programs currently identified in the draft EIS and LA-TIG Restoration Plan include retrofitting boats, training in new fields, and training in marketing. Establishing funding for fishers to take advantage of these programs as it suits their needs is the most effective way of both spending much of the \$33 million currently identified for fisheries mitigation and supporting the industry through MBSD's impacts. Throughout the first five years of MBSD's operation, and with the option to extend its timeline, the Fisheries Mitigation Fund will pay out annually to fishery-dependent business owners and workers.
  - o Recipients of the funding will be able to identify how best to use this funding, be it for skills training or boat upgrades, at their discretion.
  - o Annual payments should be based on losses, as evidenced in fishers' trip tickets—this information is collected by the Department of Wildlife and Fisheries.
- Adaptive management planning — MBSD's operations, management, and monitoring will critically shape how decisions are made regarding adaptation. To ensure both state transparency and the incorporation of valuable coastal expertise, fishery leaders must be contracted to participate in planning and executing the adaptive management of the MBSD.
- Identify equitable, future-looking approaches to home and business buyouts — Coast-dependent communities will experience diversion-induced flooding and other impacts to both their homes and businesses. To this end, mitigation measures should include establishing an equitable approach to assessing just compensation and buyout programs for homes and other structures throughout Southeast Louisiana—this process should allow residents to buy equivalent or better businesses and homes elsewhere. This funding should also ensure that every resident in the impact area can raise their homes without incurring personal cost.

- Identify for whom job buyouts might be necessary — In lower Plaquemines Parish, buyouts may be a bigger necessity than expected, especially for the families who rely on oyster work. We understand that CPRA has begun the process of relocating oyster leases. However, leaseholders represent a very small group of wealthy people that can easily relocate their businesses and homes. Their workers, who make up the bulk of the fisheries' labor, cannot. For them, buyouts may be the only option. CPRA must consider job buyouts or other measures that justly compensate workers who rely on but have no economic control over their fishery.
- Create fisheries-specific grant and loan opportunities — This will help businesses and workers who will be impacted by MBSD adapt in anticipation of the diversion going live, as well as during its implementation.
- Support workforce development — This includes implementing policies that require contracting entities to hire local residents and fishermen to work on building and managing the MBSD.
  - o Encourage and fund area colleges and universities to build out curriculums and train younger fishermen for new careers and job opportunities should they want to transition out of the industry. (CCC & Delgado have been running one such program for two years)
  - o Develop scholarships to help pay for tuition.
  - o Develop more opportunities for fishermen's wives to work and/or start small businesses to create an alternative income stream for their families.
  - o Develop certifications and incentivize youth to choose water-base careers.

## II. ONGOING BUSINESS ADAPTATION PLANNING & SUPPORT

While the DEIS and draft Restoration Plan offer a series of mitigation measures to support fisheries, they do not comprehensively address the complex effects MBSD is likely to have on fishers and other vulnerable coast-dependent communities. As it is the first project of its kind, the true impacts of the MBSD will not be known until the structure begins operation. However, what is known today is that our fisheries and navigational waterways will absolutely be affected, and may be altered forever. While our fishing communities may continue to advocate against the MBSD, most understand that, historically, a project that the government puts this much money and effort into will happen.

For more than two years, CCC has collaborated with clients to create adaptation planning that reflects fishers' expertise of the land and water they rely on. The fact that fisheries-dependent families have already begun piloting the adaptation measures included below is evidence that CPRA and other agencies should allay impacted communities' fears by proactively funding such strategies. Most importantly, they should look to fishers to identify their own specific adaptation needs. To do this, CPRA should immediately begin partnering with community-based organizations (CBOs), who have robust technical assistance and community service expertise, and who have been designing and implementing adaptation planning for several years. Federal and state agencies should partner with CBOs to carry out extant adaptation planning and programs. In this process, CBOs should be compensated for their adaptation work and the resulting adaptation plans should be funded by the state.

- Information Sharing and Education — In order to properly adapt and plan, CPRA and other agencies need to transparently collaborate with residents who will be impacted by the

MBSD. This includes circulating consistent, up-to-date, and accessible information regarding the MBSD's progress-toward-implementation and its likely impacts to coast-dependent businesses and communities.

- o CPRA to develop a public relation/community outreach office within the agency.
- o Include community-based organizations (CBOs) in every stakeholder group that CPRA has created within its decision-making structure, and in regard to the MBSD in particular. This will make CPRA's approach to decision-making more equitable by ensuring that communities, not just large stakeholders, are represented throughout the Coastal Master Plan process.
- o Fund CBOs who have the respect and trust of their communities to do outreach and education regarding restoration. Conducting outreach and education includes designing community meetings, supporting community members in participating in decision-making processes, and elevating community expertise that has historically been overlooked.
- o Outreach materials, presentations, and meetings should be translated not only into several languages, but should be presented in plain language that is accessible to laypeople, whose stakes in understanding the MBSD are highest.
  - Fund community engagement and adaptation planning; community-based organizations — CBOs like CCC devote the majority of their funding to make technical assistance (TA) accessible (linguistically, culturally, geographically, and financially) to the region's most vulnerable residents. While TA is essential to the MBSD rollout (see above), it has not historically been funded by agencies carrying out large-scale projects in vulnerable communities. As such, when they have reached out to communities to finalize extant plans, CPRA and others have not elicited the information they are looking for. However, CBOs know how to provide the direct assistance residents need to help them participate in surveys, understand programs, requirements, and processes, and complete applications to be awarded benefits and grants. They also know how to design and carry out effective adaptation planning. To address this, CPRA and LA-TIG can use a percentage of their mitigation budget to ensure that CBOs can continue to carry out extant adaptation planning and mitigation efforts that align with the DEIS. Additionally, this funding can and should address the gaps in community TA support throughout the MBSD impact area to ensure that all impacted residents have access to information and direct engagement.
  - Pilot fisheries technology and innovation — To make fishers more adaptive, it is important that they have access to technologies that enhance their productivity and reduce the cost of their operations. Funding should be allocated for R&D dedicated to collaborating with fishers to innovate and change the way their operations work. This includes how harvesting is carried out, either by means of shrimp pots, lighter boats, additional refrigeration, and more. Additionally, salinity tanks for finishing oysters, mechanisms for moving baskets of oysters away from flooding, and a bevy of other potential innovations can mitigate losses for commercial fisheries, improve the quality of the harvest, and may bolster the industry as a whole.
  - Make broadband internet available coast-wide — COVID-19 has shown us that internet is not a luxury; it is a utility. Louisiana must make broadband accessible and low-cost for all residents. Fisherfolk who have never been required to use technology before have begun to both in light of the pandemic and to access more technical business and social

support. It can do so by partnering with federal agencies and NGOs who are already implementing more robust rural broadband access in anticipation of the proposed US Infrastructure Bill.

- Invest in economic development — By investing in industry sectors, such as tourism/ecotourism and more, and further diversifying the regional economy, the state can help create jobs to support displaced fisherfolk and other coast-dependent workers. It will also enhance the cultural viability of the region, as fishers of varying backgrounds share their cultures and knowledge with tourists, who will in turn support communities maintaining their generational practices. Examples include cultural immersion fishing tours, recreational fishing and cooking classes, and tours designed to teach visitors about ecosystem change and restoration. This is a win for the job seeker and also for local parishes and the state as new revenues can be generated by new industries.

### III. MBSD-ADJACENT COASTAL SUPPORT

This area of support identifies actions that CPRA and other state and federal agencies can carry out to bolster fishing-dependent communities' stability in the present and future. Applied concurrent to the MBSD's construction and operation, these approaches will ensure that the project is carried out justly and equitably overall.

- Establish governmental coalition-building and inter-agency education — To better develop and implement effective mitigation programs and adaptation support, CPRA should take the lead on educating and informing other inner state agencies about the MBSD's design, as well as its implications for and impacts on coast-dependent communities. Involving more agencies with a variety of expertise in implementing MBSD will mobilize a variety of resources to help CPRA effectively implement and mitigate the diversion. What's more, this will make more resources available to help affected residents adapt and make use of more effective and equitable mitigation programs. Examples include partnering with LED to develop and offer fisheries-specific loan products, and ensuring that the Louisiana Department of Wildlife and Fisheries do not raise license fees up to 300%. Further, collaborating with HUD to help residents with raising homes as well as establishing a first-time home buyers' program to assist with relocation.
- Address needed changes to fisheries permitting, licensing, and compliance — More than 80% of the state's much larger skimmer fleet will experience a reduction in their catch due to the fresh water driven by the MBSD. In light of this, the Louisiana DWF and NOAA must make major changes in how they administer and regulate federal fishing permits and licenses. As MBSD promises to shift where shrimp and other species are in the basin, adapting to this will require most fishers to go out further from shore and/or further east or west than they currently do. To ensure that fishers have the best chance of maintaining their industries over the life of the MBSD, restrictions that prevent them from working in federal waters must be lifted.
  - o The federal shrimp permit has been under moratorium since 2006. NOAA should lift the moratorium and grant open access to the permit and/or the state should extend the state line further from shore.
  - o The majority of our state's shrimp fleet are Asian American immigrants. While they are legal permanent residents, federal law prohibits anyone who is not a US citizen from operating a vessel outside state waters. Obtaining citizenship can take a year or more,

making this rule incredibly restrictive for residents who work seasonally. Lifting this restriction is critical for immigrant fishers' potential to maintain their fisheries as the MBSD begins operation.

- Promote Louisiana seafood - While one-on-one marketing support is included in the DEIS, it is imperative that the state effectively supports and promotes its fisheries. To this end:
  - o Collaborate with LA restaurants, seafood distributors, farmers markets, and grocery stores to create a market for LA seafood.
  - o Actively enforce House Bill No. 335/Act 372: Restaurant Notice of Foreign Seafood, which requires restaurants to disclose the origin of the seafood they serve.
  - o Create a national network of LA seafood champions to promote LA seafood in major cities.
- Carry out smaller coastal restoration projects
  - o Work with impacted parishes to build safe haven sites, which will protect boats against the potential impacts of the MBSD or other sudden disasters.
  - o Plaquemines Parish has lost fisheries business because many shrimp boats cannot easily or dependably get through canals or lock infrastructure. This forced shrimpers to take their catch elsewhere. To avoid this and other safety concerns, the state must dredge commercial fishing waterways going to and from docks and fishing grounds.
- Provide other kinds of governmental support
  - o Create standards to control and/or cap the price of shrimp and other seafood paid to fishers at the docks.
  - o Provide diesel subsidies for working boats.

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To conclude, the construction, implementation, and operation of the first large-scale river sediment diversion must meaningfully include and honor the generational and place-based knowledge of coast-dependent residents.

As an organization that has devoted itself to the economic, cultural, and environmental health of Southeast Louisiana's fisheries, CCC believes that fisheries are a meaningful part of Louisiana's present and future. The above mitigation, adaptation, and MBSD-adjacent governmental support strategies emerge directly from our clients' own comments and the expertise they have shared with us for over a decade about the land and water they love. We want to make their lives more livable, and we look forward to working with CPRA, LA-TIG, and many other agencies to ensure this.

Please reach out to us with any questions regarding these comments. We look forward to hearing from you.

Sincerely,

Sandy Ha Nguyen

Executive Director

Coastal Communities Consulting, Inc. (CCC)

██████████ Gretna, LA 70056

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**Concern ID: 61929**

**Commenters expressed that southeast Louisiana’s fisheries-dependent residents have endured more overlapping disasters in one generation than anyone can reasonably expect of a community. They have suffered the levee breaches of Hurricane Katrina, the DWH oil spill’s ongoing impacts on fish stock, the historic flood events of 2019, and COVID-19. Many of these same fishers have also survived forced refugee flight from Southeast Asia. Fishing is not just their livelihoods-it’s their lives. One commenter suggested that at a very general level the Applicant’s Preferred Alternative should be implemented when low-income, vulnerable fishing communities see a rebound in their profitability to a point where they can financially prepare for the proposed MBSD Project.**

**Response ID: 16280**

As noted in the purpose and need, the proposed Project is intended to support coastal restoration projects. Such projects may reduce the impacts of tropical events such as hurricanes and associated flooding. Without the Project, adverse impacts on commercial shrimp, oyster, crab, and certain finfish fisheries are anticipated due to reduced marsh habitat and increased salinity over the long term (that is, 50 years), but more rapidly after 2050 for shrimp and oyster, as discussed in Chapter 4, Section 4.14 Commercial Fisheries. It is anticipated that as the coastal areas, including wetlands in the Barataria Basin, continue to erode, communities would be increasingly vulnerable to environmental disasters and the economic effects of declining fisheries. While the proposed Project would not stop subsidence and sea-level rise and associated impacts in the Barataria Basin, by 2070, the proposed Project is projected to create approximately 13,400 acres of land in the Barataria Basin and result in the loss of 3,000 acres of land in the birdfoot delta as compared to the No Action Alternative.

CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG’s Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61932**

**Communities with environmental justice concerns, which include all communities who are vulnerable to racial, ethnic, economic, and ecological violence, should be “meaningfully involved” in “the development, implementation, and enforcement of environmental laws, regulations, and policies” during the proposed MBSD Project.**

**Response ID: 16285**

As discussed in Chapter 1, Section 1.6 Scope of the EIS, and Chapter 4, Section 4.15 Environmental Justice, the EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance to identify the impacts that would likely occur if the proposed Project were to be approved. USACE, the LA TIG, and CPRA have engaged communities with environmental justice concerns in development of the EIS. Examples of public outreach provided by USACE for the EIS include special public notices for the permit application, the scoping process and scoping meetings, and public review of and public meetings regarding the Draft EIS. Material and information related to the Draft EIS were made available through Federal Register notices, press releases, social media, the New Orleans District website, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries and community centers.

USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities, including communities with environmental justice concerns, regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the joint virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including

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reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on communities with environmental justice concerns, including low-income and minority populations, such as cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61959**

**State government, elected officials, CPRA and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the proposed MBSD Project. This would open the door to creating a truly equitable restoration landscape; one where those impacted by the proposed MBSD Project and future coastal restoration projects are proactively engaged and consulted as restoration projects are planned, designed, and implemented.**

**Response ID: 15905**

Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to their concerns regarding proposed MBSD Project. More recently, CPRA has engaged the public through meetings with the communities impacted by the proposed MBSD Project to

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solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities including fishers. This included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. A summary of these public engagement meetings and additional outreach can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that CPRA states it would implement as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the

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importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be

required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62384**

**Our state government, elected officials, the Coastal Protection and Restoration Authority and other state agencies, and local jurisdictions must pivot to centering community expertise as they carry out the MBSD.**

**Response ID: 15961**

According to CPRA, it has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the MBSD Project area over the past several years. In addition, since the release of the Draft EIS CPRA has engaged the public through meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62385**

**Commenters noted that commercial fishermen and coastal residents are not against restoration. The tension between fishers and coastal projects has always arisen not because of the Projects' intended goals, but given the processes used to develop and implement coastal restoration projects.**

**Response ID: 15957**

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the MBSD Project area over the past several years. In addition, since the release of the Draft EIS CPRA has engaged the public through meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented by CPRA as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62386**

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**The construction, implementation, and operation of the first large-scale river sediment diversion must meaningfully include and honor the generational and place-based knowledge of coast-dependent residents. The mitigation, adaptation, and MBSD-adjacent governmental support strategies suggested by CCC emerge directly from their clients' own comments and the expertise they have shared with CCC for over a decade.**

**Response ID: 15958**

CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area over the past several years. In addition, since the release of the Draft EIS CPRA has engaged the public through meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented by CPRA as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from**

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**key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood**

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**insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or

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increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62961**

**Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.**

**Response ID: 16532**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG

intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)

- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63132**

**Organizations, such as GNO, Inc., Coastal Communities Consulting, and community-based organizations should serve as connectors between CPRA, other state and federal agencies, and fishers and the seafood industry to plan and implement mitigation, and to ensure mitigation reflects environmental, economic, and community needs and changes over time. Mitigation should include funding for community-based organizations to provide this support in developing and carrying out mitigation.**

**Response ID: 16516**

CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations including Coastal Communities Consulting to assist in engaging minority fishers in reviewing and commenting on the Draft EIS, and soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded. CPRA also plans to create outreach materials in easy to read and understand formats for distribution to the public. This would include translated materials for members of the community who do not speak or read English.

CPRA's Mitigation and Stewardship Plan does not currently provide for use of community-based organizations to distribute mitigation funds or to implement mitigation and stewardship measures. However, community-based organizations have been engaged to assist in providing information to community members regarding available programs, to assist in developing eligibility criteria, and to assist in completing any application processes. CPRA will continue to coordinate with community-based organizations in implementing the Final Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section

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10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63139**

**Commenters noted that work is needed to promote Louisiana seafood, including collaborating with restaurants and distributors, and enforcing House Bill No. 335 (Regular Session 2019).**

**Response ID: 16522**

Since publication of the Draft EIS and in response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). In its Mitigation and Stewardship Plan appended to the Final EIS, CPRA has included a total of \$5 million in funding for shrimp, crab, oyster, and finfish marketing as part of its Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS). The expenditure of those funds would be directed by LDWF, in coordination with the LDWF Crab, Shrimp, Oyster and Finfish task forces. Those groups would determine whether collaboration with restaurants and enforcement of House Bill 335/Act 372 (adopted as Louisiana RS 40.5.5.4 and which requires any food service establishment that serves imported shrimp or crawfish to post a notice that informs patrons that the seafood has been imported from a foreign place) is the best use of those funds.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that

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USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63140**

**Commenters requested restoration assistance such as safe haven sites to offer protection to boats and assistance with dredging channels for safe vessel passage, including shrimp boats.**

**Response ID: 16523**

The commenter's concern regarding vessel passage was considered in the Draft EIS. Chapter 4, Section 4.21 Navigation provided that the USACE would continue to maintain federal navigation channels in the Project area during Project operations. In response to public comments, CPRA's Mitigation and Stewardship Plan includes measures that CPRA states it would implement to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The impact analysis in the Final EIS does not suggest that the Project would create the need for safe haven sites.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63192**

**The Proposed Project should include investment in economic development, such as tourism.**

**Response ID: 16565**

The Draft EIS considered the effects of the Project on economic development, including the effects on tourism (see Chapter 4, Section 4.13.5 [Socioeconomics - Operational Impacts] and Section 4.16.5 [Recreation and Tourism - Operational Impacts] of the EIS), concluding that the Project would have both beneficial and adverse impacts on the regional economy associated with recreational expenditures. While the EIS concludes that the Project would have a beneficial impact on hunting and wildlife watching due to an increase in wetland habitat in some areas of Barataria Basin, it also found minor to moderate, permanent, adverse impacts to recreational boating in the delta formation area due to a number of factors.

Commenters' desire for additional economic development associated with the Project is noted. The estuarine and freshwater wetlands are an integral component of recreation in the region and the Project would increase the area and sustainability of wetland habitats (see Section 3.2.1.1.1 [Alternative 1] in the LA TIG's Restoration Plan and Section 4.6 [Wetland Resources and Waters of the U.S.] of the EIS for more information).

The Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitat in the Barataria Basin. Injured resources, including lost recreational use, not addressed in the Final Restoration Plan have been addressed by previous restoration plans and are intended to be the focus of future restoration plans. For example, the LA TIG has addressed restoration of lost recreational use within Louisiana in RP/EA #2 (LA TIG, 2018a) and RP/EA #4 (LA TIG, 2018b).

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Additionally, CPRA's Mitigation and Stewardship Plan (Appendix R1 to the EIS) includes measures focused on establishing a sustainable fishing industry in the long term, including providing financial and technical assistance for alternate business ventures, job training, boats and/or boat improvements, and other measures that will provide economic benefits to the industry.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

In light of the public interest expressed in other projects of this scale and nature, the LA TIG anticipates that members of the public may want to visit the Project site. Due to concerns about safety of the public and security for the Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA would, however, provide signage and other public space near the Project to educate the public regarding the purpose and functioning on the Project.

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**Correspondence ID:40473**

Louisiana Crab Task Force

Britney Breaux

I am writing you this in opposition of the Mid-Barataria sediment diversion project, on behalf of the Louisiana crab task force. To go forth with the diversion project will kill thousands of commercial fishing jobs. This project will never create land like it's being portrayed to do. It will put many of men and women out of work, displaced sea life, and kill many marine animals. This project will destroy the estuaries for years to come. Please consider other options that are more productive and considerate of the people of South Louisiana.

Sincerely,

Britney Breaux, on behalf of the Louisiana Crab Task Force

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the

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screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is

critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

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The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact

determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62659**

**The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.**

**Response ID: 16632**

The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

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potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40474**

Kristian Murina

I strongly oppose the mid Barataria diversion project. I am deeply concerned about the potential impact on the bottlenose dolphin. I have worked in the past as an oyster fishing deckhand and I understand that the diversion would severely impact the golf oyster production in Louisiana and Mississippi. My children and I spend time in the bayous near and around empire and feel that that area in particular will be heavily impacted by the influx of freshwater.

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**Concern ID: 61905**

**Commenters expressed that residents' way of life including living off of and recreating in the water would be impacted by an influx of fresh water due to the MBSD Project.**

**Response ID: 16235**

The issues raised by the commenters were considered in the Draft EIS. As described in the Existing Conditions in Chapter 3, Section 3.16 Recreation and Tourism, as well as Appendix H1 Socioeconomics Technical Report, the Draft EIS acknowledges the importance of recreational use in the region, describing many types of outdoor recreational activities, including fishing, hunting, boating, wildlife viewing, and general shoreline use, among others. The EIS further acknowledges that extensive estuarine and freshwater wetlands provide habitat for many kinds of fish, birds, reptiles, and mammals that are an integral component of recreation in the region. The evaluation of environmental changes in the basin under the No Action Alternative shows that the abundance of target recreational species, including spotted seatrout and red drum, would decline over time. Access to recreational boating sites would also increase from negligible impacts in the early decades to major, adverse impacts in the later decades, leading to decreases in recreational use in the southern portions of the basin even without the Project. Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe how changes in the amount of fresh water due to the MBSD Project would impact recreation and tourism. As noted, there would be adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to tidal flooding, sedimentation, and invasive plants. There would be adverse impacts on recreational fishing for spotted seatrout and beneficial impacts on recreational fishing for red drum.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)

- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40476**

AmeriPure Oysters

John Tesvich

Please accept these comments to the Draft Environmental Impact Statement published for the Mid Barataria Sediment Diversion project submitted by The Coastal Protection and Restoration Authority of Louisiana.

Sincerely Yours,

John A. Tesvich, President

**BACKGROUND**

The debate over the use of large-scale river diversions for coastal restoration has been going on for over 30 years in Louisiana. There are clear divides in the pro-diversion camp and anti-diversion camp and there are only a few cross-overs.

In the pro-diversion camp one group share a belief in the theory that a man-made and controlled river diversion is a more natural way to create new wetlands; and another faction are those that personally have something to gain economically like project engineers, contractors and land speculators. Furthermore, most of these people have little or nothing to lose with the implementation of a large river diversion located away from their hometown. The Coastal Protection and Restoration Authority (CPRA) has been advocating large-scale river diversions since the first draft of the state's Master Plan in 2007. Some large, well funded, NGOs are also actively involved in promoting large-scale diversions.

In the anti-diversion camp are the local stakeholders who live and work in the basin area. Their homes, livelihoods, and/or businesses will be taken away or severely challenged with the implementation of a diversion. Other people in the anti-diversion camp are those who objectively look at the negative impacts of large diversions, like socio-economic loss (including fisheries), eco-system disruption (including Essential Fish Habitat), increased flood risks, and wiping out a special dolphin population. For the anti-diversion camp, the negative impacts of a large river diversion far outweigh the purported benefits that are routinely touted by the pro-diversion camp. Locally, the parish governments of Plaquemines, St. Bernard, St. Tammany, and the Town of Grand Isle are all part of the anti-diversion camp having passed ordinances and/or resolutions opposing the diversion project.

The U.S. Army Corp of Engineers (USACE) is thrust into this river-diversion debate looked upon like an arbiter or referee. And that would be fine except for the fact that the USACE is just not an innocent bystander in its long history of navigational and flood protection projects that have greatly affected Louisiana's coast.

Stakeholders in coastal Louisiana, including myself have routinely criticized the CPRA for not considering the negative environmental and socio-economic impacts that large-scale diversions will cause in their cost-benefit analysis of a project. In an effort to appease their critics, the CPRA has publically stated that the USACE's EIS will be the critical review of the environmental impacts of their proposed project and will require a range of reasonable alternatives to be considered. From the DEIS:

- The EIS has been prepared to analyze the potential impacts of the proposed Project and a range of reasonable alternatives, including No Action, on the natural and human environment. The EIS is intended to be sufficient in scope to provide the environmental review necessary to

address federal, state, and local requirements with respect to permits, approvals, and authorizations for the proposed Project.

The DEIS's major failure is in its responsibility to explore "a range of reasonable alternatives". The only alternatives included in the DEIS, except for No Action, were other large-scale river diversions. We expect and want to see other alternatives for coastal restoration besides river diversions. Whether intentional or inadvertent, the USACE, as the Lead Agency, has allowed misleading and false statements of purpose and need to side-step and shortchange a critical aspect of the National Environmental Policy Act (NEPA) process in this project's review.

#### Section 1: Purpose and Need

As stated in the DEIS:

- Defining the purpose and need of a proposed project is a critical component of the NEPA process, as it forms the basis for the scope of alternatives considered in the EIS. In short, federal agencies are required to evaluate the impacts of the proposed project and a range of reasonable alternatives that satisfy the project's purpose and need...
- The CWA Section 404(b)(1) guidelines require that a basic and overall purpose for a proposed project be identified by the USACE. The overall project purpose is a statement designed to be concise, apply to the basic project purpose, and serve as the basis for the alternatives analysis. The basic project purpose is designed to capture the fundamental, essential, or irreducible purpose of a proposed project and is used to determine whether an action is water dependent.

The Purpose of this project as stated in the DEIS is:

. . . the purpose is to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin that will reconnect and re-establish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, freshwater, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

This statement of purpose does not meet the requirement for a concise, basic, essential and irreducible purpose. The statement of purpose is furthermore false and misleading by making the project itself and the DWH oil spill restoration (implementing a large-scale diversion) a part of the purpose. The purpose should be limited to one or the other, but not both.

The CPRA has clearly shown their intention with this project is to create a new river delta in Barataria Bay, while causing the loss in the present day Birdfoot Delta of the Mississippi River. Creating a river delta in Barataria Bay has nothing to do with restoring injuries caused by DWH oil spill. Yes, the Barataria Basin was part of the Lafourche Delta Complex over a thousand years ago. Does going back over 1000 years meet USACE's definition for "restoration due to an oil spill"?

Clearly, the DWH oil spill has nothing to do with this project, except for the applicant's desire to use it as a source of funding. Any reasonable person can see through this. The USACE knows it also and should not allow this charade by the CPRA and the LA Trustee Implementation Group to continue - - especially not to allow it in the critical statement of Purpose.

The statement of Need taken from the DEIS:



- The proposed Project is needed to restore habitat and ecosystem services injured in the northern Gulf of Mexico as a result of the DWH oil spill.

This statement is blatantly false. With this statement of need, the applicant, CPRA, is allowed to infer that a large-scale river diversion is necessary and the only method to restore for damages due to DWH oil spill. Because of this statement that a "river-diversion is necessary" it shows why other real alternatives for restoration were not even considered in the DEIS.

This is not what the public wanted or expected in the DEIS. The USACE and other agencies that have evaluated this project have clearly shown that the habitat and ecosystem services that have been part of the Barataria Basin for well over 100 years will be critically and (some) permanently changed by the project.

There are clearly better, simpler, more cost-effective alternative methods available for restoring habitat and ecosystem services that were injured by the DWH oil spill. Under OPA 15 CFR Sect 990.54 Restoration Selection states that the restoration alternatives be evaluated by at least: "(4) The extent to which each alternative will prevent future injury as a result of the incident, and avoid collateral injury as a result of implementing the alternative"

The CPRA large-scale diversion will cause additional injury and collateral injury to many of the same eco-resources damaged by the DWH oil spill, like bottlenose dolphins, like seafood fisheries, Essential Fish Habitat, etc. This is in direct conflict and a clear violation of OPA.

The CPRA presents one restoration method, river diversions and obviates all other practical methods of restoration. The other alternatives of restoration were not evaluated in the DEIS because the USACE has allowed this deceptive statement of Need to guide their project analysis.

Except as a potential source of funding, the DWH oil spill has nothing to do with this project. A large-scale river diversion is not needed to restore damages due to the oil spill. The USACE knows this and should not allow this deception to continue - - especially in the critical statement of Need.

## Section 2: Alternatives

The alternatives in the DEIS are limited to only other large-scale river diversions or No Action. As stated in the discussion in the Purpose and Need section above, the Purpose and Need statements are false, misleading, and do not comply with NEPA regulations requiring a concise, essential, and irreducible purpose. Because of this, the analysis of alternatives is likewise flawed from the beginning.

Traditional proven methods for coastal restoration such as dredging and pipe-line sediment delivery projects were not even considered as alternatives in rehabilitating the Barataria Basin. This is a major flaw in the DEIS. A major problem with the large-scale diversion project being proposed by the CPRA is the effects of the inundation of a huge amount of river water on the estuary. Alternative designs in the outflow area are possible that channel the river waters with the use of dikes and levees to limit the uncontrolled spread of river water throughout the basin. Alternatives such as this could substantially decrease the negative environmental, socio-economic and other adverse impacts that the project would cause and should be required for the applicant to consider.

## Section 3 Affected Environment & Section 4 Environmental Consequences

### Discussion of Eastern Oysters

The EIS does not mention the water quality standards based on fecal coliform levels for oyster harvesting. The program is implemented and maintained by the Department of Health and Hospitals in cooperation with the Dept of Wildlife and Fisheries for enforcement. DHH issues seasonal maps for oyster harvesting. In many areas of the state's coastal waters there may be oyster resources that cannot be harvested because of high levels of fecal coliforms. The Mississippi River has high fecal coliforms levels and impacts from the river diversion could close extensive areas to harvesting even if the oyster crop were to survive.

In the oyster discussion there is no mention of the significant investments that have been made in the private oyster leases in the Barataria Basin. Hundreds of millions of dollars have been invested by oyster growers in developing their oyster reefs. Approximately 100,000 acres of private oyster leases in Barataria Basin will be severely affected by the project.

Prior to implementation of the Davis Pond river diversion in 2002 the state of Louisiana sponsored an oyster lease relocation program that was deemed very successful by all participants, including the Department of Natural Resources, the lead state agency for the Davis Pond Project. This program can be used as a template to look at what a successful mitigation program for private oyster lease owners might look like.

The Mike Voisin Oyster Hatchery on Grand Island in which the state invested millions of dollars will be severely compromised and will have to be relocated because of the degradation of water quality expected.

### Land and Mineral Rights and Public Trust Doctrine

In Louisiana's coastal zone reportedly eighty percent (80%) of the wetlands are privately owned. When wetlands are allowed to naturally erode or subside and become navigable the Public Trust Doctrine may apply giving the state ownership of the water-bottoms and mineral rights. The legal situation, however, is not always clear.

Because the CPRA is using public monies for this project brings in other questions. The project will destroy wetlands in certain areas in the beginning phases and over time proposes to create wetlands in the outfall area. The applicant has not publically addressed the issue of the Public Trust Doctrine and future land and mineral rights. Who will own land and mineral rights in the outfall area where land may be built? Will the public be allowed to fish, hunt, and navigate through the outfall areas? These are important socio-economic questions for local stakeholders.

### Conclusions

The applicant, CPRA, along with the LA Trustee Implementation Group has provided a confused, misleading, and inappropriate Purpose and Need statement which does not follow NEPA guidelines.

Creating a new river delta in the Barataria Basin has nothing to do with restoring injuries caused by the DWH oil spill. A large-scale river diversion is clearly not the best way to restore damages due to DWH oil spill.

The proposed river diversion will kill off the Barataria Bay dolphin population to practical extinction, damage Essential Fish Habitat, and severely impact several species of fish and shellfish that were already harmed by the DWH oil spill. To implement this project for the

restoration of DWH oil spill impacts is a clear violation of the regulations under OPA 190 15 CFR Sect 990.54 Restoration Selection.

Creating a new river delta in Barataria Bay is one step in the CPRA's plans for a major re-design of the coast. The CPRA has already applied for a permit for the Mid- Breton Diversion on the east bank. This coastal redesign is in coordination with an initiative advocated by several powerful NGOs called Changing Course which advocates building new river deltas in Barataria Bay and Breton Sound, giving up on sustaining communities in lower Plaquemines Parish, and allowing the Bird Foot Delta to collapse.

The applicant's desire to connect the implementation of a large-scale river diversion with restoration for damages due to DWH oil spill is simply to provide a funding source for the project. This ploy should be rejected by the USACE and they should require that the Purpose and Need statements be re-written to follow NEPA guidelines for the Final EIS.

The Alternatives presented in the DEIS are likewise flawed because of the faulty Purpose and Need. Other alternatives that need to be considered for restoring Barataria Bay include sediment dredging and shoreline protection systems.

Alternative outflow designs can be constructed to control river water from a diversion and channel it safely offshore and should be considered because they could severely reduce the environmental impacts from an uncontrolled outfall flow into Barataria Bay. In the final EIS the applicant should be required to present a range of alternative designs that can reduce the considerable negative impacts the current project design would cause.

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**Concern ID: 61868**

**Alternative designs in the outflow area should be considered to minimize the impacts due to the outflow into the Barataria Basin.**

**Response ID: 15939**

Alternative outfall features that could potentially expedite Project-related benefits were considered in the Draft EIS. As part of the Applicant's Preferred Alternative, CPRA incorporated features into the design of the Project to aid in expediting anticipated Project benefits (see Section 2.8.1.1.2 Basin Outfall Area and Delta Formation Area). These features include beneficial use of material from construction of the diversion channel to create marsh in designated areas within the outfall area, and an outfall transition feature. Due to public scoping comments received, the EIS also considered potential features in the outfall area such as canals, bayous, impoundments, weirs, and chenier-like ridges to manipulate the flow of water and sediment for water quality and sediment retention benefits, to create barriers for storm surge and wind, and to redirect waters away from oyster production and sensitive areas. However, these features were eliminated from consideration because of the potential for such features to impede delta formation. Refer to Chapter 2, Section 2.5 Step 3: Evaluation of Sediment Diversion Outfall Features for evaluation of these alternative outfall features as part of the alternatives screening process.

In consideration of public scoping comments, and because of the possibility of expediting anticipated Project-related benefits, while not interfering with the proposed Project's purpose, two types of outfall features (in addition to construction of the outfall transition feature and beneficial use of material from the diversion channel) were reviewed for further consideration in the Draft EIS. These included ridges and marsh terraces outside of the area where the delta would be expected to initially form. After evaluating these two outfall features, marsh

terracing was chosen as a Project feature in the range of alternatives to be analyzed further in the EIS because marsh terraces are often used to reduce wave energy within an area, to protect eroding or recently restored shorelines, or to promote sediment deposition and resultant benefits. See Section 2.5.1 Additional Considerations.

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**Concern ID: 61875**

**The purpose and need is false and misleading and does not follow NEPA guidelines for a concise, basic, essential, and irreducible purpose. The statement is misleading by making the proposed Project itself part of the purpose. The DWH oil spill, including restoring for injuries caused by the DWH oil spill, has nothing to do with the proposed Project other than justifying its use as a source of funding.**

**Response ID: 15831**

As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, NEPA regulations (40 CFR 1502.13) state that an EIS “shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” The purpose and need statement should be clear and concise in order to facilitate development of a reasonable range of alternatives. USACE generally focused on CPRA’s purpose and need for the proposed Project and considered the public’s and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project’s purpose and need for the EIS.

Separate from the USACE process, as discussed in the PDARP/PEIS, the SRP/EA #3, and the Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by levees, subsidence and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. Evaluating restoration strategies that could restore for injuries in the Barataria Basin, the SRP/EA #3 found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the EIS and Restoration Plan. The LA TIG’s Restoration Plan concludes that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 61879**

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**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

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Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG’s Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62026**

**The proposed Project would destroy wetlands in certain areas in the beginning phases and over time proposes to create wetlands in the outfall area. The Applicant has not publicly addressed the issue of the Public Trust Doctrine and future land and mineral rights. The commenter inquires as to who would own land and mineral rights in the outfall area where land may be built and if the public would be allowed to fish, hunt, and navigate through the outfall areas which are important socioeconomic questions for local stakeholders.**

**Response ID: 16222**

According to CPRA, due to concerns about safety of the public and security for the proposed Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA is, however, planning to provide signage and other public space near the proposed Project to educate the public regarding the purpose and functioning on the Project. CPRA also states that ownership of any lands created by operation of the proposed Project would be determined in accord with current state law, including mineral rights, pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E) and that pursuant to La. R.S. 49:214.5.5(B), the proposed Project would not create any rights to the public in or on private property.

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**Concern ID: 62103**

**The Draft EIS does not fully address the anticipated destruction of multiple components of the commercial oyster fishery, including oyster habitat, off-bottom oyster farms, and the oyster hatchery at Grand Isle resulting from impacts to water quality and changes in salinity.**

**Response ID: 16258**

Impacts of the proposed Project on eastern oysters are discussed in the Aquatic Resources section of the EIS in Chapter 4, Section 4.10.4.5, Key Species. The section identifies that most adverse impacts on oysters are anticipated at mid-basin locations, while some beneficial impacts may occur in the lower basin, including the Grand Isle area. The off-bottom and hatchery components of the oyster fishery would not be affected by the Project, or may benefit from it. Specifically, the only significant off-bottom oyster fisheries in Barataria Basin occurs in the lower basin. As indicated in Chapter 3, Section 3.14.6, Aquaculture, the Mike

Voisin Oyster Hatchery in Grand Isle is the only commercially available source of oyster larvae and seed. These areas could benefit from the Project. Final EIS Chapter 4, Section 4.14 Commercial Fishing has been revised to discuss these effects.

CPRA's Mitigation and Stewardship Plan includes measures to increase funding for the development of broodstock reefs, enhancing public and private oyster areas, creating a new public oyster seed ground and to further develop alternative oyster culture methods, including off-bottom oyster culture. See the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62300**

**The diversion would cause harmful algal blooms which have unforeseen risks to human health, including Amnesic Shellfish Poisoning (ASP), Neurotoxic Shellfish Poisoning (NSP), Paralytic Shellfish Poisoning (PSP), Diarrhetic Shellfish Poisoning (DSP) and Ciguatera Fish Poisoning (CFP).**

**Response ID: 15813**

The impacts raised by the commenters have been considered in the Draft EIS. As discussed in the EIS, Chapter 4, Sections 4.5.5.3 and 4.5.5.4 in Surface Water and Sediment Quality, increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations. Vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in

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lower concentrations of nutrients occurring in the Barataria Basin than in the river and reaching the Gulf through Barataria Bay.

Section 4.10.4.4 in Aquatic Resources notes that an increased potential and frequency of phytoplankton blooms would be likely within the Project area, but whether or not these blooms would become harmful algal blooms cannot be definitely determined. A reference to Section 4.10 is included in Section 4.5.5.3 in Surface Water and Sediment Quality of the Draft EIS. A reference to Section 4.10 Aquatic Resources has been added to Section 4.5.5.4 (Phosphorus) of the Final EIS. Clarifying language has been added to Sections 4.5.5.3, 4.5.5.4, and 4.25.5.4 in Cumulative Impacts.

Section 4.14 Commercial Fisheries has been updated in the Final EIS to discuss the National Shellfish Sanitation Program and the Louisiana Department of Health's oversight of shellfish harvesting in order to prevent harvest of oysters that may contain unsuitable levels of fecal coliform or toxins harmful to human health. Additionally, Appendix R2 in the Final EIS includes a Monitoring and Adaptive Management (MAM) Plan that describes monthly fecal coliform monitoring (Section 3.7.5.1) and periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23).

Additionally, as described in Appendix R2 CPRA's MAM Plan of the EIS, Section 3.7.3.11, CPRA is proposing to monitor for Harmful Cyanobacterial/Algal Bloom Toxins in Barataria Surface Waters. Samples will be collected monthly and additional discrete sampling will be done as needed in response to observations of presence of cyanobacterial and/or eukaryotic algal species associated with harmful algal bloom. Filter feeding fish may also be analyzed for toxins in fish tissue.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA



TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62402**

**The U.S. Army Corp of Engineers (USACE) is thrust into this river diversion debate and looked upon like an arbiter or referee. And that would be fine except for the fact that the USACE is just not an innocent bystander in its long history of navigational and flood protection projects that have greatly affected Louisiana's coast.**

**Response ID: 15926**

USACE is neither a proponent for nor an opponent to the proposed Project. As part of its Section 10/404 permitting decision-making process, USACE conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

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**Concern ID: 62403**

**MBSD and Mid-Breton Sediment Diversion are advocated by several powerful NGOs called Changing Course which advocates building new river deltas in Barataria Bay and Breton Sound, giving up on sustaining communities in lower Plaquemines Parish, and allowing the birdfoot delta to collapse.**

**Response ID: 15927**

The "Changing Course" proposal is not being evaluated as part of this EIS.

All public comments received on the EIS and Restoration Plan, including those in support of and critical of the Project, were reviewed and considered in developing the Final EIS and Final Restoration Plan.

With respect to the impact of the proposed Project on lower Plaquemines Parish and the birdfoot delta, the diversion would be expected to accelerate land loss as compared to the No Action Alternative. See Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology for further discussion. The impacts of the proposed Mid-Breton Sediment Diversion were considered in the Draft EIS as part of the cumulative impacts analysis, which analyzes the incremental impacts of the proposed Project when added to other past, present, and reasonably foreseeable future actions (see Chapter 4, Section 4.25 Cumulative Impacts). Additionally, there will be an opportunity for the public to provide comments on the proposed Mid-Breton Sediment Diversion when USACE releases the Draft EIS for that proposed project.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by "the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative". Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the "assessment of natural resource damages." See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter "NRDA regulations" at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG's Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is

anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 62635**

**The proposed Project would cause harm to some species and fisheries, and would increase flooding in some communities, and the EIS does not show that the proposed Project's benefits outweigh these harms. Other less harmful alternatives to the proposed Project should be considered to minimize impacts.**

**Response ID: 16651**

The range of alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. USACE generally focused on the Applicant's purpose and need and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project purpose and need.

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As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. Based on a review of the various alternatives against these criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such a cost-benefit analysis is relevant to the agency's permit decision. USACE generally assumes that a permit applicant has made its own economic evaluation regarding the costs of a proposed project and therefore a cost-benefit analysis is not relevant to its decision. However, as part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG is the group responsible for restoring natural resources and services within Louisiana that were injured by the DWH oil spill. In the LA TIG's Restoration Plan, the LA TIG also evaluates a range of alternatives and identifies its Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs) as providing the right balance in terms of likely benefits the Project would achieve and risks related to collateral injury for its NRDA decision. Title 15 CFR §990.54 of the NRDA regulations outlines the criteria that are used to evaluate a reasonable range of alternatives and select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluates a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Avoids Collateral Injury – Alternative 1), and 3.2.2.5 (Avoids Collateral Injury – Alternatives 2-6) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is

especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems, and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as its Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

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**Concern ID: 62978**

**Collaboration is needed to minimize impacts on oyster industry, including developing innovative uses for bottom oysters and supporting collaboration between CPRA and LDWF.**

**Response ID: 16539**

CPRA and other state agencies, such as LDWF, recognize the importance of collaboration to support the fishing industry in adapting the ongoing changes in the environment. As explained in Section 4.14.4.1 Commercial Fisheries of the Draft EIS, without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause

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significant adverse impacts to oyster fisheries in the early years of the Project's operational life. bCPRA and LDWF worked together with numerous oyster fishers as part of Louisiana Sea Grant's Seafood Futures Initiative to develop mitigation and stewardship measures aimed at maintaining a sustainable oyster fishery. CPRA anticipates working with other agencies, such as Louisiana Economic Development, on the workforce development, education and training programs included in the Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS). In addition, CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Refer to the Mitigation and Stewardship Plan for mitigation measures to be implemented as a result of these engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63770**

**A large-scale river diversion is not needed to restore damages from the Deepwater Horizon oil spill and is unrelated to the spill.**

**Response ID: 16630**

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Chapter 2, Section 2.2.1 Define Project Objectives of the EIS describes the goals and objectives of the Project, which are based on the Project's purpose and need. As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose and need for this Project was developed taking into consideration the Applicant's stated purpose and need, the public's and other perspectives, input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC). Chapter 3 (Affected Environment) of the EIS describes existing conditions within the Project area and Section 3.1 (Introduction) provides an overview and history of the Project area, including the DWH oil spill. These existing conditions are factored into the impact analysis in Chapter 4 (Environmental Consequences) of the EIS.

The appropriate means to restore the injuries caused by the DWH oil spill was considered by the LA TIG. As discussed in the PDARP/PEIS, the SRP/EA #3, and the LA TIG's Restoration Plan, the LA TIG agencies found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the coastal wetland losses (caused by multiple factors including river levees that prevent deposition of sediments through regular flood events, subsidence and a changing climate). In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. In identifying the nexus to injury, the Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the services they provide within the Barataria Basin, and the need for restoration to restore for the injuries incurred.

Evaluating restoration strategies that could restore injuries in the Barataria Basin, the SRP/EA #3 found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018, page 3-32) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed MBSD Project evaluated in this Restoration Plan, and finds that it would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 64382**

**A cost-benefit analysis should be taken into consideration for the proposed Project.**

**Response ID: 15841**

NEPA does not require that an EIS contain a cost-benefit analysis unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of the proposed project and therefore, does not require a financial cost-benefit accounting for its decision. However, as part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a proposed project against its prospective benefits.

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Consistent with OPA regulations, the LA TIG has evaluated in the Restoration Plan a range of alternatives based on multiple criteria including the cost to carry out each alternative, the likelihood of success, the extent to which future injury will be prevented and avoid collateral injury, the extent of benefits to more than one natural resource, and the effect on public safety. This analysis can be found in Section 3 of the LA TIG's Restoration Plan.

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**Correspondence ID:40477**

N/A N/A

As a group of native Louisianans, current or former residents, frequent visitors of relatives or friends in the region, or simply just tourists who have enjoyed Louisiana's unique culture, we are writing to express our strong support for the Mid-Barataria Sediment Diversion. The Mid-Barataria Sediment Diversion is a crucial first step to ensuring the long-term health of Louisiana's coastal communities, ecosystems and wildlife in the face of a rising sea levels, increasing storm intensity, and continued land loss.

The Mississippi River has been altered and confined by levees for over 100 years leading to the extensive land loss crisis that has seen over 2,000 square miles already disappear into the Gulf of Mexico. But the "Muddy Mississippi" is also the very tool that can start to rebuild wetlands and habitat, provide a line of defense to storms and sea level rise, and provide sustainability for communities including our beloved bayou communities and New Orleans.

We also understand that changing the ecosystem to a more natural state will mean unfortunate impacts to some resources that have benefited from the artificially created estuary over the past decades, such as oysters, brown shrimp and dolphins. We appreciate your efforts to address those impacts with stewardship measures and funding and encourage you to continue to take a holistic approach to address citizen concerns. No matter where we are in the country, we can enjoy the bounty of Louisiana's seafood and who doesn't have an affinity for dolphins. But we also understand that by not reconnecting the Mississippi River, these precious resources may suffer even greater impacts in the future, along with the ecology, economy, communities and culture. Restoring a more natural state to the Louisiana delta will not be easy but is fundamentally essential if future generations want to enjoy the bounty and culture of the region.

We support the selection of the 75,000 cfs sediment diversion, but also encourage the continued exploration of increased capacity and the acceleration of other sediment diversions that are identified in Louisiana's Coastal Master Plan to maximize use of the natural resources of the river. We have no time to lose to reconnect the sediment, nutrients and freshwater of the Mississippi River to its wetlands and start to rebuild our coast. The future of New Orleans, the bayou communities, the fisheries and wildlife and Louisiana's amazing culture desperately depend on it.

We thank you for your tireless efforts for our generation and for the generations to come,

Natalie Snider

Annapolis, MD

Native, LA Homeowner

Angela "Jenee" Slocum

Baton Rouge, LA

Native, Resident, Homeowner

Polly Glover

Prairieville, LA

Native

Jerry Snider  
Hewitt, TX  
Raised in Baton Rouge  
Linnzie and Kyle Kelin  
Katy, TX  
Native, Family in Louisiana  
Inga Bebris  
Rockville, MD  
Tourist  
Katherine Snider  
Russellville, AR  
Raised kids for 25 yrs in LA  
Charleen Henderson Precht  
Iota, LA  
Native  
Sarah Dawson  
Sweetwater, TN  
Family and friends in LA  
Heather and Andy Kilroy  
Alameda, CA  
Former resident and tourist  
Shaaron and Dave Stitcher  
New Orleans, LA  
Current residents  
Rebekah Leger  
Milwaukee, WI  
Native  
Donna and Bruce Comeaux  
Lafayette, LA  
Natives, Property owner Lafayette and Plaquemines Parish  
Anne Edwards  
Zachary, LA  
Native and life-long resident  
Marianne Hebert  
Baton Rouge, LA  
Long-time Resident

Penny Glover  
Bethesda, MD  
Tourist  
Jess Haley  
New Orleans, LA  
Current Resident  
Sara K. Smith  
Baton Rouge, LA  
Native, Resident  
Andy Tanner  
Annapolis, MD  
LSU Class of 1967  
Jennifer Michel Kosinski  
Baton Rouge, LA  
Resident  
Guillermo Gonzalez  
Bethesda, MD  
Tourist  
Cynthia Grimes  
Bethesda, MD  
Tulane Graduate  
Marianela Snider  
Athens, GA  
Tourist

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

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**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40478**

Loyola University

David White

This will be a short but concise response. First, I need to state that I have been researching continuously in the wetlands of S.E. Louisiana since literally 1975 when I began my Masters in Biology work at Tulane University; then my Ph.D. from Tulane in 1979, and finally retiring from teaching and research at Loyola University in 2017. Too many publications, and papers at meetings to outline here! Most of my research has been within 3 wetland areas: lower Pearl River basin, Delacroix and Bayou Terre aux Boeuf, and the Mississippi River Birdfoot Delta proper. I know those wetland areas very well. I've a ton of baseline knowledge of the changes that have occurred within each one. It's not a pretty story. Another point regarding my credentials: I began teaching formally Climate Change Science in 1982 - each and every year since then. I was one of the founding members of the Program in the Environment at Loyola University and chair of the program for a time.

So, the bottom line is this related to the Mid-Barataria Sediment Diversion Project - I fully support it and know well that it's back up by TONS of hard science AND urgency. The State would have to have it's head examined to not support it. The State and it's citizenry need as much wetland as possible. Marsh creation naturally in any way the RIVER is allowed to do should be of highest priority. The situation is only going to get worse and I am 1000% confident more livelihoods will be destroyed if we don't recognize what folks must give up for the better good.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40479**

Pontchartrain Conservancy

Kristi Trail

I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion Project.

I am a life long resident of Louisiana.

Our coast is a vital productive ecosystem necessary for breeding and survival of fish, shellfish, and wildlife. It is estimated that over 75 percent of the state commercial and recreational fishing depends on the state' wetlands. As result, when wetlands are lost, so are the habitats that sustain our commercial and recreational fishing industry, and Louisiana will no longer be known as a fisherman's paradise.

The Mid-Barataria Sediment Diversion will rebuild our wetlands, protect our coast and help reduce the Gulf of Mexico Dead Zone through the use of nutrients as a positive rebuilding tool.

For the above reasons I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion Project.

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**Concern ID: 63394**

**The Mid-Barataria Sediment Diversion would rebuild wetlands, protect the coast, and help reduce the Gulf of Mexico Dead Zone through diversion of nutrients into the Barataria Basin to increase area productivity.**

**Response ID: 16356**

The commenter correctly notes that the proposed Project would build and maintain wetlands within the Barataria Basin that would provide some storm surge reduction to some portions of the basin, as discussed in Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S. and 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As discussed in Section 4.10.4.4 in Aquatic Resources, nutrient load would increase in the Barataria Basin from the input of water from the Mississippi River; however, the birdfoot delta is projected to have negligible changes in nutrient loads. Section 4.25.5.4.4 and 4.25.5.4.5 in Cumulative Impacts, Surface Water and Sediment Quality of the Final EIS has been revised to discuss the Gulf Hypoxia Action Plan, which highlights the important role that river diversions could play in reducing nutrient loads; however, the Gulf hypoxic zone is not expected to be impacted by operation of the proposed Project.

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**Correspondence ID:40480**

John Lea

Dear Sir/Madam,

This is my comment on the USACE Mid-Barataria Sediment Diversion (MBSD) Environmental Impact Statement.

Please require the Coastal Protection and Restoration Authority (CPRA) and the Louisiana Trustee Implementation Group (LaTIG) to resubmit their permit application with a plan to address the specific damages caused by the Deep Water Horizon oil spill (DWH) and with alternative means of achieving the "purpose of restoration" (Purpose) for use of the DWH funds.

Quoting from Draft Phase II Restoration Plan #3.: Mid-Barataria Sediment Diversion, March 2021, Page 1-7: "The purpose of restoration, as discussed in this Draft RP and detailed more fully in the Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement (Final PDARP/PEIS; DWH NRDA Trustees, 2016a), is to make the environment and the public whole for injuries resulting from the Incident by implementing restoration actions that return injured natural resources and services to the condition they would have been in but for the spill, and compensate for interim losses."

1. The MBSD project misuses Deep Water Horizon oil spill (DWH) funds because it does not restore for the specific injuries caused by the DWH.

a. The Trustees were overly ambitious in choosing the Comprehensive Integrated Ecosystem Restoration Alternative (Alternative A) as their response the DWH. Alternative A seeks to restore for ecosystem-level damages due to subsidence, saltwater intrusion, levees, canals, and the DWH. In the context of coastal land loss, the DWH seems to be a minor factor of coastal land loss. Proper use of the funds due to the DWH should be focused on restoring for injuries due to the DWH. The Trustees should have chosen an alternative that focuses on the impacts of the DWH.

b. The MBSD project reflects the LaTIG decision to implement an ecosystem-level restoration while, as noted in the quotation above, the "purpose of restoration" (Purpose) is to implement a project that would "return injured natural resources and services to the condition they would have been in but for the spill." The Purpose directs the project to remedy the specific injuries caused by the spill. Yet, the USACE EIS indicates the MBSD will harm brown shrimp, oysters, and bottlenose porpoises. This is in violation of the Purpose for use of the DWH funds.

See also the following quotation from Page 4-382 . Final Programmatic Damage Assessment and Restoration Plan (PDARP) and Final Programmatic Environmental Impact Statement (PEIS). Feb/2016. ). "When average daily salinity conditions dropped below 5 parts per thousand for more than 30 consecutive days between April and September, substantial numbers of oysters were killed, as shown by over a decade of data collected in these zones by the state of Louisiana (see Nestier tray dose response curve in Figure 4.6-46) (Powers et al. 2015a; Rouhani & Oehrig 2015a, 2015b). Observations from NRDA sampling have confirmed this. Oyster abundance in 2010 was very low in many areas within the areas

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affected by these river water releases and dropped to zero over most of these areas in 2011 (Powers et al. 2015a)."

c. The Final PDARP/PEIS indicated the DWH negatively impacted more than a thousand miles of *Spartina alterniflora* marsh edge. Freshwater is detrimental to *Spartina alterniflora*. *Spartina* dominates marsh in water with a salinity range of 3 to 5 parts per thousand. The MBSD uses freshwater partially to build freshwater marshes. Thus, the MBSD is using DWH funds for purposes that are beyond the mandate of the Purpose.

2. The permit application does not give adequate consideration to alternative methods of achieving the Purpose.

a. The permit application gives consideration only to different sizes of diversions. This forces a decision to implement a diversion of some size. It ignores other alternatives for achieving the Purpose that are less expensive, provide immediate storm protection, and promote wildlife-based industries such as the sports-fishing, shrimp, crab, and oyster industries.

For example, it gives no consideration to the use of inshore islands. The Court said the DWH funds could be used to build either diversions or offshore islands. The State of Louisiana, the CPRA and the LaTIG should have gone back to court to define "offshore islands" to include inshore islands. Inshore islands are the second line of storm defense behind offshore islands. Islands are dryland and well-appreciated for their capacities to dampen storm surge. For example, the loss of inshore islands behind Grand Isle has weakened the natural storm defense in the Barataria Basin. CPRA has experience in rebuilding islands. One notable rebuild was Queen Bess Island, a pelican rookery. Islands begin providing extra storm surge protection "immediately." There is no fifty year lag as is the case with the CPRA approach of building wetland.

b. CPRA says the MBSD will build twenty square miles of land at the mouth of the MBSD. Why not use a fraction the \$2 billion planned for the MBSD to build an inshore island in the same area? A twenty-five square mile island, five miles wide and five miles long would have a 20-mile perimeter. At \$25 million per mile the perimeter around the island would cost \$500 million. That's about ¼ the cost of the MBSD. And the island would begin providing enhanced storm protection "immediately (after the 5-10 years required to build it). The interior of the island would quickly become freshwater marsh, then a freshwater swamp. If the interior of the island were given to an economic development organization, it would be converted to its highest-value use. Perhaps, space for migrating ducks or a cypress swamp, or an industrial or urban zone.

3. The adaptive management plan is not feasible. See Table 4.5-2 of the USACE DEIS Environmental Impacts Chapter 4, page 4-139. The Table shows that expected salinities would not support oyster culture in the Barataria Basin, except at Barataria Pass at Grand Isle. The proposed "adaptive management" would require actions to maintain the existing salinity pattern in the project area, that is, undoing the impact of the freshwater diversion.

4. The large-scale diversions promote inequity and the violation of the social contract to protect citizens from storm and flood damage. The MBSD is an inequitable use of public funds in that its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American. The MBSD will harm these people first.



- a. Levee breaks and flooding up-river are quickly repaired and the impacted communities are helped to rebuild their homes and businesses. Down-river, society breaks the levees or does not restore breaks in existing levees. The affected communities are considered "part of the egg shell" (When you make an omelet, you have to break some eggs.)
- b. The CPRA/LaTIG focus on wetland construction with river water is ecologically pleasing. But it is inappropriate for our civilization as it is established today. It is also inequitable. It breaks the social contract that guaranteed the people of southern Louisiana would be protected from floods. When the natural Mississippi River levee broke and created Mardi Gras Pass, the (mostly African American) oyster farmers/fishers in Breton Sound assumed the break would be quickly repaired and they would be helped to recover from the damage caused to their farms and fishery. If such a crevasse has occurred up-river and flooded sugar cane farms in Louisiana or dairy farms in the Ohio river basin, the repair would have been immediate and farmers would have been helped recover from their losses. But Mardi Gras Pass has been allowed to exist and to widen. And, perhaps, only coincidentally, the oyster industry at Point a la Hache has disappeared. Prior to Mardi Gras Pass, lower Breton Sound near Pointe a la Hache regularly produced half of the oyster landings in the state of Louisiana. Is society's response to Mardi Gras Pass equitable?

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**Concern ID: 61858**

**CPRA should resubmit their permit application with a plan to address the specific damages caused by the DWH oil spill and with alternative means of achieving the "purpose of restoration" (Purpose) for use of the DWH funds.**

**Response ID: 15884**

CPRA submitted a Section 10/404 permit application and Section 408 permission request to the USACE to construct, operate, and maintain the proposed MBSD Project. Chapter 2 Alternatives, Section 2.2 Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS provides a detailed explanation for the identification and evaluation of a range of reasonable alternatives based on the purpose and need for the proposed MBSD Project.

Chapter 2 of the LA TIG's Final Restoration Plan describes how the LA TIG screened and selected the alternatives considered in the Restoration Plan. Briefly, as discussed in the PDARP/PEIS, the SRP/EA #3, and the Final Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by levees, subsidence and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling due to the DWH oil spill and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the ecological services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. Evaluating restoration strategies that could restore for injuries in the Barataria Basin, the SRP/EA #3 found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured wetlands, coastal, and nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a

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large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion that is evaluated in the EIS and the LA TIG's Final Restoration Plan. The LA TIG's Final Restoration Plan explains that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, freshwater, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. Other restoration projects, including marsh and ridge restoration activities, that would help restore for the injuries caused by the DWH oil spill are being considered and implemented by the LA TIG under their restoration planning efforts.

Deepwater Horizon, Natural Resource Damage Assessment (DWH) Trustees. 2016. Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan (PDARP) and Final Programmatic Environmental Impact Statement (PEIS). Available online at: <http://www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan>. Accessed May 2017.

Louisiana Trustee Implementation Group (LA TIG). 2018. Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana. Available online at: [http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018\\_03\\_LA\\_TIG\\_Final\\_SRP\\_EA\\_508-Compliant.pdf](http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_03_LA_TIG_Final_SRP_EA_508-Compliant.pdf). Accessed: March 15, 2018.

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**Concern ID: 61930**

**The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers. Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the "greater good", particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans. Both the Draft EIS and the LA TIG's Draft Restoration Plan would benefit from additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.**

**Response ID: 16281**

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with

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low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61980**

**The permit application does not give adequate consideration to alternative methods of achieving the purpose. The permit application gives consideration only to different sizes of diversions. This forces a decision to implement a diversion of some size. It ignores other alternatives for achieving the purpose that are less expensive, provide**

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**immediate storm protection, and promote wildlife-based industries such as the sports-fishing, shrimp, crab, and oyster industries. For example, it gives no consideration to the use of inshore islands.**

**Response ID: 15979**

CPRA's permit application requests USACE authorization of the Applicant's Preferred Alternative (75,000 cfs sediment diversion with 5,000 cfs base flow). The EIS evaluates the Applicant's Preferred Alternative and a range of reasonable alternatives, including No Action, based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS consistent with CEQ NEPA regulations. As described in Chapter 2 Alternatives of the EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan.

Details of the screening process including screening criteria are described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS. Similar to marsh creation alternatives, inshore islands typically involve dredging and movement of sediment to increase the elevation of uplands to create, or improve the abundance and quality of, nesting habitat for birds. Inshore islands would not meet the goals and objectives as stated in the purpose and need in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS.

Prior to USACE's preparation of the EIS and the LA TIG's preparation of the Restoration Plan, the LA TIG evaluated restoration strategies that could restore injuries in the Barataria Basin in SRP/EA #3. In that document, the LA TIG found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the Restoration Plan. However, it is worth noting that the LA TIG has also funded, and will continue to fund, other types of restoration projects that provide ecosystem services lower in the basin (for example, the Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Chapter 2, Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of the process the LA TIG used to identify alternatives for its SRP/EA#3.

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See Chapter 4, Section 4.25 Cumulative Impacts of the EIS for a discussion of marsh creation projects in the Barataria Basin that are anticipated to provide complementary ecosystem services with the proposed Project.

Louisiana Trustee Implementation Group (LA TIG). 2018. Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana. Available online at:

[http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018\\_03\\_LA\\_TIG\\_Final\\_SRP\\_EA\\_508-Compliant.pdf](http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_03_LA_TIG_Final_SRP_EA_508-Compliant.pdf). Accessed: March 15, 2018.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG’s Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG’s Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the “assessment of natural resource damages.” See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter “NRDA regulations” at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG’s Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net

benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016).

Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

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The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures



are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62846**

**Adaptively managing the Project to support oyster culture would be infeasible, as doing so would require maintaining current salinity patterns.**

**Response ID: 16666**

CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS) outlines a monitoring process for salinities in the basin after Project operations commence. As explained in the MAM Plan, information from salinity monitoring would be used to inform potential relocation of seed grounds to more environmentally suitable areas within the basin or the establishment of broodstock reefs to address larval supply.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40481**

LA Shrimp Task Force

George Barisich

Historically, the Louisiana Shrimp Task Force was created to enable all the factions that make up Louisiana's shrimp industry to advise the governor's office, legislators, and the state's regulators on what actions are needed to preserve Louisiana's shrimp industry.

In keeping with its mission, the Louisiana Shrimp Task Force unanimously voted to send a letter to Governor Edwards opposing the creation and implementation of the Mid-Barataria large scale sediment diversion. The shrimp industry recognizes the overwhelming need for coastal restoration, but objects to the method the state plans on attempting to restore one of Louisiana's most productive brackish water estuaries. Consequently, any coastal restoration project that will eventually eliminate the cultural businesses in the outfall area of the diversion is not acceptable. Economically, the state cannot afford to lose the jobs and the income generated from both the commercial and recreational fisheries that will be severely negatively impacted.

We believe that although the most recent EIS on the Mid Barataria Sediment Diversion did recognize the negative impact on the brown shrimp crop as well as the destruction of healthy oyster reefs; which supports a healthy environment for all fisheries, the EIS severely underestimates both the short term and long term damages to our fisheries. While it is true that white shrimp can tolerate lower salinities and white shrimp production may increase, the reduction of the annual brown shrimp far exceeds any increase in the white shrimp production. Case in point, production records from the Breton Sound area impacted by both the Caernarvon Freshwater Diversion and Mardi Gras Pass indicate a sharp and steady decline in brown shrimp that far exceeds any rise in white shrimp production.

To further exacerbate the problem, long term exposure to excessive fresh water will eventually be detrimental to all shrimp species. Vermillion Bay after years of overexposure to freshwater, has no brown shrimp production and minimal white shrimp production.

The task force strongly recommends that more consideration be given to real life effects of excessive freshwater. Case in point: The unprecedented 2019 double opening of the Bonne Carre Spillway caused over 285 million in damages in just \_\_\_ days.

In closing, the Louisiana Shrimp Task force as charged by LA RS. 56-494 strongly recommends other methods of coastal restoration that would be less detrimental to the shrimp industry; therefore, more beneficial to the state of Louisiana and its citizens.

Thank you for your consideration in this matter.

Kind Regards,

George Barisich, Chairman

Louisiana Shrimp Task Force

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**Concern ID: 62751**

**The EIS severely underestimates both the short- and long-term damages to the shrimp fisheries. While it is true that white shrimp production may increase, the reduction of the annual brown shrimp far exceeds any increase in the white shrimp production, as evidenced in production records from the Breton Sound area after inputs from the Caernarvon Freshwater Diversion and Mardi Gras Pass.**

**Response ID: 16129**

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, brown shrimp are anticipated to experience a major decrease in abundance from operation of the proposed Project, and white shrimp are anticipated to experience a negligible to minor increase in abundance; therefore, the commenter is correct that the increase in white shrimp abundance would not outweigh the decrease in brown shrimp. As further discussed in EIS Chapter 4, Section 4.14.4.2 in Commercial Fisheries, overall impacts on the commercial shrimp industry would be expected to be moderate to major, permanent, and adverse, with the potential for a substantial loss of income in some months due to the decreased abundance of brown shrimp. Further, a summary of select natural and man-made diversions in southeastern Louisiana, including the Caernarvon Freshwater Diversion and Mardi Gras Pass, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Concern ID: 62752**

**Long-term exposure to excessive fresh water would eventually be detrimental to all shrimp species. Vermilion Bay after years of overexposure to freshwater, has no brown shrimp production and minimal white shrimp production.**

**Response ID: 16130**

The impacts of the proposed Project's introduction of fresh water on brown and white shrimp were analyzed and are discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. The impacts on brown shrimp from Project operations are anticipated to be major and adverse, due in part to salinity changes. White shrimp are more tolerant of lower salinities and are anticipated to experience a negligible to minor increase in abundance; for white shrimp, the projected benefits of the proposed Project outweigh the negative effects, resulting in an overall negligible to minor benefit on white shrimp from the Project.

To further address the commenter's concern, a summary of select natural and man-made diversions in southeastern Louisiana, including the Wax Lake Outlet, which has impacted Vermilion Bay, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Concern ID: 62753**

**The task force strongly recommends that more consideration be given to real life effects of excessive fresh water on shrimp populations, including the 2019 opening of the Bonne Carré Spillway which caused over \$285 million in damages.**

**Response ID: 16131**

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, brown shrimp are anticipated to experience a major decrease in abundance from operation of the proposed Project, and white shrimp are anticipated to experience a negligible to minor increase in abundance; these assessments included review of available literature as well as model projections. The Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. However, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions,

would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40482**

Trac Myers

I am against the Diversion. This will ruin our commercial fishermen's livelihood.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40483**

ETG, Inc.

Omana Taylor

I am here to urge you to please adopt Alternative 5, with Alternative 1, as a second choice. As climate change bears down on us, this is an urgent need for humans as well as all life that depends on coastal stability. Alternative 5 appears to be the best plan.

Thank you

Omana Taylor

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**Concern ID: 63353**

**The commenter strongly supports the Applicant's Preferred Alternative, but would prefer something larger. The commenter further notes that south Louisiana cannot afford to wait longer or accept lesser solutions because the coastline is sinking and local fisheries and wildlife habitat is washing into the Gulf. Fortunately, the Mississippi River offers a chance at salvation if the river is used correctly.**

**Response ID: 16315**

The commenter's support for the proposed Project is noted. The relative impacts, both beneficial and adverse, for the various capacity alternatives is explained throughout Chapter 4 Environmental Consequences of the EIS. Although the 150,000 cfs Alternative would result in the greatest degree of benefits (including the most land building), it also would result in the greatest degree of adverse impacts, particularly to marine mammals (see Section 4.11.5 in Marine Mammals), shrimp and oysters (see Section 4.10.4.5 in Aquatic Resources), and public health and safety (through increased water levels and inundation in areas closer to the immediate outfall, see Section 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). The USACE has supplemented Section 4.10.4.5.3 in the Final EIS to further discuss the impacts of the 150,000 cfs Alternative to brown shrimp and oysters. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG's Restoration Plan evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. While 150,000 cfs diversion would be expected to deliver more ecological benefits in terms of land creation and marsh building than the LA TIG's Preferred Alternative, it would also incur more collateral injuries and pose a greater risk to human health and safety; thus, it was not selected as the LA TIG's Preferred Alternative. See Section 3.2.4 (Overall OPA Evaluation Conclusions) of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40485**

New York State Assembly

Deborah Glick

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

To Whom It May Concern:

I am writing to strongly support the preferred alternative as outlined in the draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion (MBSD).

Migratory birds are essential to the ecosystem of not just Louisiana, but the entire country. Over 40% of migratory birds spend some part of their life in the Barataria Basin, but its critical wetlands have been slowly disappearing over the last century. The combination of climate change and man-made disasters like oil spills have contributed to the loss of nearly 295,000 acres of land in the Basin, and the ambitious MBSD project is an important step in repairing this damage. The projected 17,500 acres of land that will be created over the next decades will benefit birds, wildlife, and fisheries, as well as the coastal populations of Louisiana threatened by land loss, sea-level rise, and destruction from hurricanes.

The MBSD project will be the largest individual land restoration project ever undertaken, and for that reason must be pursued with care and an eye toward innovation. I urge the federal and state-level decision-makers involved to commit to developing a robust adaptive management program that can account for and respond to the knowledge gained from monitoring the project as well as feedback from key stakeholders. Given the size of the project and expressed concerns about its impacts by some of the surrounding communities, I also urge that decision-makers engage in a proactive, collaborative, and transparent process with those communities to develop ideas and proposals for adaptations and mitigations as needs arise.

The impacts of climate destruction must be combatted, and I applaud the Coastal Protection and Restoration Authority of Louisiana's ingenuity and commitment to pursuing large-scale solutions for the large-scale problems we face. This project can serve as an example to not just Louisiana but to the country of what we can achieve when we combat habitat loss head-on, and I urge you to support it.

Sincerely,

Deborah J. Glick

Assemblymember

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the**

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**mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA

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had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement.

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The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62890**

**The wetlands and coastal habitats of Louisiana are essential to the bird populations (both resident and migratory) and must be protected and restored. The proposed Project is important to maintaining and rebuilding important bird habitat.**

**Response ID: 16190**

Chapter 3, Section 3.9.2.1 in Terrestrial Wildlife and Habitat of the Draft EIS identified the importance of area habitats and resources to migratory, and other, birds in the Barataria Basin. Further, Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh, as well as initial land accretion and creation of mudflats, that is projected to occur as part of the proposed Project, and identified that the net addition of these habitats would generally be beneficial to waterfowl and shorebirds.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54

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and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63339**

**The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.**

**Response ID: 16297**

The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40486**

Delta Science LLC

John Lopez

I am pleased to submit this comment in support of the Mid-Barataria Sediment Diversion.

I have reviewed much of the DEIS and find that the science and engineering is sound. The project represents decades of science, engineering and planning. The public has been aware of the need for restoration and that diversions are part of state planning for more that 30 years. No one should be surprised by that the DEIS demonstrates that the benefits outweigh any negative impacts. This conclusion has been reached many times in past studies by the Corps, state and academia.

Permitting and construction should proceed as quickly as possible.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40488**

Noah Murina

The diversion will cause mass death in the Barataria Bay bottle nose dolphin in Louisiana. Dolphins are a protected species under the Marine Mammal Protection Act. Since humans are the apex predators of the earth it should be our duty to protect animals rather than kill mass amounts of them off. The politicians want to make this diversion happen so they passed a waiver through congress, that will allow them to make this project move forward. This is shameful that politician put money and greed above the welfare of citizens and animals. I feel that my rights as American citizen have been violated as a result.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.



The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63080**

**The Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems by obtaining a Congressionally-mandated MMPA waiver for the proposed Project. The waiver does not establish a quota for how many dolphins can be taken by the proposed Project, and it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, provided Congressional permission to break the law. It is critical for the protection of marine mammals that such a legislative waiver be a one-off occurrence.**

**Response ID: 16599**

The U.S. Army Corps had no role in seeking a Marine Mammal Protection Act waiver for this Project from Congress, nor did any federal agencies on the LA TIG. CPRA sought the waiver. Title II, section 20201 of the Bipartisan Budget Act of 2018 provides: "(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S. C. 1361 et seq., as amended) regarding maintaining the health and stability of the marine ecosystem, within 120 days of the enactment of this section, the Secretary of Commerce shall issue a waiver pursuant to section 101(a)(3)(A) and this section to Section 101(a) and Section 102( a) of the Act, for such projects that will remain in effect for the duration of the construction, operations and maintenance of the projects. No rulemaking, permit, determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance

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of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.”

The National Marine Fisheries Service issued the waiver in March 2018. Since that waiver in 2018, CPRA has not requested any additional waivers for coastal restoration projects. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Correspondence ID:40489**

Louisiana Wildlife Federation

John Miller

I support the Mid-Barataria Diversion project. We are long overdue as a society to try to undo some of the damage done from decades of the levee philosophy. Without help the marshes, a crucial part of our state heritage, will die.

JPM

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40490**

Tammy Greer

I am a member of the United Houma Nation and I have seen the degradation of our coast and how the natural environment has changed over many years. My great grandmother told me about how she and her family lived on Isle de Jean Charles in the woods on that island when she was a child after her parents unknowingly signed away their family land with their X to the oil companies. She was never really at peace with the theft of their home and land and way of life.

The lack of acknowledgement of these thefts and the continued bias in favor of big oil and big construction come from a paradigm of domination that was used then and is now to serve the needs of only the humans on this planet and very few of them even. The environment of fish and shrimp and plants and others is absolutely not considered in this paradigm. The Mid-Barataria Sediment Diversion (MBSD) project fits with this paradigm of domination, domination over nature, domination over our beloved Mississippi. Blowing holes in the ground has gotten us into this situation, canals are part of why we are here in this era of coastal erosion.

We need to slow down, fix what we have messed up, stop the borrow pits on land that is sinking and flooding, worry about the survival and thriving of other entities in this ecosystem and not just our own survival and thriving, and not just the survival and thriving of the rich among us.

Our tribal folks, many of them, still live on this land. They fish and hunt and farm and trap for their livelihood. Some of these UHN folks understand the bayous, canals, gulf, river and forests better than many of your engineers. They work with these environments and without the use of big machines and digging holes.

We need your best and brightest and most compassionate people on this task of serving all of the citizens of this area. Find a way to make right what was done wrong to the Indigenous peoples, plants and animals of this place. You will need to have meetings that include these people, their voices, their understanding of the natural world and their compassion for the other entities of the coast.

There is bias when the same industries who stand to benefit from the program also research the impact of the program. It's a conflict of interest. And when your CPRA meetings are composed of the folks who will benefit and who, also, are exercising their voices at these meetings, and who, also, are directing or doing the research for these programs, well, that's just bad business and horrible science.

I know it's hard to change paradigms. I would like to offer this one though. Maybe we can look more to becoming co-creators with all of the citizens of this area, even the creepy crawlys. Maybe we can think in terms of what the Mississippi River seems to need, she seems to need to move for her own survival, and then think on what we can do to help her with that and also survive and thrive as human beings along this river. Maybe we can do the same with coastal restoration. We can observe and try to understand these natural processes instead of trying to control them. The coast needs her vegetation back. We can help her with that, and in doing so help ourselves, our children, the plants and animals and all of the citizens of this place for many years to come.

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**Concern ID: 62505**

**A commenter expressed the view that there is bias when the same industries who stand to benefit from the program also research the impact of the program; it is a conflict of interest.**

**Response ID: 15985**

USACE is neither a proponent nor an opponent of the proposed Project. With respect to the EIS, USACE's third-party contractor, GEC, prepared the EIS based on its own research, expertise and review of scientific literature and based on technical reports and information submitted by the permit applicant, CPRA, LA TIG, and/or cooperating agencies. USACE and GEC reviewed such technical reports and information for technical accuracy and sufficiency and for objectivity. NMFS contributed to the portion of the EIS discussing marine mammals in the Project area in Chapter 3 of the EIS, and prepared the portion of the EIS discussing impacts on Marine Mammals in Chapter 4. The Delft3D modeling was performed by the Water Institute of the Gulf (Water Institute) for CPRA and the Water Institute provided information regarding the modeling used in the EIS. USACE and members of the LA TIG reviewed the model parameters and assumptions and determined that they were sufficient for the EIS. GEC executed an Organizational Conflict of Interest Certification attesting that it does not have any financial or other interest in the outcome of the USACE permit application and permission request process. Table 6-1 in Chapter 6 contains a List of Preparers identifying the primary authors of the EIS, their employers and their credentials. As USACE prepared the Draft EIS, draft chapters and sections and the Draft EIS were circulated to the members of the LA TIG and cooperating agencies for multiple rounds of review and comment. Commenters are not identified in the List of Preparers. See EIS Chapter 5, Section 5.2 for further explanation of the EIS preparation process.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting

public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Concern ID: 62883**

**Frontline, and especially Indigenous, communities must have a greater say in restoration processes at all phases, from the very beginning of looking for potential restoration projects, all the way through implementation and monitoring. Traditional ecological knowledge (TEK) must be taken into account and considered with equal, if not greater, gravity as academic studies. CPRA should have meetings that include these Indigenous people, their voices, their understanding of the natural world and their compassion for the other entities of the coast.**

**Response ID: 16404**

USACE and the LA TIG, including CPRA, acknowledge the comments and seek engagement and participation from all communities, the public, agency, and stakeholder groups wishing to be involved in the EIS and Restoration Plan processes. USACE and LA TIG coordinated with the SELA Voice organizations to understand the needs of the local communities, including Indigenous communities, regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan. Recommendations for where to make the Draft EIS and the LA TIG's Draft Restoration Plan available so it would be accessible to disadvantaged individuals and groups, as well as recommendations regarding translation of materials related to the Draft EIS and Restoration Plan, were implemented.

Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. In addition, CPRA has engaged the public through numerous meetings with the communities projected to be impacted by the proposed MBSD Project, including several Indigenous communities, to solicit input on mitigation and stewardship strategies. This includes reaching out to local non-profits to assist with and facilitate meetings with the impacted communities, including low-income, minority, and Indigenous communities. This input has resulted in substantial revisions to CPRA's Mitigation and Stewardship Plan since the release of the Draft EIS (see Appendix R1 to the Final EIS). A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. CPRA acknowledges the suggestion to consider traditional ecological knowledge and would take these suggestions into consideration for future engagement efforts. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 to the Final EIS for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

Also, as explained in Chapter 4, Section 4.24 Cultural Resources of the Final EIS, cultural resources consultations have been conducted in accordance with Section 106 of the National Historic Preservation Act. The Section 106 Consulting Parties included USACE (the lead federal agency), the State Historic Preservation Office, the Advisory Council on Historic

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Preservation, CPRA (the Applicant), LA TIG, and federally recognized Tribal Nations who expressed historic ties to the Barataria Basin. The Programmatic Agreement developed for the proposed Project through the NHPA Section 106 consultation sets forth the alternative mitigation to be implemented by CPRA as part of implementing the Project. This alternative mitigation involves a comprehensive research project regarding the historical cultures of the Indigenous Tribes of Southeastern Louisiana focusing on the Barataria Basin and the larger southeastern Mississippi River delta region to prepare a comprehensive ethnohistoric overview documenting Native American presence and history. A website and public education materials are included as products to be developed through the alternative mitigation. See Section 4.9 of the Final Mitigation and Stewardship Plan for the proposed Project (in Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40491**

Commenter

I want to recommend moving forward with the Mid Barataria Sediment Diversion project. I believe that this will bring not only a long term solution to the loss of our costal land but also job opportunities. Due to the massive amount of damage the BP deep horizon oil spill has done on the gulf coast, the project should be funded by reserved settlement dollars set aside by BP. The added coastal land created by this project will also further prevent coastal flooding and hurricane damage. We need to take care of the future of Louisiana and this is a major part of the solution.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40493**

Louisiana Environmental Action Network and Lower Mississippi Riverkeeper

Michael Orr

June 3, 2021

U.S. Army Corps of Engineers  
New Orleans District  
7400 Leake Avenue  
New Orleans, LA 70118

Attn: CEMVN-ODR-E, MVN-2012-2806-EOO - Mid-Barataria Sediment Diversion Draft EIS

To the U.S. Army Corps of Engineers and Cooperating Agencies,

The Louisiana Environmental Action Network (LEAN) and Lower Mississippi Riverkeeper (LMRK) submit the following comments on the Draft Environmental Impact Statement (EIS) for the Mid-Barataria Sediment Diversion Project (MBSD).

In our August 16, 2020 comments for the scoping process for the EIS, we identified a number of issues that the EIS should address in its assessment of the MBSD Project. (Those comments are attached as an appendix.) In reviewing this Draft EIS, we have focused our comments on two of those issues, Water Quality and Environmental Justice, where outstanding questions remain.

Water Quality

LPDES Permits

The Draft EIS provides only a partial picture of water quality considerations for the Lower Mississippi River, in particular for the section south of Baton Rouge, which hosts one of the countrys largest industrial corridors. As part our mission, LEAN and LMRK track and review applications submitted to the Louisiana Department of Environmental Quality (LDEQ) for Louisiana Pollutant Discharge Elimination System (LPDES) permits for facilities located on and near the Mississippi River. The list below summarizes those facilities applying for new or renewed LPDES permits from Baton Rouge south along the river during the second half of 2020 and first half of 2021, along with their permit numbers. Those permits requiring reporting of Total Nitrogen (TN) and/or Total Phosphorus (TP) under the Louisiana Nutrient Reduction and Management Strategy (LNRMS) are noted. The LNRMS was updated in 2019.

LPDES-Mississippi River Permits - July-December 2020

YCI Methanol One, LLC - St. James, LA - AI194165

ExxonMobil Chemical Co. - BR, LA - AI1395

Plantation Pipe Line Co. - BR, LA - AI582

Nalco Co. - Garyville, LA - AI2290

Methanex USA Services, LLC - Geismar, La - AI181192

Phillips 66 Co. - Belle Chasse, LA - AI2418 - TN-TP reporting per LNRMS

Linde, Inc. - Convent, LA - AI214907

Raven Energy, LLC - Convent, LA - AI30490 - TN under LNRMS

Atlantic Self Unloading, LLC - multiple parishes (EBR, WBR, Ascension, St. James, St. John, St. Charles, Jefferson, Orleans, St. Bernard, Plaquemines) - AI221916

LPDES-MR permits - January-May 2021

Nachurs Alpine Solutions, LLC - St. Gabriel, LA - AI26984 - TN-TP reporting under LNRMS

Air Products & Chemicals, Inc. - BR, LA - AI154867

Addis, La. WWT Plant - Addis, LA - AI22377 - TN-TP reporting under LNRMS

Brusly, La. WWT Plant - Brusly, LA - AI19911 - TN-TP reporting under LNRMS

Cemus, LLC - BR, LA - AI282

International-Matex Tank Terminals, LLC - St. Rose, LA - AI4885

Bunge North America, Inc. - Destrehan, LA - AI1738 - TN-TP reporting under LNRMS

Buckeye Marrero Terminal, LLC - Marrero, LA - AI2236

Stolthaven New Orleans, LLC - Braithwaite, LA - AI87738

Terminal Stevedores, Inc. - Jefferson, St. Charles, St. John, St. James Parishes - AI43508

Jefferson Parish Municipal Storm Sewer Systems (MS4s) - Gretna, Harahan, Kenner, Westwego, LA - AI95365

Arcosa Marine Products, Inc. - Brusly, LA - AI43634 - TN-TP reporting under LNRMS

PCS Nitrogen - Geismar, LA - AI3732 - TN-TP reporting under LNRMS

Cornerstone Chemical Co. - Waggaman, LA - AI1357 - TN-TP reporting under LNRMS

A major Designated Use of the Mississippi River is as a drinking water supply. The Buckeye Marrero Terminal, LLC permit cited above includes a list of Mississippi River Drinking Water Intakes from Plaquemine, La. downstream (dated 2/25/2002), which is a feature that has been included on some other LPDES permits. It also includes the statements that no discharge should occur within one mile upstream of any drinking water intake, and the permittee is responsible for determining the existence and location of the nearest drinking water intake. The listed intakes downstream of the MBSD project site are at Point a la Hache (River Mile 49.2E), Port Sulphur (River Mile 49W), and Venice (River Mile 18.6W).

The Phillips 66 Alliance Refinery is of particular interest because it lies a short distance (0.7 miles) upstream from the MBSD project site. The Alliance Refinery, which had its LPDES permit renewed in 2020, has a continuous facility effluent flow of 45.1 million gallons per day (MGD). The parameters for discharge include Biological Oxygen Demand (BOD), Chemical Oxygen Demand (COD), Total Ammonia N, Sulfide, Total Recoverable Phenolics, Total Chromium, Hexavalent Ion Chromium, pH, and Oil and Grease.

The Alliance Refinery is mentioned in Chapter 3 of the Draft EIS for past releases of petroleum and hazardous substances, and for hazardous waste violations under the Resource Conservation and Recovery Act (RCRA) between 1986 and 2016. The facility is also described as having an active industrial landfill site operating under a LDEQ permit. (p. 3-275, 3-276) The Alliance Refinery is listed among those adjacent to the MBSD project site that were reviewed for the Draft and found to have no adverse environmental concerns that may have impacted the Project footprint, though it is not stated whether this included potential impacts from discharges in the diversion flow into the receiving basin. (p. 3-277)

Another facility of heightened interest is the Plaquemines Liquids Terminals (PLT) facility, a proposed bulk liquid export terminal would be located on the right bank of the river (Mile Marker 61) between the Alliance Refinery and the MBSD site, i.e. directly adjacent to the latter. The PLT facility, which would include above ground storage tanks and supporting infrastructure, would have a 17 million barrel capacity. The site would include a 1500 foot setback between the river levee and the terminal.

The PLT facility has applied to LDEQ for air permits (Part 70 operating permit, Prevention of Significant Deterioration, and Environmental Assessment Statement), but has not yet applied for its LPDES permit. The facility requires a Louisiana Coastal Use Permit because of its location, as well as a determination of consistency under Louisiana Governors Executive Order No. BJ 2008-7, which directs state agencies to regulate practices, programs, contracts, grants, and all other functions vested in them in a manner consistent with Louisianas Master Plan for a Sustainable Coast and the public interest to the maximum extent possible.

The Louisiana Coastal Protection and Restoration Authority (CPRA) issued a consistency determination for the facility in 2019, with the requirement for a sediment model to evaluate potential impacts of the PLT facility on operation of the MBSD project. A 2012 study by the Water Institute of the Gulf of the RAM coal terminal, an earlier facility proposed for the MBSD site, concluded that it might reduce sediment transport through the diversion by 3 to 17%. These issues receive some discussion in Chapter 4 of the Draft EIS under Overall Cumulative Impacts (p. 4-847)

Under Cumulative Impacts during [MBSD] Operations (4.25.5.4), the PLT facility is among three projects (along with NOLA Oil Terminal and Plaquemines LNG/Gator Express Pipeline) whose impacts were considered outside of the Delft3D Basinwide Modeling analysis. The section on Permitted Discharges (p. 4-855) acknowledges that the PLT facility would have the potential for oil spills that could enter the MBSD intake and be conveyed into Barataria Basin sediments, waters, and wetlands.

A related issue to Water Quality is that of Sediment Quality, which also receives attention in Chapter 3 of the Draft EIS. This section (3.5.3) notes that the Mississippi River carries dissolved and suspended contaminants and bacteria from a variety of municipal, agricultural, and industrial sources, and that their distribution in the river depends on the nature and location of their sources and the degree of wastewater treatment and organic contaminants such as (PCBs) and inorganic contaminants such as lead, which are more likely to adhere to sediment particles. (p. 3-55).

The section also describes evaluation of dredged material discharged under the Regional Implementation Agreement (RIA), which provides a list of potential contaminants of concern (COC), including USEPA Priority Pollutants. The COCs include metals, Polycyclic Aromatic Hydrocarbons (PAHs), pesticides, organonitrogen compounds, chlorinated hydrocarbons including PCBs, total organic carbon, and ammonia. A longer list of Parameters for Dredge Sediment Quality Evaluations is provided on pages 3-56 and 3-57. On the basis of our review of LPDES permits for facilities along the Mississippi River, we can attest that the effluents mentioned in this section are discharged from multiple outfalls into the river.

The Draft EIS concludes that although the above& sediment assessments do not provide sediment quality data for sediments that would be transported by the diversion into the Barataria Basin, the agencies believe that such sediments are free from COCs at

concentrations that would result in detrimental impacts, primarily due to the dilution capacity of the Mississippi River, but also states that interpretation of the conclusions of the reports cited is limited because they focused specifically on sediment disposal in the river or offshore waters where currents, Flow, waves, and tides are greater than those in the Barataria Basin. (p. 3-58)

#### Environmental Justice

The Draft EIS cites federal policies mandating that issues of Environmental Justice be given full consideration (p. 3-208), in particular the long standing Executive Order (12898) on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and comparable Department of Defense directives. Chapter 3 points out that minority populations are present throughout much of the Project area, and provides a statistical picture through several graphs and maps. In the parishes closest to the project site, Plaquemines and Jefferson, minority populations respectively constitute 36 and 60 percent of the overall population.

In our earlier comments on the scoping process for the EIS, we drew attention to the small community of Ironton, Louisiana. Ironton is the closest community to the MBSD site, as well as the proposed PLT site and the Alliance Refinery, lying due south of all three. While these three projects/facilities are proceeding on separate administrative permit paths, Ironton is particularly vulnerable to impacts from all three in terms of potential flood and/or health effects. The Draft EIS points out that MBSD construction impacts could be disproportionately high and adverse for the population of Ironton. (p. ES-13)

Ironton and some other small communities in the Project area also lie outside the federal levee system. The Draft EIS notes that operation of the project could lead to long-term, minor to major, adverse impacts on communities not protected by federal levees, from acceleration of increases in tidal flooding and storm hazards. (p.ES-14) It also states that CPRA is evaluating mitigation measures related to the potential acquisition of easements on properties within approximately 20 miles to the south of the diversion in areas outside of levee protection due to the potential for disproportionately high and adverse impacts.

In our comments on the PLT air permit applications in 2020 and 2021, we pointed to information provided in the 2018 Supplement developed for that project. The Supplement stated (p. 8) that the remainder of the 614 acre property on which the 320 acre site proposed for the PLT facility is located includes, along with the land required for the MBSD project, a 50 acre tract retained by the Plaquemines Port Harbor and Terminal District (PPHTD) as a conservation easement. We recommended per the PLT air permit that this conservation area be used as an air pollution buffer for the Ironton community. The potential for utilization of this area and others as flood protection easement areas for Ironton and other vulnerable communities should be pursued by CPRA and the Corps.

We support the inclusion of commercial and subsistence fisheries in the Project area in the Draft EIS discussions of Environmental Justice, with the acknowledgment that disproportionately high and adverse impact on low-income and minority populations could occur in some communities where reductions in abundance of oysters, brown shrimp, and certain finfish species are anticipated as a result of the Project. (p. ES-14) CPRA is said to be evaluating mitigation measures to address the potential for those disproportionate impacts on commercial oyster and brown shrimp fishing.

The Draft EIS acknowledges that: 1) shrimp landings from the Project area constitute on average about one-third of state shrimp landings; 2) shrimping was the largest commercial fishery by value and weight in the Project area between 2014 and 2018; and 3) despite market conditions, weather events, and the Deepwater Horizon oil disaster, the overall volume of catch in the Project area has been relatively steady since 2000. (p 4-576)

One area where the issues of water quality, environmental justice, and mitigation converge is the potential and risk for impacts from hypoxia and harmful algal blooms (HAB) in the Barataria Basin resulting from Project operation. It is not clear that the Draft EIS has adequately assessed these risks, other than acknowledging them. The Draft EIS also fails to mention federal, state, and regional actions to reduce the nutrient loading that causes both hypoxia and HABs, such as the Gulf Hypoxia Action Plan. Reducing nutrient loads in the Mississippi River has long provided a direct path to mitigating and reducing the impacts from hypoxia and HABs on fisheries and human health in the Barataria Basin that would result from the Project.

### Conclusions

The MBSD Project has, since its inception, faced significant skepticism and opposition from a variety of stakeholders, including commercial fishers, residents and local political leaders in the area of the proposed diversion. LEAN's work as an empowerment organization is focused on listening to and supporting impacted individuals whose voices are often ignored and overpowered by larger economic/industrial interests. The significant, and growing, local opposition to the proposed MBSD Project should be addressed prior to the diversion project continuing.

Despite the extensive length of the Draft EIS, important questions still remain, especially for those members of the public trying to assess the MBSD Projects results over the 50-year analysis period. Local concerns are based on legitimate risks and impacts insufficiently mitigated, in the eyes of opponents.

Mitigation efforts necessary to offset these impacts, in particular to the vulnerable community of Ironton, commercial fishing, shrimping, and oyster producers, and waters in the Barataria Basin, should be in place prior to the project being approved. We have also asked why some initiatives that can provide mitigation benefits, such as the Gulf Hypoxia Action Plan, are not acknowledged.

The Draft EIS states that sediment deposition and land building would occur against the backdrop of significant land loss in the basin and across the region due to subsidence and sea-level rise, so that even as diversion operations are increasing sediment deposition and land creation, some of this acreage would be lost over time due to these ongoing processes. (p. ES-7)

With anthropogenic climate change a key driver of sea-level rise, it is worth noting that a number of facilities in the Project area are or are projected to be significant sources of greenhouse gases (GHG). The PLT facility would emit 566,466 tons CO<sub>2</sub> equivalent per year, while another facility in the area, Venture Plaquemines Liquid Natural Gas, LLC (AI197379), was listed in a 2020 report by the Environmental Integrity Project as a major GHG emitting facility on the national level (based on preliminary figures available at the time of publication - which requested air permit changes in 2020 would increase.)

The PLT, Alliance Refinery, and Venture Plaquemines LNG facilities are among numerous facilities in the Mississippi River Corridor which would emit increased amounts of pollutants and GHG emissions and have recently applied for and received LDEQ air permits. Others include: Marathon Petroleum Company LP - Garyville Refinery (AI3165), YCI Methanol One, LLC-Methanol Plant (AI194165), South Louisiana Methanol, LP/St. James Methanol Plant (AI188074), and the Shintech Louisiana, LLC Plaquemine Plant 3 (AI126578).

While GHG mitigation may lie outside of the Draft EIS parameters, consideration of the MBSD Project does provide an important opportunity to raise that issue. This should include the potential for coastal restoration projects to provide CO2 sequestration and for GHG emitting facilities to contribute towards the costs of those projects as part of their mitigation efforts. We hope that the Louisiana Climate Initiatives Task Force launched in 2020 will address those questions.

Finally, an emerging issue for the Mississippi River and all waterways is the prevalence of plastic pollution, both in the form of debris and micro-plastics. The Mississippi River Cities and Towns Initiative, acting in partnership with the United Nations Environment Program, recently launched a Mississippi River Plastic Pollution Initiative, with data collection by local governments and volunteers.

The Mississippi River acts as a major conveyance channel for plastics to the Gulf of Mexico and any receiving waters; thus, coastal diversion projects going forward should include plastics pollution as one of the impacts to be addressed.

Sincerely,

Marylee Orr  
Executive Director  
Louisiana Environmental Action Network

Michael Orr  
Director  
Lower Mississippi Riverkeeper

[REDACTED]  
[REDACTED]

APPENDIX: Comments on August 2020 Scoping Process for MBSD

August 16, 2020

U.S. Army Corps of Engineers

New Orleans District

7400 Leake Ave.

New Orleans, LA 70118

ATTN: CEMVN-ODR-E, #MVN-2018-1120-EOO

To Whom It May Concern,

The Louisiana Environmental Action Network (LEAN) and Lower Mississippi Riverkeeper (LMRK) submit the following comments on the Permit Application MVN-2018-1120-

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EOO/2019-0104, pertaining to an Environmental Impact Statement (EIS) for construction of the Mid-Breton Sediment Diversion Project.

The New Orleans District of the U.S. Army Corps of Engineers (CEMVA) has solicited public comments as part of the scoping process under the National Environmental Policy Act (NEPA) to determine the scope of issues, resources, impacts, and alternatives to be addressed by the EIS. Our organizations welcome the opportunity to participate in this process.

The Coastal Protection and Restoration Authority of Louisiana (CPRA) has submitted this permit request to construct, maintain, and operate the proposed Mid-Breton Sediment Diversion Project at Mississippi River Mile 68.6 in Plaquemines Parish. The project is a component of the Louisiana Comprehensive Master Plan for a Sustainable Coast (2017), where it is described as (p. 66):

[A] Sediment diversion into Mid-Breton Sound in the vicinity of Whites Ditch to build and maintain land, 35,000 cfs [cubic feet per second] capacity (modeled at 35,000 cfs when the Mississippi River flow equals 1,000,000 cfs; flow rate calculated using a linear function for river flow from 200,000 cfs to 1,000,000 cfs; flows variable above 1,000,000 cfs; 5,000 cfs minimum flow maintained when Mississippi River flow is below 200,000 cfs).

The Project Details in the Notice of Intent filed in the U.S. Federal Register of July 2, 2020 states that CPRA would maintain a base flow up to 5000 cfs through the structure, which would open when the Mississippi River gage at Belle Chasse, Louisiana exceeds 450,000 cfs to divert varying volumes of sediment, fresh water, and nutrients into the Breton Sound Basin. Maximum discharge would be 75,000 cfs when the Belle Chasse gage on the river measures 1 million cfs.

We request that the following issues and questions be addressed in the EIS for this project:

Impacts on Coastal and Estuarine Fisheries Resources: Breton Sound was once one of the most productive areas of oyster production in the U.S. The Sound and nearby coastal waters remain important areas for that resource as well as shrimp and other commercially and recreationally valuable species. The area of impact would include key areas of Inside Louisiana Waters for Shrimp Harvest (30 degrees 03 00.00 N, 89 degrees 22 23.00 W), and the highest area for oyster harvests (Lake Pontchartrain Basin) from 2000-2014.

The Louisianas Seafood Future report released by Louisiana Sea Grant in 2019 found that the Breton Sound/South Pass and eastward area accounted for the following percentages of state harvests: 28.57% of commercial crabbing, 16.67% of commercial shrimping, 16.67% of commercial oyster production, 20% of commercial finfish, and 15.79% of commercial charter boat fishing. This report also reflected the serious concerns that commercial fishers and shrimpers have about their future, due to economic and environmental trends.

Oyster harvests in the Pontchartrain Basin have been heavily impacted by recent openings of the Bonnet Carre Spillway which reflect more frequent high-water events, as well as opening of east-side diversion structures after the 2010 BP Disaster. The EIS should fully assess the impacts of the current operational plan for the project on these resources.

Water Quality Impacts: A major concern for coastal and estuarine waters, as well as fishery resources, in Louisiana and elsewhere are growing problems caused by water quality decline, such as harmful algal blooms (HAB) and hypoxia. A long-standing concern in Louisianas



coastal waters is the annual offshore hypoxic (low oxygen) area fueled by nutrient loading from the Mississippi River. While the large hypoxic zone off Louisianas coast forms west of the river mouth, the Pontchartrain Conservancy has monitored increased areas of hypoxia east of the river for a number of years. Coastal water quality impacts experienced by the State of Mississippi in 2019 included red tides from the east and hypoxia from the west, both fueled by similar nutrient pollution sources. The Project Description mentions water quality as a potential issue of concern, but the EIS should describe how this issue will be addressed.

Full Assessment of Alternatives: The public interest will be best served in the EIS by a full assessment and discussion of alternatives to the current version of the project. The Public Notice states that the EIS will address a reasonable range of alternatives based on the proposed projects purpose and need. Understanding the scale and scope of Louisianas coastal issues today entails inclusion of the history of those issues and particular projects. The earliest version of the Mid-Breton Diversion was the Myrtle Grove Diversion included in the Coast 2050 Plan (1997), and later authorized in the Louisiana Coastal Area Study (2002). The Corps held public meetings in 2007 on the earlier authorized version of the project, which was not funded, prior to the State of Louisiana leaving the LCA partnership with the Corps in 2012.

In the ensuing years, the project has undergone substantial changes, especially in its size, projected costs, and the timeframe for its completion. The projected costs have risen from \$479,100,000 in the 2017 Coastal Master Plan to an estimated \$800,000,000, and the timeframe for completion is undefined at this time since it depends on funding and other contingencies. It may lie outside the scope of the EIS to assess whether those changes impact the feasibility of the project in its current form, but such considerations do relate to the question of whether a smaller alternative is in fact more feasible. The feasibility of such projects affects directly their ability to actually mitigate and improve the sustainability of Louisianas coast, given the acceleration of sea-level rise due to climate change and other trends.

Inclusion of Significant Issues: The Public Notice states that this scoping process will help identify and define the range of potential significant issues that will be considered in the EIS, which can include (but are not limited to) a number of those raised here: aquatic resources, commercial and recreational fisheries, essential fish habitat, and water quality. We mentioned the issue of climate change above, and note that the state of Louisiana - as well as the federal government - currently lack effective policies to address this pressing problem, which is affecting Louisianas coast and will directly impact the success of the states coastal restoration effort. Projects such as the proposed diversion cannot offset the impacts of climate change in the absence of federal and state programs to reduce greenhouse gas emissions.

Conclusion: In conclusion, we urge the Corps and Cooperating Agencies to fully carry out your respective duties under the laws that define and regulate the permit process: the National Environmental Policy Act (NEPA), the Clean Water Act (Sections 404, 408), and the Rivers and Harbors Act (Section 10), among others. It is worth noting that these laws and their effectiveness have been under duress from the Executive Branch and in previous years from Congress. We support their critical role in upholding the public interest and protecting the health of citizens and the environment.

Sincerely,

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Marylee Orr  
Executive Director  
Louisiana Environmental Action Network

Michael Orr  
Director  
Lower Mississippi Riverkeeper

Background References:

Department of the Army, Corps of Engineers, Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Mid-Breton Sediment Diversion, in Plaquemines Parish, Louisiana, Federal Register, Vol. 85, No. 128, July 2, 2020.

CPRA, Louisianas Comprehensive Master Plan for a Sustainable Coast (2017), [http://coastal.la.gov/wp-content/uploads/2017/04/2017-Coastal-Master-Plan\\_Web-Book\\_CFinal-with-Effective-Date-06092017.pdf](http://coastal.la.gov/wp-content/uploads/2017/04/2017-Coastal-Master-Plan_Web-Book_CFinal-with-Effective-Date-06092017.pdf)

Louisiana Department of Wildlife & Fisheries (LDWF), Shrimp Season (2020), <https://www.wlf.louisiana.gov/page/shrimp-season>

LDWF, Louisiana Oyster Fishery Management Plan (2016), [https://www.wlf.louisiana.gov/assets/Resources/Publications/Marine\\_Fishery\\_Management\\_Plans/2016\\_Oyster\\_Fishery\\_Management\\_Plan.pdf](https://www.wlf.louisiana.gov/assets/Resources/Publications/Marine_Fishery_Management_Plans/2016_Oyster_Fishery_Management_Plan.pdf)

Pontchartrain Conservancy, Hypoxia - East Side of the Mississippi River, <https://scienceforourcoast.org/pc-programs/coastal/coastal-projects/hypoxia-east-side-of-mississippi-river/>

Louisiana Sea Grant, Louisianas Seafood Future (2019), <https://www.laseagrant.org/2019/lsef-releases-2019-findings-report/>

ABC News, Oyster population in Louisiana plummets after BP Spill, Floods, 8/29/11, <https://abcnews.go.com/Technology/oyster-population-plummets-louisiana/story?id=14404214>

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved

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oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well

understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61817**

**Commenters stated that information about the Gulf Hypoxia Action Plan (Louisiana Hypoxia Working Group), which calls for a 20 percent reduction in nitrogen and phosphorus loading to the Gulf by 2025, is pertinent to the Draft EIS but is not mentioned. Commenters requested that the plan should be included in the Final EIS.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2008. Gulf Hypoxia Action Plan 2008 for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2013. Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

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**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2016. December 2016 Update, Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Response ID: 16428**

The USACE and the LA TIG agree that the Gulf Hypoxia Action Plan is relevant to the proposed Project area. Therefore, in response to these comments, a discussion about the Gulf Hypoxia Action Plan has been added to Section 4.25.5.4.4 Nitrogen and 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS. The Hypoxia Action Plan has highlighted the important role that river diversions could play in reducing nutrient loads. In addition, substantial nutrient load reduction could be achieved through the measures being implemented by the other states and entities involved with the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These combined efforts could lessen the potential impacts of excess nutrient loads to Barataria Basin and the northern Gulf of Mexico.

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**Concern ID: 61936**

**Environmental Justice Executive Order 12898 (1994) addresses environmental justice in minority and low-income populations. The order acknowledges the disproportionate adverse impacts that federal actions have historically had on certain communities. It also commits the federal government to promoting nondiscrimination in future federal actions that may impact environmental quality. As most of the funds that are suggested for this Project would come from the federal funding streams this issue should be addressed. The Draft EIS cites federal policies mandating that issues of environmental justice be given full consideration, in particular the long standing Executive Order (12898) on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and comparable Department of Defense directives. Attention must be paid to communities such as the Native Americans in Grand Bayou, Vietnamese fishermen, and low-income resident fishers of Plaquemines, Jefferson, and Lafourche who may be negatively impacted by this Project. In the parishes closest to the Project site, Plaquemines and Jefferson, minority populations respectively constitute 36 and 60 percent of the overall population.**

**Response ID: 16293**

The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that disproportionately high and adverse impacts on low-income and minority populations could occur in some communities where reductions in abundance of oysters, brown shrimp, and certain fish species are anticipated as a result of the proposed Project. These impacts would depend in part on the extent to which affected populations engage in or are heavily reliant on commercial and subsistence fishing for these species. The EIS Chapter 4, Section 4.15, Environmental Justice recognizes the presence of low-income and minority populations in communities that depend on shrimp and oyster fishing in Barataria Bay, including Grand Isle, Galliano, the Lafitte area, Barataria, Belle Chasse, Live Oak, West Pointe à la Hache, Ironton, Grand Bayou, and Port Sulphur. However, as discussed in the EIS, there are insufficient data to correlate fisheries harvests with specific low-income and minority populations. Consequently, the precise extent to which impacts on shrimp and oyster fisheries would affect specific low-income and minority populations cannot be determined.

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CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. CPRA's mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61938**

**The EIS identifies and acknowledges that there are low-income and minority communities that might experience disproportionately high and adverse economic impacts as a result of the proposed Project, particularly as such impacts relate to commercial and subsistence fishing.**

**Response ID: 16296**

The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that disproportionately high and adverse impacts on low-income and minority populations could occur in some communities where reductions in abundance of oysters, brown shrimp, and certain fish species are anticipated as a result of the proposed Project. These impacts would depend in part on the extent to which affected populations engage in or are heavily reliant on commercial and subsistence fishing for these species. The EIS Chapter 4, Section 4.15 Environmental Justice recognizes the presence of low-income and minority populations in communities that depend on shrimp and oyster fishing in Barataria Bay, including Grand Isle, Galliano, the Lafitte area, Barataria, Belle Chasse, Live Oak, West Pointe à la Hache, Ironton,

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Grand Bayou, and Port Sulphur. However, as discussed in the EIS, there are insufficient data to correlate fisheries harvests with specific low-income and minority populations.

Consequently, the precise extent to which impacts on shrimp and oyster fisheries would affect specific low-income and minority populations cannot be determined.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the EIS, since issuance of the Draft EIS and LA TIG's Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61963**

**The significant, and growing, local opposition to the proposed MBSD Project should be addressed prior to the diversion project continuing.**

**Response ID: 15908**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan.

All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

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**Concern ID: 62254**

**Commenters expressed concerns that hazardous substances spilled by industrial facilities upstream from the proposed diversion's intake structure in the Mississippi River could be routed to the Barataria Basin via the diversion during proposed Project operations. One commenter requested that because the Alliance Refinery is described in Chapter 3, Section 3.23 Hazardous, Toxic, and Radioactive Waste Assessment of the Draft EIS as having had past releases of petroleum and hazardous substances, hazardous waste violations under the Resource Conservation and Recovery Act (RCRA), and as having an active industrial landfill site, the Final EIS should assess the potential for the facility to discharge contaminated substances into the Barataria Basin via diversion flows.**

**Response ID: 16433**

The commenters' concerns regarding hazardous spills were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality, the receiving waterbody for industrial facilities along the Mississippi River upstream from the proposed Project's intake structure (LDEQ Mississippi River subsegment LA070301\_00), is not listed as impaired by LDEQ. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment for subsegment LA070301\_00 indicates that regulated substances are not present at concentrations that would cause a water quality impairment. Industrial facilities, for example the Alliance Refinery, are regulated by LDEQ through permits that include monitoring and reporting requirements. Facilities are required to report any releases of oil or hazardous substances to water to LDEQ.

LDEQ's assessment of this subsegment of the river includes contributions from industrial facilities' regulated discharges to the Mississippi River. In the event of accidental spills of hazardous substances into the river, these facilities would follow their required Spill Prevention, Control, and Countermeasure (SPCC) and Stormwater Pollution Prevention (SWPP) plans to minimize impacts of accidental releases.

As described in Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. In response to this concern, the USACE has added a new subsection to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of accidental spills of hazardous substances in the river during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills in the Mississippi River.

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**Concern ID: 62255**

**Commenters expressed concern that during proposed MBSD diversion operations, contaminated sediments from the Mississippi River may be routed to the Barataria Basin, where they would cause adverse impacts. One commenter stated concern that because the dilution capacity of the basin is less than that of the Mississippi River, contaminants routed to the basin via the diversion would reach toxic levels because basin waters would not sufficiently dilute the sediment.**

**Response ID: 16434**

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Impacts related to contaminated sediment raised by the commenters were considered in the Draft EIS. As noted in Chapter 4, Section 4.5.5.10 in Surface Water and Sediment Quality, recent evaluations of Mississippi River sediments in the vicinity of the proposed Project intake structure indicate that they are free from contaminants at concentrations that would result in detrimental impacts. The dilution referenced in Chapter 3, Section 3.5.3.1 in Surface Water and Sediment Quality refers to movement along the entire length of the river from Minnesota to Louisiana and is not meant to imply that dilution is occurring or needed to dilute elevated concentrations in the proposed Project area. In response to these comments, the USACE has edited Section 3.5.3.1 in Surface Water and Sediment Quality to make this clear in the Final EIS.

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**Concern ID: 62263**

**Commenters expressed concern that plastics and microplastics (including but not limited to PFAS) in the Mississippi River would be introduced into the basin through the proposed MBSD diversion, causing adverse impacts on wildlife and humans. Commenters stated that plastics never fully disintegrate, are poorly regulated, and have made their way into every part of the food chain. One commenter witnessed a major spill in the river of plastic pellets called “nurdles” that was never fully cleaned up.**

**Response ID: 16435**

The USACE acknowledges that microplastics and PFAS in surface water are currently not regulated. There are currently no data to determine whether PFAS concentrations in the Mississippi River are significantly different from concentrations in the Barataria Basin. There are no standards to evaluate whether PFAS concentrations are unacceptably elevated in the river or the basin.

The Draft EIS acknowledges that accidents and spills can occur unexpectedly in the river or in the basin. Public and private emergency response teams are available to minimize damage from such accidental releases. As described in Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. Also in response to this concern, the USACE has added a new subsection to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of accidental spills of hazardous substances in the river during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills in the Mississippi River.

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**Concern ID: 62432**

**The Buckeye Marrero Terminal, LLC permit includes the statements that no discharge should occur within one mile upstream of any drinking water intake, and the permittee is responsible for determining the existence and location of the nearest drinking water intake. The listed intakes downstream of the MBSD Project site are at Point a la Hache (River Mile 49.2E), Port Sulphur (River Mile 49W), and Venice (River Mile 18.6W).**

**Response ID: 15962**

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The Buckeye Marrero Terminal LPDES Permit conditions are outside the scope of this EIS. However, CPRA would be required to comply with any LPDES permit conditions if such a permit is required by LDEQ for the proposed MBSD Project.

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**Concern ID: 62437**

**Commenters expressed concerns about potential increases in carbon dioxide emissions of the reasonably foreseeable industrial facilities that may be constructed and operated in the Project area of the proposed MBSD Project. One commenter requested that the Final EIS include an analysis of the scale of carbon dioxide emissions of reasonably foreseeable petrochemical facilities and their associated infrastructure in the proposed Project area.**

**Response ID: 16465**

The commenters' concerns about the air quality impacts of reasonably foreseeable petrochemical facilities in the Project area were considered in the air quality cumulative impacts analysis (see Section 4.25.7 Cumulative Impacts, Air quality).

Chapter 4, Section 4.25.7 Cumulative Impacts, Air Quality of the EIS addresses the air quality impacts of reasonably foreseeable future petrochemical facilities in the Project area. As noted in Section 4.25.1.1 Cumulative Impacts, air quality would only be negligibly impacted by operation of the MBSD Project action alternatives and therefore none would measurably contribute to cumulative air quality effects. While petrochemical and industrial facilities in the Project area may result in more than negligible individual or cumulative impacts on air quality during their operations, the Project alternatives would not contribute measurable impacts. Further, other petrochemical and industrial facilities in the Project area would be required to comply with applicable regulations and permitting requirements pertaining to air quality. Finally, the Project would result in permanent, indirect, minor, beneficial impacts on carbon sequestration and atmospheric GHG concentrations due to wetland creation and restoration within the Barataria Basin (see Chapter 4, Section 4.7.4.2 in Air Quality of the EIS).

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**Concern ID: 62440**

**The commenter expressed concern that in the Draft EIS, Chapter 4, Section 4.25.5.4 Cumulative Impacts - Surface Water and Sediment Quality, the PLT facility is among three reasonably foreseeable industrial projects (along with NOLA Oil Terminal and Plaquemines LNG/Gator Express Pipeline) with potential impacts that were not considered in the Delft3D Basinwide Modeling for the EIS. However, this EIS section acknowledges that the PLT facility would have the potential for oil spills that could enter the MBSD intake and be conveyed into Barataria Basin sediments, waters, and wetlands.**

**Response ID: 16466**

The commenter's concern about oil spills potentially contaminating water diverted into the basin by the proposed Project was considered in the Draft EIS in Chapter 2, Section 2.8.1.4 (Project Operations) and Appendix F (MBSD Design and Operations Information). This section and appendix explain that in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. Information regarding closing the diversion structure in the event

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of hazardous spills has been added to the Cumulative Impacts section, Chapter 4, Section 4.25.5.4 in the Final EIS.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

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**Concern ID: 62442**

**Commenters requested that additional information about the reasonably foreseeable Plaquemines Liquids Terminal be added to the Final EIS, Chapter 4, Section 4.25 (Cumulative Impacts), such as the potential for the project to affect sediment transport capabilities of the proposed MBSD Project.**

**Response ID: 16467**

Furthermore, CPRA entered into a Memorandum of Understanding with the Plaquemines Port Harbor & Terminal District (PPHTD) and the Plaquemines Liquid Terminal, LLC (PLT) requiring PPHTD and PLT to perform sediment transport modeling and a navigation study to determine the impact, if any, that the PLT Project may have on the proposed MBSD Project, and to agree to certain terms and conditions, as needed, to ensure that the PLT, once constructed and operated, does not have unreasonable adverse impacts on the design, construction, or operation of the proposed MBSD Project. These steps would help ensure that the PLT Project remains consistent with the Louisiana Coastal Master Plan.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

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**Concern ID: 62461**

**The commenter identified a number of facilities applying for new or renewed LPDES permits in Louisiana during the years 2020 to 2021.**

**Response ID: 16471**

The potential impacts of the proposed projects noted by the commenter were considered in the Draft EIS in Chapter 4, Section 4.25 Cumulative Impacts with the exception of those projects the commenter listed that are outside of the proposed MBSD Project impact area as described in the Draft EIS Chapter 4, Section 4.25.1.3 Cumulative Impacts, Step 3: Identify the Projects and Actions to be Considered. Reasonably foreseeable projects and information about them was based on the stage of development that the actions and facilities had reached at the time the Draft EIS was being prepared. To be considered a "reasonably foreseeable project" to be included in the evaluation of cumulative effects in the EIS, a proposed project needed to be sufficiently advanced in the planning process that it was no

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longer speculative. In this case, proposed projects that had been submitted to relevant agencies for permitting (including USACE) by May 2020 were considered reasonably foreseeable and were included the cumulative impacts analysis. No related edits have been made for the Final EIS.

In May 2022 after publication of the Draft EIS, the USACE conducted a search to identify any new/additional reasonably foreseeable projects that, cumulatively with the proposed MBSD Project, have the potential to significantly alter the environmental landscape from what was assessed in the Draft EIS. After identifying new, reasonably foreseeable projects, USACE evaluated those projects for their potential to significantly affect the environmental landscape that was presented in the Draft EIS and concluded that none would significantly change the MBSD cumulative impacts as described in the Draft EIS. Nevertheless, USACE determined that five newly-identified projects would have more than negligible cumulative impacts. To provide a complete picture of MBSD cumulative effects to the decision maker(s) and the public, these five projects have been added to the Final EIS in Chapter 4, Section 4.25.25 Cumulative Impacts Analysis 2022 Update.

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**Concern ID: 62463**

**The commenter stated concern that because Ironton is the closest community to the MBSD Project site and to the proposed Plaquemines Port Harbor & Terminal District/Plaquemines Liquids Terminal (PPHTD/PLT) site and the existing Alliance Refinery, Ironton would be particularly vulnerable to impacts from all three in terms of potential flood and/or health effects.**

**Response ID: 16472**

The concerns raised by the commenters were considered in the Draft EIS in Chapter 3, Section 3.7.2 Air Quality, Existing Conditions; and Chapter 4, Sections 4.8 Noise, 4.13 Socioeconomics, 4.15 Environmental Justice, 4.22 Land-Based Transportation and 4.25 Cumulative Impacts. Chapter 3, Section 3.7.2 Air Quality - Existing Conditions identifies the existing air quality in the proposed Project area and provides that Plaquemines Parish is designated as "unclassifiable/in attainment" for all criteria pollutants. The resource sections in Chapter 4 address potential air quality, noise, transportation, and flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 Socioeconomics Technical Report to the EIS provides contextual information about the Ironton community. As stated in the EIS in Chapter 4, Section 4.15 Environmental Justice, populations in Ironton would experience minor to moderate, temporary adverse, impacts due to increased noise levels, dust, and transportation delays during the approximately 5-year construction period. However, as previously described in the Land-Based Transportation section of Section 4.25.22 Cumulative Impacts of the Draft EIS, cumulative impacts on traffic from construction of the reasonably foreseeable future actions combined with construction of the proposed MBSD Project action alternatives would likely be major, adverse, and temporary and could cause substantial traffic delays on LA 23. Ironton would experience these major, adverse impacts because of its proximity to LA 23 and the proposed MBSD Project. To make this clearer, Section 4.25.22.3 in Cumulative Impacts of the Final EIS has been revised to state that Ironton would experience major, adverse impacts during the 5-year construction period of the proposed Project due to cumulative impacts of the proposed MBSD Project and reasonably foreseeable projects on LA 23 traffic volumes and congestion.

Beyond the near-term impacts of construction, operation of the Applicant's Preferred Alternative may have impacts on Ironton. Because it is within the New Orleans to Venice (NOV) Non-Federal Levee (NFL) W-05a.1 (La Reussite to Myrtle Grove levee reach) levee system, Ironton is not expected to be impacted by increases in frequency and duration of tidal flooding due to Project operations (see Section 4.15.4.2.2 Storm Hazards and 4.20.4.2 Public Health and Safety). However, negligible to minor increases in risk of overtopping of the NOV-NFL Levee south of the immediate outfall area following the delta formation in the outfall area that may affect storm surge during certain 1 percent storms may impact low-income and minority populations within Ironton.

Also, in the Final EIS, Section 4.15.5.1 Environmental Justice has been added to provide a summary of impacts on the majority-Black community of Ironton, which is the closest community to the diversion, to assist understanding the projected impacts of the proposed Project on that community.

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**Concern ID: 62878**

**The EIS and Mitigation Plan does not adequately consider or mitigate for impacts to Ironton. The EIS should include air pollution buffers for Ironton and flood protection easement areas for Ironton and other vulnerable communities outside of levee protection.**

**Response ID: 16505**

The concerns raised by the commenters were considered in the Draft EIS in Chapter 3, Section 3.7.2 Air Quality, Existing Conditions; and Chapter 4, Sections 4.8 Noise, 4.13 Socioeconomics, 4.15 Environmental Justice, 4.22 Land-Based Transportation and 4.25 Cumulative Impacts. Chapter 3, Section 3.7.2 Air Quality - Existing Conditions identifies the existing air quality in the proposed Project area and provides that Plaquemines Parish is designated as "unclassifiable/in attainment" for all criteria pollutants. The resource sections in Chapter 4 address potential air quality, noise, transportation, and tidal flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 Socioeconomics Technical Report to the EIS provides contextual information about the Ironton community.

CPRA committed to implementing best management practices (BMPs) to minimize construction impacts in the EIS in Chapter 4, Section 4.27.1 Avoidance and Minimization and Appendix R1 Mitigation and Stewardship Plan; additional information on BMPs is also included in the Mitigation Summary Table in Appendix R3. Construction emissions would be highly localized, and consequently the Project is only anticipated to impact air quality within 0.5 mile of the construction footprint; however, Ironton is located approximately 0.5 mile from the construction footprint (see EIS, Chapter 4, Section 4.7.1 Area of Potential Impacts). As stated in the EIS in Chapter 4, Section 4.15 Environmental Justice, populations in Ironton would experience minor to moderate, temporary adverse, impacts due to increased noise levels, dust, and transportation delays during the approximately 5-year construction period. During operations, air emissions would be negligible since the diversion structure would be electric-powered (see EIS Chapter 4, Section 4.7.4.2).

Beyond the near-term impacts of construction, operation of the Applicant's Preferred Alternative may have impacts on Ironton. Because it is within the New Orleans to Venice (NOV) Non-Federal Levee (NFL) W-05a.1 (La Reussite to Myrtle Grove levee reach) levee

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system, Ironton is not expected to be impacted by increases in frequency and duration of tidal flooding due to Project operations (see Section 4.15.4.2.2 Storm Hazards and 4.20.4.2 Public Health and Safety). Further, guide levees constructed parallel to the diversion channel will be constructed to an elevation of approximately 15.6 feet and will serve as hurricane and storm damage risk reduction against storm surges. However, negligible to minor increases in risk of NOV-NFL Levee overtopping south of the immediate outfall area (following the delta formation in the outfall area) due to storm surge during certain 1 percent storms, may impact low-income and minority populations within Ironton. These potential impacts may be exacerbated to the extent that Ironton residents experience unique vulnerabilities.

To ensure that impacts on the community of Ironton have been adequately disclosed and to make that analysis readily accessible in one location within the EIS (rather than throughout the various resource sections), a section has been added to the Final EIS that provides a summary of impacts on the community of Ironton under the Applicant's Preferred Alternative (see Chapter 4, Section 4.15.5.1 Environmental Justice).

CPRA is not proposing specific mitigation to address or offset the negligible to minor increased risk in levee overtopping that could affect the community of Ironton inside the NOV-NFL system because this potential increased risk does not accrue until Project operations have resulted in the development of a delta (wetlands and marsh) in the area outside the NOV-NFL Levee adjacent to Ironton (circa 2040), and because this risk was identified for only one of the 100-year storm scenarios modeled. However, to help Ironton prepare for and mitigate flood risk from storms generally, CPRA would designate a liaison to work with residents in Ironton prior to commencing operations of the Project on community preparedness for storm-based flooding and damage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts were undertaken to better understand and address potential impacts on communities with environmental justice concerns, such as low-income and minority populations, that may be disproportionately impacted by the Project, as discussed in Chapter 7 of the Final EIS. This included meetings in the community of Ironton. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted environmental justice communities and organizations concerning the implementation of the mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG

intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62963**

**Mitigation compensation should prioritize those most affected, likely those who rely on oyster leases in the mid-basin areas or smaller operations, as well as economically vulnerable oyster fishers.**

**Response ID: 16533**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 Aquatic Resources, 4.14 Commercial Fisheries, 4.15 Environmental Justice and 4.16 Recreation and Tourism.

In response to public comments and resource agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed ground, \$15 million to enhance public and private oyster grounds, \$4 million to create or enhance broodstock reefs and \$8 million for alternative oyster culture. While the focus of the proposed mitigation and stewardship measures are on establishing sustainable fisheries, oyster mitigation and stewardship measures have been crafted to focus on those impacted by the Project specifically. For example, a portion of each of the stewardship measures for impacts to oyster

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harvesters would be expressly designated for use by low-income and minority oyster harvesters. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS). The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**



**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of

specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63965**

**The Trustees should begin mitigation and adaptation during construction before impact as opposed to waiting after impacts occur to initiate the process.**

**Response ID: 16588**

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on mitigation and stewardship measures, including measures that would be undertaken by CPRA before Project construction. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, which now provides additional detail on several efforts that CPRA would undertake before Project construction, including funding for public and private oyster seed ground enhancement, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence fishing access (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

CPRA would be responsible for implementation of any mitigation actions and for monitoring and adaptive management associated with the proposed Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that

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USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40494**

Harold Herrmann

To Whom It May Concern,

I am writing to voice my opposition to the construction of the Mid-Barataria Sediment Diversion.

This project is economically inefficient and overly costly. It is a safe assumption that the original budget is highly understated which is typical of projects of this magnitude. There are less expensive ways to build land or replace land loss such as through dedicated dredging which can pinpoint with great precision exactly where you want the land created. You have other projects on the books now at half the cost of this proposed one that are projected to build much more acreage than this diversion ever could.

[REDACTED]

What is certain about this diversion project and why it should not be allowed follows:

- a) It will destroy the fisheries in the Barataria basin and therefore the businesses of local fishers and sport fishers and guides that line lower Plaquemine parish banks. Common saltwater species such as speckled trout, shrimp, crabs will disappear. So will the ability of our commercial fisherman to make a living. Seafood and Cajun cuisine are a treasure for the state of Louisiana and the City of New Orleans that relies so heavily on tourism. Why are we willing to put the commercial fishers out of business and reduce the catch of these wonderful delicacies?
- b) The diversion will have permanent and detrimental effect on Myrtle Grove with predicted increases in tidal flooding in Myrtle Grove by at least 119 days per year (EIS table 4.20.2) leaving maybe two-thirds of the year accessible. This is unacceptable for a subdivision for a subdivision containing homes in the \$500,000 to \$1,000,000 range!!
- c) Further, Environmental Impact Study (EIS) on page 4-694 in figure 4-20-3 shows flooding twice as often with inundation 2/3s of the year. This is not consistent with item (c) above. Which is more correct? What is the true impact estimated?
- d) The same is true of other communities that are outside of the Federal levee system.
- e) The diversion will silt the Wilkinson Canal making it impossible to leave Myrtle Grove by boat or the commercial launch by boat. The Environmental Impact Study (EIS) does not require CPRA to remedy this-only states that they MIGHT do so. What manner of foolishness is that? Why did we all pay money to live on the water, have ready access to the water not to be able to use it? This is a major devaluation of our property values!
- f) Appendix H, Table 2-6 identifies Myrtle Grove with 76 homes and 231 undeveloped properties valued at \$52.0 million yet EIS page 4-554 identifies a value of \$5.9 million for 532 residential properties. Why are these values inconsistent??? They must be reconciled, especially now with the new cost of construction.

- g) I am not aware of any flowage easements in the various residential subdivisions which will be adversely affected by this project. I certainly do not intend to grant an easement to the Corps of Engineers to flood my property and deny me access to it at their discretion.
- h) There was not a hydrology report in the EIS showing the impact upon the water levels. Without this information, it is impossible to confirm the amount of increased water in Myrtle Grove.
- i) Why is there not a Real Estate Plan for Myrtle Grove like the one for the Upper Barataria EIS? Why is there a buy-out for the homes in the Upper Barataria and not for Myrtle Grove and the other affected communities in the Mid-Barataria?
- j) I object to the EIS not detailing the impact upon the dolphin population. While an exemption for killing dolphins was included in a budget bill, the actual impact must be studied and disclosed to the public. The recent flow of fresh water from the Bonnet Carre spillway into Lake Pontchartrain caused the death of at least 200 dolphins and this was only a short-term flow of fresh water.
- k) Why were the effects on people not included in the study? The water from the Mississippi River contains significant amounts of fertilizer which results in dead zones at the mouth of the River and the flow into Lake Pontchartrain resulted in harmful amounts of blue-green algae.
- l) Having watched the effects of the Carnarvon diversion for 20 plus years what I have seen is an influx of fresh water, introduction of freshwater plant species such as water hyacinth and salvinia, that clog available waterways, suffocate natural marsh grass and stagnate water by restricting its flow. In all of this time I have not seen any real marsh land built or marsh grass created. Same is true for the Naomi diversion north of Myrtle Grove. Again, I close voicing 100% opposition to this project. I respectfully ask that personal information beyond my name be withheld from public view.

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its

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decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without

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implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62018**

**Commenters noted inconsistencies in the property values presented in the EIS and Appendices. Specifically, comments highlighted a need to reconcile the property value of \$52 Million for Myrtle Grove in Appendix H compared to the value of \$5.9 Million for Myrtle Grove and all the other affected communities in Chapter 4, Section 4.13.5.3 in Socioeconomics of the main body of the EIS.**

**Response ID: 16214**

The commenter's concern with the consistency of property valuation in the EIS is acknowledged. The issues raised by the commenters were considered in the Draft EIS. Appendix H1 Socioeconomics Technical Report and Chapter 4, Section 4.13.5.3 Housing and Property Values in Socioeconomics present different statistics about housing values. Specifically, Table 2-6 in Appendix H1 Socioeconomics Technical Report presents total property values based on estimated online fair market estimates in Myrtle Grove. Section 4.13.5.3 Housing and Property Values in Socioeconomics presents the assessed value of properties as reported by the Plaquemines Parish Assessor. Per the Plaquemines Parish Assessor, the assessed value is calculated as 15 percent of the fair market value for all commercial improvements, and 10 percent of the fair market value for all residential improvements and all land. For clarity, edits have been made to Section 4.13.5.3 and Appendix H1 Socioeconomics Technical Report of the Final EIS.

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**Concern ID: 62234**

**There was not a hydrology report in the Draft EIS showing the impact upon the water levels.**

**Response ID: 15760**

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The EIS does not include a separate, stand-alone hydrology report; however, hydrology is one of the outputs provided by the Delft3D Basinwide Model. The results of this modeling are included in Appendix E, Delft3D Modeling. Based on these results, several sections of the Draft EIS discussed the projected impacts on water levels throughout the basin for all Project alternatives, including in the vicinity of Myrtle Grove. These sections include Section 4.4 Surface Water and Coastal Processes and Section 4.20 Public Health and Safety. These sections are supplemented by additional information in Appendix P, Flood & Storm Hazards Evaluation.

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**Concern ID: 62236**

**The commenter asserts that information provided in several sections of the Draft EIS and in presentations are inconsistent and would like to know what the actual impact to Myrtle Grove would be.**

**Response ID: 15822**

The USACE acknowledges the commenters' concerns regarding the consistency and accuracy of the reported projections. USACE is the lead agency for development of this EIS, which contains the results from the Delft3D Basinwide Model regarding the projected effects of the Project on water levels in Barataria Basin, including areas close to the diversion outfall (within a 20-mile radius). The estimated flooding impacts in Myrtle Grove are described in Chapter 4, Sections 4.20.4.2.1.2 and 4.20.4.2.2.2 in Public Health and Safety. USACE is not familiar with other numbers that may have been reported by CPRA. Readers of the EIS should not consider the model outputs as absolute values or predictions of actual future conditions. Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future conditions. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties).

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**Concern ID: 62299**

**The commenter asserts that they do not intend to grant a flowage easement to allow USACE to flood their property and deny them access to their property at USACE's discretion.**

**Response ID: 15801**

The proposed Project would be a CPRA project, not a USACE project; therefore, CPRA would seek any flowage easements not USACE. Additional detail on the CPRA's proposed flowage easements, referred to as Project servitudes, can be found in Final EIS Appendix R1, Mitigation and Stewardship Plan.

CPRA plans to acquire Project servitudes in the communities south of the diversion outside of levee projection beginning at Woodpark and continuing south to Grand Bayou and Happy Jack. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would

attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62300**

**The diversion would cause harmful algal blooms which have unforeseen risks to human health, including Amnesic Shellfish Poisoning (ASP), Neurotoxic Shellfish Poisoning (NSP), Paralytic Shellfish Poisoning (PSP), Diarrhetic Shellfish Poisoning (DSP) and Ciguatera Fish Poisoning (CFP).**

**Response ID: 15813**

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The impacts raised by the commenters have been considered in the Draft EIS. As discussed in the EIS, Chapter 4, Sections 4.5.5.3 and 4.5.5.4 in Surface Water and Sediment Quality, increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations. Vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin than in the river and reaching the Gulf through Barataria Bay.

Section 4.10.4.4 in Aquatic Resources notes that an increased potential and frequency of phytoplankton blooms would be likely within the Project area, but whether or not these blooms would become harmful algal blooms cannot be definitely determined. A reference to Section 4.10 is included in Section 4.5.5.3 in Surface Water and Sediment Quality of the Draft EIS. A reference to Section 4.10 Aquatic Resources has been added to Section 4.5.5.4 (Phosphorus) of the Final EIS. Clarifying language has been added to Sections 4.5.5.3, 4.5.5.4, and 4.25.5.4 in Cumulative Impacts.

Section 4.14 Commercial Fisheries has been updated in the Final EIS to discuss the National Shellfish Sanitation Program and the Louisiana Department of Health's oversight of shellfish harvesting in order to prevent harvest of oysters that may contain unsuitable levels of fecal coliform or toxins harmful to human health. Additionally, Appendix R2 in the Final EIS includes a Monitoring and Adaptive Management (MAM) Plan that describes monthly fecal coliform monitoring (Section 3.7.5.1) and periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23).

Additionally, as described in Appendix R2 CPRA's MAM Plan of the EIS, Section 3.7.3.11, CPRA is proposing to monitor for Harmful Cyanobacterial/Algal Bloom Toxins in Barataria Surface Waters. Samples will be collected monthly and additional discrete sampling will be done as needed in response to observations of presence of cyanobacterial and/or eukaryotic algal species associated with harmful algal bloom. Filter feeding fish may also be analyzed for toxins in fish tissue.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

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contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures

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CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63016**

**The Carnarvon Diversion (and other diversions, such as the Naomi Siphon) did not build marsh but rather caused damage to the existing marsh, such as through the introduction of freshwater invasive plant species that clog available waterways, suffocating natural marsh grass, restricting water flow.**

**Response ID: 16029**

A summary of select natural and man-made diversions in southeastern Louisiana, including the Caernarvon Diversion and Naomi Siphon, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and discuss their recorded impacts on the natural environment. This summary, which includes a discussion on changes to marsh extent and the presence of invasive plants, is available in Appendix U of the Final EIS.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

**Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on "Effects of Low Salinity Exposure on Bottlenose Dolphins," 23 March 2021. Oral presentation.**

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<https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>

**Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.**

**McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.**

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is

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possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63092**

**Further development of the Mitigation Plan is needed for properties that would be impacted by flooding caused by Project operations. Multiple commenters made specific requests for how their property should be handled (for example, through sales or easements), while others wondered why a more detailed, "real estate plan" for impacted communities was not available.**

**Response ID: 16511**

The Draft Mitigation and Stewardship Plan included with the Draft EIS (Appendix R1) included CPRA's initial framework for mitigation and stewardship measures to assist property owners in these communities impacted by increased tidal flooding and to address the Project impacts

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of Project operations on water levels. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

CPRA states that it is interested in assisting affected communities to remain in place as long as they would like. Mitigation would include a combination of structural measures (for example, raising roads, boat houses, docks and utilities) and non-structural measures. Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

Where the proposed Project would cause increased water levels and/or increased incidence of flooding, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to purchasing a flowage servitude, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property (rather than a servitude) would be made on a case-by-case basis depending on the particular circumstances.

A complete listing of the mitigation and stewardship measures that CPRA would implement if the proposed Project is approved and funded is included in CPRA's Mitigation and Stewardship Plan included in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not

know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63791**

**CPRA should monitor canals and dredge them as they begin to silt from the diversion.**

**Response ID: 16645**

The commenter's concerns regarding siltation and infill of Wilkinson Canal and other navigation channels in the Barataria Basin were considered in the Draft EIS in Chapter 4, Section 4.16.5.2 Recreation and Tourism - Operational Impacts and Section 4.21.5.2 in Navigation.

Siltation and infill of Wilkinson Canal was considered in the Draft Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. Since issuance of the Draft EIS, CPRA has revised its plan to address infill of Wilkinson Canal caused by Project operations. See Section 6.3.1 (Impacts to Navigation) of the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) for CPRA's final plan with regard to the siltation of Wilkinson Canal.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40495**

Jamie Parrino

I like to fish our coastal marshes and it breaks my heart to see the changes from year to year. I absolutely love oysters, but will gladly pay more or even give them up to save our coast. The problem has been studied and is as well identified as the only obvious solution. Turn the Mississippi loose. Stop wasting all that silt and time. Diversions have proved to be the most viable option that we have. I recommend that multiple diversions be installed now. You can study a better solution for the next 100 years, just put the MS to work while we wait.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40496**

Patricia McCarty

The state is of two opposing opinions regarding the results and effects of the Mid-Barataria Sediment Diversion. With the current plans for the diversion, the state is sacrificing the economic and environmental welfare of Plaquemines Parish citizens and resources: Current plans are insufficient and lack the proper planning. This is a Band-Aid approach to a larger problem. The Diversion will not generate enough sediment to make an appreciable effect on the coast line. We need to truck in the sediment to build up land and estuaries; that is expensive. But at what cost will the government be responsible for the damage caused to the region. Make no mistake, Plaquemines Parish has the power to make everyone listen!

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**Concern ID: 62811**

**CPRA is sacrificing the economic and environmental welfare of Plaquemines Parish citizens and resources for the implementation of the proposed Project. The commenter suggests that trucking in sediment to build up land, while expensive, is an option. The commenter questions at what cost the government would be responsible for the damage caused to the region.**

**Response ID: 16384**

As discussed in Chapter 1, Section 1.4 Purpose and Need of the EIS, the proposed Project is intended to reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the input of sediment, fresh water, and nutrients, which would create wetlands, sustain existing wetlands, and support the long-term viability of existing and planned coastal restoration efforts, including dredging projects being built now and in the future. One such project is the Large-scale Marsh Creation and Component E Planning discussed in Chapter 4, Section 4.25 Cumulative Impacts of the EIS. This is all with the goal to provide for the long-term sustainability of the Barataria Basin (including Plaquemines Parish), not at its expense. However, the potential socioeconomic impacts of the proposed Project are described in 4.13 Socioeconomics of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Mitigation and Stewardship Plan (Appendix R1), revised for the Final EIS in response to public comment, includes mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project, including impacts on fisheries and on water levels in the communities south of the outfall outside of levee protection. For fisheries related impacts, the Plan includes job training, vessel and dock improvements, fisheries innovation support (for example, alternative oyster culture), and marketing support. For increased water levels and tidal flooding in communities south of the diversion outside federal levee protection, the Plan includes structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures. See Appendix R1 to the Final EIS for more details.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if the permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

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The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40498**

LDWF

Commenter

RE: Mid-Barataria Sediment Diversion (MBSD) DRAFT Environmental Impact Statement (DEIS)

To Whom It May Concern:

The Louisiana Department of Wildlife and Fisheries (LDWF) appreciated the opportunity to be included in the collaborative writing process as part of the Louisiana Trustee Implementation Group (LA TIG) during the Draft Environmental Impact Statement (DEIS) preparation to ensure appropriate species of concern were considered and no important recreational or commercial species were omitted from impact determinations. We concur with the recommendations made by the U.S. Fish and Wildlife Service in the Draft Fish and Wildlife Coordination Act Report (DEIS - Appendix T and summarized in Chapter 5) and look forward to remaining a collaborative partner as this EIS is finalized. Importantly, we remain committed to participating fully in the continued development of the associated Mitigation Plan and Monitoring and Adaptive Management Plans.

The Barataria Basin is one of Louisianas most valuable estuaries in terms of commercial seafood harvest, recreational and charter fishing opportunities, and biological productivity. This productivity stems from the diversity of habitat types present in the basin including saline, intermediate, brackish and freshwater marshes. Historically, brown shrimp, white shrimp, oyster, blue crab, spotted sea trout, redfish and dozens of other species are harvested by the millions of pounds within this basin each year contributing hundreds of millions of dollars to Louisianas economy. To continue to flourish, these estuarine organisms depend on having habitat suitable to their needs available during their early life stages.

As outlined in the DEIS, existing oyster production will be substantially impacted by the proposed Mid-Barataria Sediment Diversion (MBSD), primarily through changes to the salinity regime in the receiving estuary, which is acknowledged in the DEIS. The Barataria Basin contributes almost 25% of Louisianas total oyster production, on average. Approximately one third of Louisianas private oyster leases are in this basin. The Hackberry Bay Public Oyster Seed Reservation and Little Lake/Barataria Bay Public Oyster Seed Grounds are all located within the basin and provide seed and market oysters for the industry when conditions are favorable. While tolerant of a wide range of salinities, oysters require several years of favorable salinity conditions for reef areas to develop and populations to become self-sustaining. While there are positive effects of flood pulses, massive freshets, especially when water temperatures are high, can cause elevated levels of oyster mortality. Aside from changes to the salinity regime, the operation of the MBSD could also affect reefs through sedimentation and burial. Nutrient rich waters may also contribute to harmful algal blooms, excessive fouling of reef areas, and low oxygen events which could impact oysters and other fisheries.

Approximately 40% of the states brown shrimp landings are from the Barataria Basin, and the DEIS correctly indicates major adverse impacts on brown shrimp populations from this project. Therefore, the development of a robust, strategic operational plan may allow for limited brown shrimp harvest opportunities, with minimal impacts to land building or project

maintenance. We continue to encourage full evaluation of ways to operate the project that still allows for commercial seafood production within the basin.

Outfall management techniques should also be fully evaluated to help redirect diverted waters away from oyster production areas, or other sensitive areas, where feasible. These techniques could be utilized as part of a comprehensive adaptive management plan that may reduce impacts to seafood species.

The possibility for invasive aquatic species to be introduced, and/or expanded are concerns that are acknowledged in the DEIS. The Mitigation Plan should include sufficient resources to address invasive aquatic plants in the area of influence. Monitoring of pre-operational conditions can help assess post-operation effects and aid in adaptive management of operation in the future.

The Louisiana Wildlife Diversity Program (WDP) database indicates the presence of bird nesting colonies within one mile of this proposed project. Please be aware that entry into or disturbance of active breeding colonies is prohibited by LDWF. In addition, LDWF prohibits work within a certain radius of an active nesting colony, unless a specific variance is granted by the Secretary.

Nesting colonies can move from year to year and no current information is available on the status of these colonies. If work for the proposed project will commence during the nesting season, a field visit to the worksite to look for evidence of nesting colonies is required. This field visit should take place no more than two weeks before the project begins. If no nesting colonies are found within 1000 feet (2000 feet for Brown Pelicans) of the proposed project, no further consultation with WDP staff may be necessary. If active nesting colonies are found within the previously stated distances of the proposed project, further consultation with WDP staff will be required. Colonies should be surveyed by a qualified biologist to document species present and the extent of colonies. Additionally, LDWF should be provided with a survey report. For report requirements and restrictions for minimizing disturbance to colonial nesting birds or if at any time Louisiana Natural Heritage Program-tracked species are encountered within the project area, please contact our WDP biologists at [REDACTED].

LDWF strongly recommends that the applicant involve the local coastal and fishing communities in any mitigation planning required for this project.

If you have any questions about our comments or concerns, please feel free to contact our staff lead on this matter, Brady Carter, at [REDACTED].

Sincerely,

Patrick D. Banks

Assistant Secretary

LDWF Office of Fisheries

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts.**



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**These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and

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the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62708**

**The release of polluted river water into the Barataria Basin would create harmful algal blooms and/or large areas of low dissolved oxygen that could negatively affect aquatic fauna including mortality of adults and juveniles that may not be able to escape impacted areas.**

**Response ID: 16086**

As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, the input of nutrients from the Mississippi River is generally anticipated to be beneficial to the food web, although there is an acknowledged potential for harmful algal blooms. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and well-mixed by wind and tidal action, such that it is not typically prone to stratification that promotes hypoxic (dissolved oxygen of less than 2 to 3 mg/L) conditions. Further, as discussed in Section 4.10.4.4 in Aquatic Resources, the Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below 5 mg/L on an average monthly basis; therefore, although sporadic and limited areas of low dissolved oxygen may occur, mainly in the summer months, no large or prolonged periods/layers of low dissolved oxygen are projected by the Delft3D Basinwide Model, nor anticipated based on the Barataria Basin's identification as a largely well-mixed estuary. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to Project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2), which has been updated for the Final EIS in response to public comments, includes CPRA's plan to implement a monitoring program for phytoplankton species composition, including harmful

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cyanobacterial/algal bloom species (and associated toxins) (see Sections 3.7.3.10 and 3.7.3.11 of Appendix R2 of the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62757**

**Although tolerant of a wide range of salinities, oysters require several years of favorable salinity conditions for reef areas to develop and populations to become self-sustaining. While there are positive effects of flood pulses, massive freshets can cause elevated levels of oyster mortality, especially when water temperatures are high**

**Response ID: 16135**

Consistent with the commenter's statements, there would be both positive and negative effects on oysters from the salinity changes projected to occur during operation of the proposed Project, with potentially positive benefits on oysters in the lower basin, where salinity is expected to remain high enough to allow growth and survival, but low enough to minimize the potential for predation and disease. However, the overall impact of freshwater input on oysters anticipated to be major and adverse. The effects of altered temperatures and salinities on oysters during operation of the proposed Project are further discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62758**

**The operation of the MBSD could also affect reefs through sedimentation and burial.**

**Response ID: 16136**

The commenter correctly notes that existing oyster reefs could be affected through sedimentation and burial during operation of the proposed Project, with the potential for adverse effects related to distance from the outfall and the current productivity of the reef (in other words, if oyster growth can outpace sediment deposition rates). The potential for oyster reef burial from sedimentation during operation of the proposed Project is further discussed in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62759**

**Nutrient rich waters may contribute to excessive fouling of reef areas, which could impact oysters and other fisheries.**

**Response ID: 16137**

Chapter 4, Sections 4.10.4.4.2.2 Substrates and 4.10.4.5.2.11 Eastern Oysters in the Final EIS has been revised to discuss the potential for nutrient loading from the proposed Project to increase fouling of oyster reefs and oysters, respectively.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or

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adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62861**

**Outfall management techniques should be fully evaluated to help redirect diverted waters away from oyster production areas, or other sensitive areas, where feasible. These techniques could be utilized as part of a comprehensive adaptive management plan that may reduce impacts, including the introduction of invasive species, on seafood species.**

**Response ID: 16670**

Based on analyses included in the Coastal Master Plan, the size and scope of ridges necessary to isolate areas in the basin from fresh water would make this solution infeasible. No related edits have been made to the Final EIS.

CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the EIS) outlines a monitoring process for salinities in the basin that CPRA would implement after operations commence. The salinity information would inform potential relocation of seed grounds to more environmentally suitable areas within the basin or the establishment of broodstock reefs in environmentally suitable areas to address larval supply. The Mitigation and Stewardship Plan (Appendix R1 to the EIS) includes oyster mitigation measures totaling \$32 million. Table 4.27-2 in Section 4.27 (Mitigation Summary) identifies which of these oyster mitigation measures are specific to the proposed Project and which are augmentation of existing or proposed programs.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

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**Concern ID: 62881**

**The Louisiana Department of Wildlife and Fisheries (LDWF) appreciated the opportunity to be included in the collaborative writing process as part of the Louisiana Trustee Implementation Group (LA TIG) during the Draft Environmental Impact Statement preparation to ensure appropriate species of concern were considered and no important recreational or commercial species were omitted from impact determinations. The commenters concur with the recommendations made by the U.S. Fish and Wildlife Service in the Draft Fish and Wildlife Coordination Act Report (Draft EIS, Appendix T and summarized in Chapter 5) and look forward to remaining a collaborative partner as this EIS is finalized. Importantly, the commenters remain committed to participating fully in the continued development of the associated Mitigation Plan and Monitoring and Adaptive Management Plan.**

**Response ID: 15739**

USACE appreciates LDWF's input into the Draft EIS and the Final EIS. CPRA and the LA TIG appreciate the agency's continued participation in the development of the Mitigation and Stewardship Plan and Monitoring and Adaptive Management Plan.

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**Concern ID: 62894**

**Colonial nesting waterbirds are documented within 1 mile of the proposed Project and activities within a certain radius of an active colony are generally prohibited. Nesting colonies can move from year to year and no current information is available on the status of these colonies. If work for the proposed Project would commence during the nesting season, a field visit to the worksite to look for evidence of nesting colonies is required. This field visit should take place no more than 2 weeks before construction begins. If no nesting colonies are found within 1,000 feet (2,000 feet for brown pelicans) of the proposed Project, no further consultation with Louisiana Wildlife Diversity Program (WDP) staff may be necessary. If active nesting colonies are found within the previously stated distances of the proposed Project, further consultation with WDP staff would be required. Colonies should be surveyed by a qualified biologist to document species present and the extent of colonies. Additionally, LDWF should be provided with a survey report. For report requirements and restrictions for**

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**minimizing disturbance to colonial nesting birds or if at any time Louisiana Natural Heritage Program-tracked species are encountered within the proposed Project area, please contact our WDP biologists at 225-765-2643.**

**Response ID: 16193**

As noted in Chapter 4, Section 4.9.3.2 in Terrestrial Wildlife and Habitat and Appendix R1 (Mitigation and Stewardship Plan) of the EIS, if a permit is issued, CPRA would conduct pre-construction surveys for colonial waterbirds and would provide the survey results to the LDWF for review. As further noted in Chapter 5, Section 5.3 Fish and Wildlife Coordination Act Report Recommendations of the EIS, if a permit is issued, CPRA has agreed to implement Conservation Recommendation 13 resulting from the Fish and Wildlife Coordination Act consultation with USFWS, which requires inspection and monitoring measures similar to those recommended by the commenter. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the

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Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63834**

**The Mitigation Plan should include sufficient resources to address invasive aquatic plants in the area of influence.**

**Response ID: 16691**

The invasive aquatic plant issue raised by the commenter was considered in CPRA's Monitoring and Adaptive Management (MAM) Plan included with the Draft EIS (Appendix R2), which included monitoring for flora and fauna including potential increases in invasive species. Observed increases would then be addressed through the adaptive management structure within the MAM Plan. No related changes were made to the MAM Plan included in the Final EIS (see Appendix R2).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40500**

National Audubon Society

Nicholas Dixon

When I am in the coastal wetlands of Louisiana, navigating the landscape, looking for birds and other beauties, I find a spiritual connection to the earth and everything around me. The connection makes me aware of what it means to be alive - - it invigorates me hope for the future while at the same time grounds me in the present. But it also makes me more aware of the greatly chaotic era that is upon us. This chaos has shaken our ecology, making things less suitable for the common man. My connection with the earth and it's people extends to all - - some without means, or ability to make the same connections that I have with with nature. This could be caused by many things, including restrictions imposed by extensive boundaries of private property that rob us of the universal spirit. There are financial constraints and a cultural divorce from nature as well. I say all this to suggest that as restoration plans are considered, any restored land should be returned to the commons and plans should be made to ensure equal access- - I think that would help heal our splintering universal spirit. Additionally, I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan. Centering community needs in planned mitigation and stewardship efforts should also be a priority. Plans to help communities deal with impacts of the projects should be clearly stated and fully funded.

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**Concern ID: 62412**

**If public funds are spent to acquire rights to private property in the receiving basin, then the right to free and unfettered public access must be acquired as well. Private landowners that succeed in requiring the purchase of rights such as flowage easements in order to allow a project that would prevent their land from disappearing should not be allowed to profit from this massive beneficial investment beyond sale of their property to the people in fee simple at fair market value.**

**Response ID: 15952**

Ownership of any lands created or acquired related to construction or operation of the Project would be determined in accord with current state law, including ownership of mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E). Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights of access to the public in or on private property.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing

community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40501**

Rene Martinez

I am against the diversions place stop them from being built.

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40503**

Amanda Martinez

Please stop the diversions from being built

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40504**

Matthew Duhon

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA:

Coastal Louisiana is part of my family's legacy and my own time living, working, and playing in south Louisiana is something that money cannot buy. My family has enjoyed this pleasure for generations. Unfortunately, we have immense amounts of land loss of Coastal Louisiana. This is a tragedy because I do not want my daughter's generation to lose the experience of the marshes, swamps, bayous, lakes, and everything within those ecosystems. What cannot be ignored is the Mississippi river's ability to carry sediment and build lands - this too is a generational phenomenon. A crucial component to restoring the coast is reconnecting the Mississippi River to the surrounding marshes. I support the selection of the preferred alternative in the Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion and support funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40505**

Daniel Martinez

I'm against the building of the diversions.

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40506**

Rev. Tyronne Edwards

My congregation is totally against the Mid- Barataria Sediment Diversion project! This project has no benefit use to our communities! It will however destroy our properties to benefit a few rich contractors. Please denial this project for the safety of our communities properties cultural way of living. The science doesn't back of need for this project to destroy our communities!

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore

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habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Correspondence ID:40508**

Jennifer Blanchard

Mid-Barataria Sediment Diversion Public Comment

6/3/2021

by Jennifer Blanchard Earth and Environmental Scientist

The design features of the Mid-Barataria Sediment Diversion project are lacking in innovation and creativity. It is a rudimentary design that consists essentially of a gated control structure, a concrete conveyance channel, and outfall. Once again Louisiana has the opportunity to be a leader in scientific innovation and the development of sustainable solutions for combating climate change, and will let this opportunity simply pass us by.

Question 1- Please describe any innovation in the design of this sediment diversion that varies from the existing Freshwater diversions in current operation.

Question 2- Does the design of this project include any hydraulic energy conversion to electricity?

Question 3- Does the design include the use of technology for the rapid establishment of native vegetation to stabilize soils to prevent erosion from tropical storms and hurricanes?

This project will result in a collapse of the Barataria Bay estuary, having lasting impacts on the commercial and recreational fisheries of Plaquemines and Jefferson Parish with the very likely and almost certain potential to impact coastal commercial and recreational fisheries of the Barataria Basin, Gulf of Mexico, Mississippi River Delta Basin, and the Biloxi Marsh extending to the Mississippi sound. I would expect to see resulting litigation by the state of Mississippi for the impacts to the state commercial and recreational fishing industry, the local tourism industry (Hotels, restaurants, fishing charters, etc..) that rely on the seafood, beaches, and clean waters of this region. The consequence of large-scale freshwater diversion is: increased turbidity, temperature changes, excessive nutrient and pollutant loading, hypoxia, introduction of invasive species, ecological change/collapse, threats to rare/threatened/endangered wildlife.

The data to support this statement is well documented by data collected from the opening of the Bonnet Carre Spillway. In an article published in 2019 Benedict Posadas states the prolonged Bonnet Carre Spillway (BCS) opening in May-June 2011 resulted in massive oyster mortalities in the shellfish growing waters (Posadas, B. 2019). The loss of commercial oyster beds has long lasting and far-reaching effects from the dock to the restaurant and the local/regional tourism of Southeast Louisiana and Mississippi.

He also stated in this article Several recent coastal events were harmful to the oyster fishery in Mississippi (Table 1). The recent hazards which affected the coastal areas in Mississippi included the opening of the Bonnet Carr Spillway due to the Mississippi River flooding events in Jan-Feb. 2016, Mar. 2018, Feb-Apr. 2019, and May-Jun 2019 (US-ACE, 2019). Toxic algal blooms in Nov.-Dec. 2015 in the Mississippi Sound led to massive fish kills in Harrison and Hancock Counties and closure of oyster reefs from Dec. 2015 to Feb. 2016 (MDMR, 2016). Clearly demonstrating that the freshwater releases will result in detrimental effects to the commercial oyster industry, commercial fisheries, and tourism economy in Louisiana and Mississippi.

There are unforeseen risks to human health as the result of toxic algal blooms (Cyanobacteria etc..) that will be the result of excessive nutrient loading from Mississippi River freshwater. As

stated by Stumpf and Tomlinson of the National Oceanic and Atmospheric Administration, National Ocean Service, these risks may include: Amnesic Shellfish Poisoning (ASP), Neurotoxic Shellfish

Poisoning (NSP), Paralytic Shellfish Poisoning (PSP), Diarrhetic Shellfish Poisoning (DSP) and Ciguatera Fish Poisoning (CFP). Most of these syndromes occur through consumption of shellfish made toxic by ingestion of the toxin-producing phytoplankton (R.L. Miller et al., 2005). The duration of these events cannot be determined with a project of this size that has no definitive operation schedule and a project that has never been constructed at this scale.

Question 4- What Steps are being made in advance of the construction of this project to protect the sustainability of Louisianas commercial and recreational fisheries?

Table 1. Adapted from: Coastal hazards which occurred in Coastal Mississippi from Aug. 2005 to Jun. 2019 (Posadas, B. 2019).

Bonnet Carr  spillway

opening

May 9-Jun. 20, 2011

42 days

330 or 94% of BCS (USACE, 2019)

bays opened. MDMR (2011a) reported

86% oyster mortalities.

~235,000cfs

Harmful algal blooms

Nov.-Dec. 2015

MDMR (2015b, 2016) closed the oyster fishery from Dec. 2015 to Mar. 2016.

Bonnet Carr  spillway

opening

Jan. 10-Feb. 1, 2016

22 days

210 or 60% of BCS (USACE, 2019)

bays opened.

~150,000cfs

Bonnet Carr  spillway

opening

Mar. 8-30, 2018

22 days

168 or 48% of BCS (USACE, 2019)

bays opened.

~120,000cfs

Bonnet Carr  spillway

opening

Feb. 27-Apr. 11,

2019

43 days

206 or 59% of BCS (USACE, 2019)

bays opened.

~147,500cfs

Bonnet Carr  spillway

opening

May 9-Jul. 22, 2019

74 days

168 or 48% of BCS (USACE, 2019)

bays opened. MDMR (2019b) reported

>95% oyster mortalities.

~120,000cfs

The BCS has a design capacity of 250,000 cfs

The MBSD has a design capacity of Maximum flow at 75,000 cfs

Estuarine Habitat and Protected Species:

Question 5- What was the justification for the waiver of the Endangered Species act (ESA)?

The risk to the estuary and nursing ground for many species of fish, invertebrates, aquatic insects is threatened by this project.

The threat to the habitat and populations of 28 different species of marine

Mammals known to occur in the Gulf of Mexico (GOM) are at risk. These 28 species are protected under the Mammal Protection Act (MMPA). Three of these marine mammals are dolphin species that occur in the nearshore waters of the GOM.

Question 6- Is there a signed waiver of the MMPA?

There are five GOM species of sea turtle that are threatened endangered species.

The threatened and endangered species of the Gulf sturgeon would be at high risk due to their diadromous spawning in the Pearl River and Pascagoula river basins.

There are many fish species of conservation concern in the northern GOM including the: Dusky shark, Sand tiger shark, Warsaw grouper, Speckled hind (grouper), Alabama shad, Key silverside, Opossum pipefish, Mangrove rivulus. (NOAA, 2012).

Commercial Fisheries cont.:

Question 7- Will you please provide a link to a full cost benefit/economic analysis, detailing the commercial fisheries loss projections?

The GOM supports an important fisheries economy. From an economic standpoint the top five fisheries are shellfish including the: white shrimp, brown shrimp, blue crab, and eastern oyster. The second largest fishery of the US is menhaden harvest by landings (weight) (Spies, Senner, and Robbins. 2016) . The sediment diversion poses a risk to these species and the economies that are based on their harvest.

Question 8- What Pipelines traverse the sediment diversion between the back levee tie-ins and Bayou Dupont/Barataria Basin and what company/companies own these pipelines?

Summary of Comment:

I do not support this project because the current design is lacking in innovation and also due to the risks it poses to our state's extended economy through commercial/recreational fisheries and tourism based on the productivity of our estuaries. I also oppose the MBSD due to the risk associated with excessive nutrient loading and pollution that will result in harmful algal blooms (HABs). The potential risk to the three MMPA protected species of Dolphin that occur in the nearshore waters of the GOM. I ask that you kindly respond to my comment questions in your official report of the public comment response.

Respectfully,

Jennifer L. Blanchard

Earth and Environmental Scientist

Concerned citizen.

References:

Posadas, Benedict C. (2019) "Economic Impacts of Coastal Hazards on Mississippi Commercial Oyster

Fishery from 2005 to 2016," Journal of Ocean and Coastal Economics: Vol. 6: Iss. 1, Article 10.

DOI: <https://doi.org/10.15351/2373-8456.1115>

R.L. Miller et al. (eds.), Remote Sensing of Coastal Aquatic Environments, 277-296.

◆ 2005 US Government. Printed in the Netherlands.

Spies, R. B., S. Senner and C. S. Robbins. 2016. An Overview of the Northern Gulf of Mexico Ecosystem. Gulf of Mexico Science 33 (1). Retrieved from <https://aquila.usm.edu/goms/vol33/iss1/9>

An Overview of Protected Species in the Gulf of Mexico, NOAA Fisheries Service Southeast Regional Office Protected Resources Division, Revised February 2012.

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**Concern ID: 61908**

**Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana's attractiveness as a fishing area and place for swamp tours and authentic seafood.**

**Response ID: 16238**

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EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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**Concern ID: 61918**

**Prior to and during the implementation of the proposed MBSD Project, consider ways to slow down the flow of the water in the basin for the sediment to work and to stop tidal surge, including dredging and filling, building islands, and planting vegetation to prevent erosion.**

**Response ID: 16005**

CPRA considered ways to slow down the flow in the basin during design and alternatives development of the proposed MBSD Project. Chapter 2 Alternatives of the EIS describes the various alternatives that were considered including several diversion outfall features (see Section 2.5, Step 3: Evaluation of Sediment Diversion Outfall Features). Marsh terracing is an outfall feature that was included in the reasonable range of alternatives evaluated in the EIS because these features are often used to reduce wave energy, protect eroding or recently restored shorelines, or to promote sediment deposition. However, results of the impact analysis showed mainly negligible to minor differences in impacts when terrace alternatives were compared to alternatives without terraces. If the proposed Project is implemented, CPRA would consider potential ways to optimize diversion operations including outfall management based on Project performance and success as part of the adaptive management and monitoring process.

Refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of

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publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

In addition, other restoration strategies in coastal Louisiana similar to what is being proposed are being currently implemented or considered by CPRA in their Coastal Master Plan and the LA TIG through separate NRDA restoration planning.

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**Concern ID: 61922**

**The design features of the proposed Mid-Barataria Sediment Diversion Project are lacking in innovation and creativity. Commenters suggests inclusion of innovative design, such as converting hydraulic energy to electricity and potential solutions for combating climate change, as part of the proposed Project.**

**Response ID: 16009**

CPRA states that the proposed Project would be the first of its kind and size that would create a sustained deltaic connection between the Mississippi River and the Barataria Basin.

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**Concern ID: 62019**

**The Draft EIS fails to address extended economic and community impacts of this proposed Project. The proposed MBSD Project would not only affect localized Louisiana concerns, but would impact no less than three other Gulf Coast states including Texas, Mississippi, and Alabama.**

**Response ID: 16215**

EIS Chapter 3, Section 3.1.1 Project Area identifies the area of analysis for the EIS which includes the Barataria Basin and portions of Mississippi River birdfoot delta. For socioeconomic impacts, the EIS identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche, and Jefferson Parishes, Louisiana. For commercial

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fisheries, the proposed Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin birdfoot delta). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4 Operational Impacts in Commercial Fisheries in the Final EIS has been revised to acknowledge this.

In response to one commenter's request for supplemental environmental review to consider potential impacts of the Project on the Texas shrimp fishery, the NOAA Technical Memorandum cited in support of that request has been reviewed. The technical memo does not confirm the comment that shrimp from the Barataria Basin migrate to Texas. While that memo does report that tagged brown shrimp released in Louisiana were recovered in Texas, those recovered shrimp were released in offshore waters south of Calcasieu Lake. Tagged shrimp that were released in the Caillou Lake estuary, which is in the Terrebonne Basin (on the western side of the Barataria Basin) were not recovered in Texas.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)



- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62079**

**Commenters are concerned that impacts similar to those caused by the fresh water from Bonnet Carré Spillway openings would affect fisheries in the Barataria Basin with the proposed MBSD Project.**

**Response ID: 16244**

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The Project area for the MBSD EIS includes the Barataria Basin and the Mississippi River birdfoot delta. Existing operations and influences of rivers and diversions, including but not limited to the Bonnet Carré Spillway, were incorporated into the baseline conditions of the No Action Alternative and action alternatives assessed in the Draft EIS, Chapter 4 Environmental Consequences, Sections 4.2 through 4.24. Reasonably foreseeable future (but not existing) diversions, such as the Mid-Breton Diversion, were analyzed for impacts in combination with existing diversions and the proposed MBSD diversion in Chapter 4, Section 4.25 Cumulative Impacts.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS. Note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes.

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**Concern ID: 62091**

**Commenters requested that detailed information on the full cost/benefit analysis regarding commercial fisheries be provided.**

**Response ID: 16251**

NEPA does not require that the EIS contain a cost-benefit analysis unless it is relevant to the agency's decision. USACE generally assumes that a permit applicant has done its own economic evaluation of a proposed project. The EIS evaluates potential adverse as well as potential beneficial impacts to commercial fisheries in Chapter 4, Section 4.14 Commercial Fisheries.

Consistent with OPA regulations, in the LA TIG's Final Restoration Plan the LA TIG has evaluated a range of alternatives based on multiple criteria including the cost to carry out each alternative, the likelihood of success, the extent to which future injury would be prevented and avoid collateral injury, the extent of benefits to more than one natural resource, and the effect on public safety. This analysis can be found in Section 3 of the Restoration Plan.

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**Concern ID: 62172**

**The commenter questioned what pipelines would traverse the sediment diversion between the back levee tie-ins and Bayou Dupont, which is located in the Barataria Basin, and what companies own these pipelines.**

**Response ID: 16406**

The commenter's concern regarding existing pipelines that would be impacted by the diversion were considered in the Draft EIS. The EIS describes pipelines currently known to be present in the Project area based on publicly available pipeline data sources in Chapter 3, Section 3.2.3 Mineral Resources, including ownership of those pipelines. The EIS describes potential impacts to existing pipelines in Chapter 4, Section 4.2.3 Mineral Resources.

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**Concern ID: 62197**

**Commenter asked what the justification was for the waiver of the Endangered Species Act (ESA).**

**Response ID: 15744**

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No waiver of the Endangered Species Act was granted for this proposed Project. USACE initiated formal ESA Section 7 consultation with NMFS on February 24, 2021 and USFWS on July 2, 2021, including submission of a Biological Assessment to each of the Services which analyzes the potential impacts to ESA-listed species. This Biological Assessment, as well as the agencies' response in the form of a Biological Opinion, can be found in Appendix O (Biological Assessment and Biological Opinion) of the Final EIS.

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**Concern ID: 62198**

**Commenter asked if there is a signed waiver of the MMPA.**

**Response ID: 15745**

Yes; the signed waiver can be found in Final EIS Appendix S (Compliance Documentation).

Additional information about the MMPA waiver can be found at

<https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Concern ID: 62300**

**The diversion would cause harmful algal blooms which have unforeseen risks to human health, including Amnesic Shellfish Poisoning (ASP), Neurotoxic Shellfish Poisoning (NSP), Paralytic Shellfish Poisoning (PSP), Diarrhetic Shellfish Poisoning (DSP) and Ciguatera Fish Poisoning (CFP).**

**Response ID: 15813**

The impacts raised by the commenters have been considered in the Draft EIS. As discussed in the EIS, Chapter 4, Sections 4.5.5.3 and 4.5.5.4 in Surface Water and Sediment Quality, increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations. Vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin than in the river and reaching the Gulf through Barataria Bay.

Section 4.10.4.4 in Aquatic Resources notes that an increased potential and frequency of phytoplankton blooms would be likely within the Project area, but whether or not these blooms would become harmful algal blooms cannot be definitely determined. A reference to Section 4.10 is included in Section 4.5.5.3 in Surface Water and Sediment Quality of the Draft EIS. A reference to Section 4.10 Aquatic Resources has been added to Section 4.5.5.4 (Phosphorus) of the Final EIS. Clarifying language has been added to Sections 4.5.5.3, 4.5.5.4, and 4.25.5.4 in Cumulative Impacts.

Section 4.14 Commercial Fisheries has been updated in the Final EIS to discuss the National Shellfish Sanitation Program and the Louisiana Department of Health's oversight of shellfish harvesting in order to prevent harvest of oysters that may contain unsuitable levels of fecal coliform or toxins harmful to human health. Additionally, Appendix R2 in the Final EIS includes a Monitoring and Adaptive Management (MAM) Plan that describes monthly fecal coliform monitoring (Section 3.7.5.1) and periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23).

Additionally, as described in Appendix R2 CPRA's MAM Plan of the EIS, Section 3.7.3.11, CPRA is proposing to monitor for Harmful Cyanobacterial/Algal Bloom Toxins in Barataria

Surface Waters. Samples will be collected monthly and additional discrete sampling will be done as needed in response to observations of presence of cyanobacterial and/or eukaryotic algal species associated with harmful algal bloom. Filter feeding fish may also be analyzed for toxins in fish tissue.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62771**

**The estuary provides a food source and nursing grounds for many species of fish (including migratory species), invertebrates, aquatic insects, which are threatened by this proposed Project.**

**Response ID: 16149**

The impacts to the Barataria Basin from the proposed Project were discussed throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, which included both adverse and beneficial impacts on area flora and fauna, based on the specific life histories and habitat preferences.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

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The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

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The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62790**

**Diversion of polluted and nutrient-laden waters into the Barataria Basin would result in harmful algal blooms (HABs) and expansion of the dead zone.**

**Response ID: 16371**

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The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone "water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen" (<https://www.epa.gov/ms-hf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant's Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of

the EIS. A reference to this section has been added to Sections 4.5.5.3.2 and 4.5.5.4.2 of the Final EIS. Finally, the EIS acknowledges the potential for up to major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63090**

**A commenter requests an explanation of steps that will be undertaken before construction to protect sustainability of commercial and recreational fisheries.**

**Response ID: 16513**

The commenter's requested explanation of the steps that will be undertaken before construction of the Project to protect fisheries was addressed in CPRA's Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS). For example, CPRA's oyster mitigation program allocates a portion of the \$15 million in public and private seed ground enhancement funding to providing enhancement in areas adjacent to Barataria Basin prior to commencement of Project operations and to reimburse for cultch or spat/shell to leaseholders choosing to rehabilitate leases, or create new leases, in Lower Barataria Basin. In total, \$54

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million has been allocated for mitigation and stewardship measures to address impacts to commercial and recreational fisheries. In addition, details on CPRA monitoring activities pre- and post-operations can be found in the MAM Plan (Appendix R2 to the Final EIS). In response to comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63122**

**There are five species of sea turtle that are listed as threatened or endangered in the Gulf of Mexico.**

**Response ID: 16273**

The commenter correctly notes that five federally listed sea turtles occur in the northern Gulf of Mexico, as identified in Chapter 4, Section 4.12 Threatened and Endangered Species, Table 4.12-1 of the EIS; therefore, no related edits have been made to the Final EIS.

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**Concern ID: 63123**

**The Gulf sturgeon would be at high risk due to their diadromous spawning in the Pearl River and Pascagoula river basins.**

**Response ID: 16274**

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The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which includes the Barataria Basin and the Mississippi River birdfoot delta (particularly for biological resources), as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS. As noted in Section 3.12.1 in Threatened and Endangered Species and Figure 3.12-1 of the EIS, the Gulf sturgeon's range is outside the proposed Project area, and the species is therefore not carried forward for an evaluation of impacts from the proposed Project in Chapter 4 Environmental Consequences. Because the issue raised by the commenter was addressed in the Draft EIS, no related edits have been made in the Final EIS.

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**Concern ID: 63147**

**Commenter requests information on steps being taken before Project construction to protect commercial and recreational fisheries.**

**Response ID: 16529**

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on fisheries mitigation, including mitigation and stewardship measures that would be undertaken before and during Project construction. In response to public comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including providing additional detail on several fisheries mitigation and stewardship efforts that would be undertaken before Project construction, including funding for public and private oyster seed ground enhancement, funding for alternative oyster aquaculture, marketing, shrimp vessel and facility improvements, workforce and business training, and subsistence fishing access (see Appendix R1 to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63152**

**There are many fish species of conservation concern in the northern Gulf of Mexico including the dusky shark, sand tiger shark, Warsaw grouper, speckled hind (grouper), Alabama shad, key silverside, opossum pipefish, and mangrove rivulus. (NOAA 2012).**

**Response ID: 16154**

The lists of special status species discussed in the Essential Fish Habitat Assessment (Appendix N2 of the EIS) and Chapter 4, Section 4.12 Threatened and Endangered Species were developed in consultation with NMFS and include those species anticipated to incur potential impact from construction or operation of the proposed Project. As these species were not identified as species of concern for the Project during the EFH and ESA consultations, they are not discussed in the EIS. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Correspondence ID:40509**

Matthew Tesvich

Im currently 28 years of age. I am a 4th generation oyster fisherman on my Dads side of the family tree. Ive been off and on in the oyster business since I was 16 years old, but full-time captain since 2014.

I know Ive only been fishing Oysters a small fraction of time compared to some of these old timers, but I feel Ive reached a point of understanding and appreciation for this business. Ive seen what makes oyster reefs successful and also what makes them crumble(some explained/some unexplained). With that being said, although oysters are very tough organisms, Ive seen what fresh water does to them.

Fresh water is arguably the worst thing an oyster can encounter. We had a record high river in 2019 which caused oysters to start dying as far north as Bay Adams and No Mans Land. My dad, Kuzma Tesvich Jr., said hes never seen that his entire life. There was no strong storm that pushed the water in, there were regular days with a regular summer breeze. THIS WATER TRAVELED ALL THE WAY FROM VENICE ON ITS OWN. A marine biologist had checked the water in north Bay Adams and the salinity was 0 parts per million. ZERO. Bay Adams, a place that is 20-25 miles north of Venice consisted of 100% river water for one full week. In just that one week, some fishermen saw as much as 40% of their oyster reefs perished. This was the main example I wanted to cover in terms of what freshwater can do to oyster reefs. I could go in extreme detail about other scenarios but I would be here all day.

But now yall want to put a giant diversion 20 miles north of Empire? I am no biologist or scientist, but after reading the above information it doesnt take either one of those to see that every oyster reef between Myrtle Grove and Venice will be nonexistent if this diversion is built.

The state is now saying things like mid Barataria diversion benefits the seafood industry. This is a misleading/pathetic statement in hopes of swaying the opinion of anybody ignorant on the topic. Sure, it would help crawfish and gators, and the lily pads will be flourishing, BIG DEAL! It will completely wipe out the shrimp, oyster, and crab populations! Oh, and say goodbye to the dolphins(go look up how many dolphins were killed by the fresh water in 2019). And this, the state knows, so somehow they were able to get the marine mammal act waived, an act that prevents any type of operation that will kill marine mammals(not sure on the details but again look this up).

The fact that they are saying this will build land is absolutely ridiculous, go look at Mardi Gras pass and Caernarvon. It didnt build land, it grew lily pads, are lily pads great hurricane protection? You tell me. I forgot to mention the charter fishing industry as well, say goodbye to speckled trout between Venice and Myrtle Grove! Yeah you can still catch them if you travel maybe 50 miles. But back to building land. Sure the diversion will move some sediment, sediment that will settle and have to be what? DREDGED!! This sediment will build up in certain areas and will still have to be suction dredged and relocated to the desired location. How about we only dredge and cut out the billions of gallons of polluted river water? The mouth of the River is constantly being dredged and what do they do with the sediment? Dump it off the continental shelf, geniuses!! Take that sediment and build/add to islands. Want more islands? MAKE THEM! They are hoping this will build land in 40 YEARS, there is no proof. Do you want a barrier island thats bulletproof? MAKE IT! And put it exactly where you want it! Make islands TOMORROW by dredging, and not devastating the seafood industry!

On another note, I get the whole natural approach, I really do. ~Build these estuaries in their natural locations from hundreds of years ago.~ but Ive got some news for you. We pissed in mother nature s natural face years ago when we built the levee system. We cannot go back in time. Whats the most natural thing we could do? Completely bus to Levi is wide open, let all the land from Belle Chase down to Venice naturally flood six months out of the year. Sounds crazy right? Thats because it is . Society/businesses has developed and is thriving. Thats also relocating thousands of people. Is that really a possibility? Lower Plaquemines has are commercial fishing, recreational fishing, and a weak oil industry. So we want to wipe out the most successful form of revenue in lower Plaquemines, the only things causing it to still thrive? And not just in forms of money, but lifestyles, generations of businesses that have been passed down, thousands of people and families that have fully invested their lives into this and thats all they know. Charter fishing, lodging, shrimp, oysters, crabs, etc. Wipe out all these for a hope and a prayer that good solid land will magically create these dream barrier islands 40 years from now and flourish, what bizarre way of thinking. Wake up!

And one more thing, the most common response I hear from diversion supporters is Yes, the business will get harder, the tough will survive. You just have to move your reefs out further..... The statement move your reefs out further is absolutely absurd and obviously said by people that know nothing about oyster reproduction/cultivation/maintenance. A successful oyster reef is successful because of the years of cultivating and maintenance. I can speak for 20 minutes JUST on oyster reproduction, but I wont do that. Very rarely do we attempt to create a reef on new sea bottom, and if we do, its very rare that we see success or even a return thats worth our while. My own father(someone who has started to give up on fighting the diversions because the states going to do what the states going to do) has attempted to harness this move your reefs further mentality. Hes trying to jump the gun a little bit and bought oyster leases in Fox Bay close to Mississippi(in preparation of the Breton Sound diversion, which is also in the works). For the last 4 consecutive years, he planted 1 hopper barges of limestone per year. So 4 hopper barges, 1800 tons per barge, 7,200 tons total, \$60,000 per barge, \$240,000 total. The oysters did not spat like we planned. My dad took a risk, made a serious investment, and the last 2 years we have not even sold 600 bushels of oysters from that lease. The return on this \$240,000 investment has been around \$30,000. We will be very lucky to sell 1,200 - 1,500 bushels from this entire lease.

My point? You cant just move oysters reefs. It doesnt just happen. And if it does happen, the expenses alone would leave you with nothing. So that argument/response is becoming stale.

Im sure there are a lot of points that skipped my mind, I was sitting here trying to send this before noon. Yes I couldve spoke about many more things.

DO THE RIGHT THING, dredge DONT divert!

Sincerely,

A pissed-off fisherman

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land**

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**immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve

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and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information

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from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62696**



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**Oysters are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.****Response ID: 16075**

The commenter correctly notes the impacts on oysters from low salinity. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the Draft EIS, operation of the proposed Project would result in a permanent, major adverse impact on oysters, due in large part to decreases in salinity.

To address Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). Mitigation measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture.

Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS (Appendix R) were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62823**

**The commenter notes that the State got a waiver from the MMPA, which normally prohibits an operation that will kill marine mammals.**

**Response ID: 16393**

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

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**Concern ID: 62967**

**Commenters noted that moving reefs would not help oyster fishers because it takes years to develop a productive oyster reef.**

**Response ID: 16535**

A productive oyster reef would take years to develop, which may include finding a suitable location for a new reef, establishing suitable substrate for oyster attachment and growth, and oyster growth to sack size (requiring about 18 months, or less if seed oysters are placed; see Chapter 3, Section 3.10.5 and Chapter 4, Section 4.10.4.5 of the EIS). Section 4.14.4.2.3 Eastern Oyster Fishery of the Final EIS has been updated to identify the timeframe for establishment for new oyster reefs. CPRA's oyster mitigation strategies are focused on establishing a sustainable oyster fishery for the long term, not on alleviating the short-term impacts to individual oyster growers. CPRA's oyster mitigation program allocates funding for public seed ground establishment, public and private seed ground enhancement prior to and after commencement of Project operations, creation or enhancement of broodstock reefs, and reimbursement for cultch or spat/shell to leaseholders choosing to rehabilitate leases. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40512**

Commenter

As a resident of Louisiana, of course I would like to see the ever quickening coastal erosion of our state be halted and even reversed. However, I question whether the proposed Mid-Barataria Sediment Diversion project is the best option for the area involved. Several communities will be put into jeopardy economically and physically. This is due in large part to the influx of fresh water that will kill off the brown shrimp and other staple marine life that serve as the main income generator of these fishing communities, and as an additional consequence will limit the amount of seafood they catch to bolster their own food stores. Water levels in these same communities will pose more of a flood risk, despite the goal of such projects being to bolster wetlands and thus keep surge down. Yes, they are different phenomena, but the contradiction stands.

It is also my understanding that the proposed means to restore the wetlands superseded an option that several of the communities involved, namely in Plaquemines Parish, felt was a better choice. I believe this shows a disregard for the opinions of those most effected. On that note, several indigenous peoples of the state of Louisiana, many of whom are experiencing losses of important cultural sites and historic territories due to erosion, were not consulted. The fact that Louisiana has recognized many of these Native nations even if the federal government does not (often due to the interference and influence of the oil lobby) implies an obligation to consult with all indigenous peoples in the area when such a project is proposed.

And as to the oil lobby, the Deepwater Horizon spill and subsequent dispersant usage were listed as a main cause of the heightened pace of wetland destruction that now requires intervention. This is just the leak that has garnered the most attention but other leaks continue uncontained, and have done so for years. The actions of oil companies are a major contributor to land loss in Louisiana. After all, state laws allow pipelines and oil company interference in waterways that were once wetlands as soon as they're so many inches under water. Perhaps, instead of accepting a pittance of what the oil lobby makes off the destruction of the state (and deaths of its people in Cancer Alley) as a donation to wetland restoration, Louisiana and federal legislators/regulators alike should require oil companies to pay back in full this debt for land and life and demand that better methods be devised to prevent any further damage. With such an amount raised solutions could be found that benefit all residents, not just some.

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**Concern ID: 62406**

**The actions of oil companies are a major contributor to land loss in Louisiana. Perhaps, instead of accepting a pittance of what the oil lobby makes off the destruction of the state (and deaths of its people in Cancer Alley) as a donation to wetland restoration, Louisiana and Federal legislators/regulators alike should require oil companies to pay back in full this debt for land and life and demand that better methods be devised to prevent any further damage.**

**Response ID: 15857**

Comment noted. The Draft EIS recognizes causes and impacts of coastal land loss (see EIS Chapter 3, Section 3.6.2 Wetland Loss)

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**Concern ID: 62499**

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**Several Indigenous Peoples of the State of Louisiana are already experiencing losses of important cultural sites and historic territories due to erosion. They should have been consulted. The commenter understands there is no legal obligation, but state-recognized Tribal Nations like the United Houma Nation, Pointe Aux Chien Indians, and the Isle de Jean Charles Band of the Biloxi-Chitimacha-Choctaw-Muskogee Creek Indians would be MOST affected by this sediment diversion; so it stands to reason that there is an ethical obligation to invite and collaborate with their council. The fact that the state has recognized many of these Native Nations even if the federal government does not implies an obligation to consult with all Indigenous Peoples in an area that would be impacted by a state-sponsored project.**

**Response ID: 16457**

The USACE acknowledges the commenter's concern about ensuring that all potentially affected Tribal Nations be invited to participate in the Section 106 consultation process. As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, cultural resources consultations have been conducted in accordance with Section 106 of the NHPA. Appendix K Cultural Resources Information of the EIS includes the PA negotiated between the Section 106 consulting parties regarding the proposed Project. The PA explains the outreach conducted by the USACE to Tribal communities, identifies the Tribal Nations that decided to participate in the Section 106 Process, and explains that the USACE has and would continue to consult with any interested Tribal Nation who may have not yet requested to consult.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the

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property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**



**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40513**

Mary Kass

No to the 2 Billion diversion plan .

According to the MS River Delta Organization, which is pro diversion, it admits "that there will be changes to the basin" but glosses over or fails to inform the public of the alarming loss of fisheries, including massive loss of dolphin life that are likely to result, plus the fact that the storm protection will be minimal and not long lasting. Typically, they use terms to confuse the public. "Freshwater" diversion is misleading when in fact, it will be a dirty river diversion, just consider the massive dead zone in the Gulf. Louisiana's economy relies heavily on the seafood industry not to mention tourism of which being a "Sportsman's Paradise" is key. The dirty water diversion will negatively affect our economy and thus trickle down to the quality of life here in Louisiana..

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the

probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40514**

Shannon Gross

These diversion projects are going to ruin our communities and the areas that produce more than 90% of the US seafood. There are better ways to refill the land in these marshes for storm protection. Dredge!

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional

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Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRa and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRa has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRa has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62009**

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**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

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In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently



contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)

Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)

Establishing new oyster seed grounds (\$4 million allocation)

Enhancing public and private oyster grounds (\$15 million allocation)

Enhancing oyster broodstock reefs (\$4 million allocation)

R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)

Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that

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indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects

without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40516**

Center for sustainable design associates

Pete Melby

We oppose any diversion of freshwater that does not conform to the salinity cycles needed by oysters in the Mississippi Sound. Restoration of water quality variables required by oysters is paramount in any efforts proposed by the USACOE.

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**Concern ID: 62750**

**The commenter opposes any diversion of fresh water that does not conform to the salinity cycles and water parameters needed by oysters in the Mississippi Sound.**

**Response ID: 16128**

Comment noted. The proposed Project is not anticipated to have discernable effects on aquatic life outside of the Project area, which includes the Barataria Basin and the Mississippi River birdfoot delta (particularly for biological resources), as defined in Chapter 3, Section 3.1.1 in Introduction of the EIS; therefore, negligible to no impacts on oysters in the Mississippi Sound are anticipated from the construction and operation of the proposed MBSD Project. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Correspondence ID:40517**

J Hufft

Please consider suction dredge of Mississippi River beneficial material. South Pass, Pass a Loutre, Tiger Pass and other tributaries to pump the river sand material through pipelines. This material can be delivered up to 25 - 30 miles upriver and could be used to build a series of ridges that can be planted with sustainable foliage.

Each ridge and elevated area will reduce salt water intrusion and storm surge. Please research prior dredging of South Pass and how that material was directed to build land mass some 25 years ago that remains today.- near Head of Passes on the east side.

Also, research the diversion that was built south of Venice on the west side; that removal of river batture and hardened river bank that previously kept the river flowing was a tragedy and washed away many acres of land into the GOM above Southwest Pass.

Thank you, Jim Hufft

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**Concern ID: 61982**

**Consider using suction dredge of Mississippi River beneficial material in South Pass, Pass A Loutre, Tiger Pass and other tributaries to pump the river sand material through pipelines. This material can be delivered up to 25 - 30 miles upriver and could be used to build a series of ridges that can be planted with sustainable foliage.**

**Response ID: 15980**

This alternative as presented, specifically dredging the passes and other tributaries and creating marsh, would not meet the goals and objectives as stated in the purpose and need in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the EIS. Similar to marsh creation alternatives (as described in Chapter 2, Section 2.3.5 Large-Scale Marsh Creation), it would not deliver enough fresh water, nutrients, and fine sediments to sustain existing and created wetlands beyond the marsh creation area and over the long term would require repeated lifts and maintenance through placement of additional dredged material to maintain a marsh elevation despite subsidence and sea-level rise. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan, which will be updated in 2023, and by the LA TIG through Natural Resource Damage restoration planning.

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al.**

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2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).

Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.

Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.

Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.

Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.

Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.

Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS

#### **Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that

diversions do not lead to appreciable sediment accumulation” (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, Estuarine, Coastal and Shelf Science, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG’s Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project’s goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter’s concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG’s Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence



in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Correspondence ID:40518**

Corey Miller

Mr. Laborde and Mr. Landry,

I am writing in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion. I firmly believe that a failure to implement this project results in a much bleaker outlook for our wetlands in southeast Louisiana and the communities that depend on them. As I often say, "we cannot afford a failure to figure out how we can reconnect the Mississippi River to our vanishing wetlands to aid in our fight against coastal land loss." It is imperative. It also must be done with utmost consideration of all those who will be impacted, both beneficially and negatively.

With that said, there is significant potential for the project to alter environmental conditions that may result in grave consequences for some residents living outside of levee protection, especially commercial fishing businesses. The process to develop mitigation and stewardship measures between now and the final EIS needs to be inclusive, thorough, transparent, precise, and participatory. Community leaders in all areas anticipated to be affected should be included, engaged, and supported (financially) to bring together residents, explain likely future conditions resulting from the project, and solicit strategies for mitigation. The process should thoroughly exhaust unique and innovative ideas for mitigation brought forth from stakeholders and do so in a method that is accessible for the targeted populations. The process to get to a final mitigation and stewardship plan of action should be clearly and publicly outlined. It should address the uncertainty of their community, residents, livelihood, and quality of life. The plan should have transparency and assurance of how they will be made whole should their concerns about impacts come to fruition. The money that will be spent on mitigation and stewardship measures should be precisely directed to those who are most likely to be negatively impacted. Residents likely to be impacted must be engaged in mitigation planning in a true participatory fashion in which they are provided a clear range of likely scenarios with the diversion operations and are able to collaboratively identify and develop strategies that allow them to continue to work, live, and play along our wonderful coast with the same quality of life, hopefully, better. This should include translation and interpretation services for the non-English speaking residents.

To elaborate on the point of precision in directing mitigation and stewardship action - the dEIS and the LaTIG reports indicate that brown shrimp and oysters will be among the most negatively impacted species compared to the current status quo of productivity within the Barataria Basin, specifically, the outfall area of the project. I commend the upfront commitment of \$30 million towards mitigation and stewardship actions. The expenditure of these dollars should be prioritized for those that will be the most vulnerable and those that will incur the harshest of impacts to their profitability and quality of life. For shrimpers, it is possible to identify through LDWF records those with a commercial fishing license, who have trip ticket landing data of their catch, who have registered boat length and gear type that cannot safely harvest in offshore waters (limited to the inshore brown shrimp season), who also show a significant portion of total sales correlated to brown shrimp in the Barataria Basin. These are the shrimpers that mitigation and stewardship actions should be prioritized. Similarly, oyster harvesters should be prioritized. This should start with those with smaller operations, the harvesters who are dependent on a minimal amount of leased acreage, and

especially those who have virtually been eliminated from the industry as a result of the declining public seed grounds and the concurrent oyster lease moratorium.

Some of the residents of coastal communities that will likely face the most severe challenges adapting to the shifting environment are the same that have been historically marginalized and systemically outcast from access to resources. To the extent that there will be a new abundance of different resources that flourish as a result of the changed environmental conditions, there should be priority access to those communities and residents whose current business operations will be the most threatened.

There needs to be ample public access to the sub-delta and surrounding area that will benefit from increased habitat and consequent fisheries and wildlife. It would be a tragedy if those who are most impacted due to changes in fishery-dependent businesses and those who have a significant dependence on subsistence fishing are not given priority access to the new fisheries that will likely prosper as a result of the project.

Lastly, the operations and management of the structure must genuinely embrace an adaptive approach that includes stakeholder participation, input, and influence. The governance of decisions about operations should include representatives from the various industries, landowners, and residents with the highest stake in the project's outcomes.

Sincerely,

Corey Miller

Passionate coastal resident

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

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monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62878**

**The EIS and Mitigation Plan does not adequately consider or mitigate for impacts to Ironton. The EIS should include air pollution buffers for Ironton and flood protection easement areas for Ironton and other vulnerable communities outside of levee protection.**

**Response ID: 16505**

The concerns raised by the commenters were considered in the Draft EIS in Chapter 3, Section 3.7.2 Air Quality, Existing Conditions; and Chapter 4, Sections 4.8 Noise, 4.13 Socioeconomics, 4.15 Environmental Justice, 4.22 Land-Based Transportation and 4.25 Cumulative Impacts. Chapter 3, Section 3.7.2 Air Quality - Existing Conditions identifies the existing air quality in the proposed Project area and provides that Plaquemines Parish is designated as "unclassifiable/in attainment" for all criteria pollutants. The resource sections in Chapter 4 address potential air quality, noise, transportation, and tidal flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 Socioeconomics Technical Report to the EIS provides contextual information about the Ironton community.

CPRA committed to implementing best management practices (BMPs) to minimize construction impacts in the EIS in Chapter 4, Section 4.27.1 Avoidance and Minimization and Appendix R1 Mitigation and Stewardship Plan; additional information on BMPs is also included in the Mitigation Summary Table in Appendix R3. Construction emissions would be highly localized, and consequently the Project is only anticipated to impact air quality within 0.5 mile of the construction footprint; however, Ironton is located approximately 0.5 mile from

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the construction footprint (see EIS, Chapter 4, Section 4.7.1 Area of Potential Impacts). As stated in the EIS in Chapter 4, Section 4.15 Environmental Justice, populations in Ironton would experience minor to moderate, temporary adverse, impacts due to increased noise levels, dust, and transportation delays during the approximately 5-year construction period. During operations, air emissions would be negligible since the diversion structure would be electric-powered (see EIS Chapter 4, Section 4.7.4.2).

Beyond the near-term impacts of construction, operation of the Applicant's Preferred Alternative may have impacts on Ironton. Because it is within the New Orleans to Venice (NOV) Non-Federal Levee (NFL) W-05a.1 (La Reussite to Myrtle Grove levee reach) levee system, Ironton is not expected to be impacted by increases in frequency and duration of tidal flooding due to Project operations (see Section 4.15.4.2.2 Storm Hazards and 4.20.4.2 Public Health and Safety). Further, guide levees constructed parallel to the diversion channel will be constructed to an elevation of approximately 15.6 feet and will serve as hurricane and storm damage risk reduction against storm surges. However, negligible to minor increases in risk of NOV-NFL Levee overtopping south of the immediate outfall area (following the delta formation in the outfall area) due to storm surge during certain 1 percent storms, may impact low-income and minority populations within Ironton. These potential impacts may be exacerbated to the extent that Ironton residents experience unique vulnerabilities.

To ensure that impacts on the community of Ironton have been adequately disclosed and to make that analysis readily accessible in one location within the EIS (rather than throughout the various resource sections), a section has been added to the Final EIS that provides a summary of impacts on the community of Ironton under the Applicant's Preferred Alternative (see Chapter 4, Section 4.15.5.1 Environmental Justice).

CPRA is not proposing specific mitigation to address or offset the negligible to minor increased risk in levee overtopping that could affect the community of Ironton inside the NOV-NFL system because this potential increased risk does not accrue until Project operations have resulted in the development of a delta (wetlands and marsh) in the area outside the NOV-NFL Levee adjacent to Ironton (circa 2040), and because this risk was identified for only one of the 100-year storm scenarios modeled. However, to help Ironton prepare for and mitigate flood risk from storms generally, CPRA would designate a liaison to work with residents in Ironton prior to commencing operations of the Project on community preparedness for storm-based flooding and damage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts were undertaken to better understand and address potential impacts on communities with environmental justice concerns, such as low-income and minority populations, that may be disproportionately impacted by the Project, as discussed in Chapter 7 of the Final EIS. This included meetings in the community of Ironton. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially

impacted environmental justice communities and organizations concerning the implementation of the mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62963**

**Mitigation compensation should prioritize those most affected, likely those who rely on oyster leases in the mid-basin areas or smaller operations, as well as economically vulnerable oyster fishers.**

**Response ID: 16533**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 Aquatic Resources, 4.14 Commercial Fisheries, 4.15 Environmental Justice and 4.16 Recreation and Tourism.

In response to public comments and resource agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and

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gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed ground, \$15 million to enhance public and private oyster grounds, \$4 million to create or enhance broodstock reefs and \$8 million for alternative oyster culture. While the focus of the proposed mitigation and stewardship measures are on establishing sustainable fisheries, oyster mitigation and stewardship measures have been crafted to focus on those impacted by the Project specifically. For example, a portion of each of the stewardship measures for impacts to oyster harvesters would be expressly designated for use by low-income and minority oyster harvesters. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for**

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such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix

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R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63336**

**This proposed Project is absolutely crucial for the future of our coast and the safety and livelihoods of our coastal communities.**

**Response ID: 16292**

The commenter's support for the proposed Project is noted. The proposed Project, by reestablishing deltaic processes, is intended to build coastal resiliency and protection for the coastal communities behind Barataria Basin. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community,

and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

See Sections 3.2.1.6 (Benefits Multiple Resources) and 3.2.1.7 (Public Health and Safety) of the LA TIG's Restoration Plan for a detailed discussion of the proposed Project's potential benefits and public health and safety impacts, respectively.

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**Correspondence ID:40519**

Kelly Messer

Mr. Laborde and Mr. Landry,

I am writing in support of the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion. I believe this would be very beneficial for coastal Louisiana

With that said, I think the plan forward should be inclusive of all stakeholders involved. Language should not be a barrier.

Impacted fishery-dependent businesses and those who have a significant dependence on subsistence fishing are not given priority access to the new fisheries that will likely prosper as a result of the project.

The operations and management of the structure must embrace an adaptive approach that includes stakeholder participation, input, and influence. The governance of decisions about operations should include representatives from the various industries, landowners, and residents with the highest stake in the project's outcomes.

Sincerely,

Kelly Messer

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement.

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The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63580**

**CPRA should seek alternative outreach tools to reach typically hard to reach audiences including low-income, minority, and non-English speaking communities.**

**Response ID: 15914**

USACE and LA TIG coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan. Recommendations for where to make the Draft EIS and the LA TIG's Draft Restoration Plan available as well as translation of material related to the Draft EIS and Restoration Plan were implemented. USACE and LA TIG tailored the public meeting process for the Draft EIS and the LA TIG's Draft Restoration Plan based on COVID-related restrictions in place at the time. Public meetings were virtual and allowed an open exchange during the public comment portion. Meetings could be accessed via internet/web-based conferencing application or via telephone. Spanish, Vietnamese, and Khmer translators facilitated participation by non-English speakers; key messages from the meeting presentations were translated during the

meetings and the translators were available to interpret participant comments in any of those languages.

In addition to the public meetings, commenters were able to submit their comments via multiple means. Dedicated toll-free numbers were provided through which English-speaking and non-English speaking individuals could listen to pre-recorded presentation information and provide public comment on the Draft EIS and LA TIG's Draft Restoration Plan in their language of choice. The pre-recorded presentation information consisted of an explanation of how to comment, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS. The Draft EIS was (and is) available on the USACE website. The LA TIG's Restoration Plan was also made available on the LA TIG's website.

The Executive Summary for the Draft EIS and the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese and were available at libraries and community centers/organizations. The complete Draft EIS and Draft Restoration Plan with appendices were also available as either a printed copy and/or electronically (thumb drive) at these locations.

Since the release of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA conducted public outreach to communities projected to be impacted by the Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with impacted fishers and communities, including Indigenous communities and low-income and minority communities. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including through Coastal Connections meetings and use of community non-profit, non-governmental organizations for additional outreach. CPRA has also committed to stakeholder engagement and input during the adaptive management process if the proposed MBSD Project is implemented. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

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**Correspondence ID:40520**

Shirley Adams

I speak as a concerned Louisiana citizen. I strongly oppose the Mid-Barataria Sediment diversion. Its called

"fresh water" but the dirty, polluted Mississippi River water will destroy our seafood industry by negatively impacting our fisheries, destroying our rich estuaries and ecosystems and bringing about the inevitable extinction of our bottlenose dolphin populations. You can see what it has already done to the Gulf of Mexico, creating a dead zone of approximately 5,700 square miles. This plan is deeply flawed and will cost taxpayers billions of dollars. A good question is who is going to benefit from this expensive undertaking? It will not be the people of Louisiana.

Please listen to the wisdom and experience of our Lt. Gov., Billy Nungesser and the sources he quotes in his article published in the Advocate May 31, 2021. I agree with him that our coast can be saved by building land now by restoring the barrier islands and ridges that protected our communities from storm surge. It is working with nature and the money saved can be used to benefit our state and citizens in much better ways. I urgently request that you reject this CPRA proposal.

Sincerely

Shirley Adams

Metairie, LA

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites.

As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 61970**

**The only alternatives in the EIS are diversions at different flow rates. The EIS has not listed other possible methods on building land in the Barataria Basin. One alternative is to study the creation of barrier islands and compare the result with the diversion alternative. Also consider fortifying the barrier islands with sheet piles, boulders, and rocks, and dam all pipeline canals and washed-out marsh openings with concrete dams.**

**Response ID: 15972**

The Draft EIS considered barrier islands as a functional alternative to the proposed Project. This alternative was determined not to meet the purpose and need. Refer to Chapter 2, Section 2.3.4 in Step 1: Evaluation of Functional Alternatives of the EIS for details on why this alternative was eliminated from further analysis in the EIS. While barrier islands play a critical role in reducing land loss, they are not intended or designed to transport sediment, fresh water, or nutrients.

Past investments through a multitude of restoration programs have resulted in the restoration of every major barrier island in the Barataria Basin. CPRA's Coastal Master Plan includes programmatic barrier island restoration to support future maintenance of the restored islands. However, CPRA has stated that fortifying barrier islands with hard structures is not feasible.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40521**

## Resilience Resolutions

Robin Barnes

We are at a critical moment as we consider the future of our state, the great State of Louisiana. The Mississippi River has been altered and confined by levees for over 100 years, leading to the extensive land loss crisis that has seen over 2,000 square miles already disappear into the Gulf of Mexico. As we continue to lose these important ecosystems at alarming rates, we also lose critical storm surge protection as well as habitat for the seafood our region is renowned for. Restoring the natural functions of the river is essential. The future of New Orleans, the bayou communities, our hospitality and tourism economy, the fisheries and wildlife, and Louisiana's amazing culture all desperately depend on it.

I believe in and support the Louisiana Coastal Master Plan. I believe in and support the Mid-Barataria Sediment Diversion project.

I moved to New Orleans following Hurricane Katrina, and my family and friends have followed, making this place our permanent home. I am devoted to enhancing the environmental and economic viability of this spectacular region and state. This is where I work and play. This is where I will retire.

I purchase Louisiana seafood at the local farmers markets and am thankful to have that opportunity. I am friends with fisherfolk. I know many face rocky times ahead. We cannot pretend that they will not. The Mid-Barataria Sediment Diversion project can and should exemplify community leadership in restoration decision-making. The next decade is a significant opportunity for Louisiana to establish itself at the vanguard of community-level environmental adaptation planning and restoration mitigation. We followed the science and have designed a Diversion. Now we must follow the people and design a complementary solution that guarantees a prosperous future for our coastal-dependent residents, and one that prioritizes equity, empathy and humanity.

I am optimistic about the future and look forward to seeing it unfold.

Robin A. Barnes

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.



**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40522**

Louisiana Hypoxia Working Group

Doug Daigle

June 3, 2021

To: U.S. Army Corps of Engineers, New Orleans District

Comments on Draft EIS for the Mid-Barataria Sediment Diversion Project (CEMVN-ODR-E, MVN-2012-2806-EOO)

I am submitting the following comments on the Draft EIS for the Louisiana Hypoxia Working Group. The Group was organized in 2003 and functions as a forum for the exchange of information to facilitate, promote, and support implementation of the Action Plan to Reduce Hypoxia in the Gulf of Mexico (2001, 2008, 2015) in the state of Louisiana. The Action Plan was developed and revised under the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force, which was formed in 1997 and includes key federal agencies (EPA, USDA, USACE, USGS, NOAA) and the 12 states along the Mississippi and Ohio Rivers (AR, IA, IL, IN, KY, LA, MN, MO, MS, OH, TN, WI).

The current version of the Action Plan has two key components: an Interim Target of achieving a 20% reduction in loading of nitrogen (N) and phosphorus (P) from the Mississippi-Atchafalaya River Basin to the Gulf of Mexico by the year 2025; and reaching an average annual size of the Gulf of Mexico hypoxic zone of 5,000 square kilometers (1950 square miles) by the year 2035.

These comments are made on the Draft EIS for the Mid-Barataria Project as it pertains to the Action Plan. The Action Plan and the Project are being pursued under different auspices. The Plans Target for a 20% reduction in N and P loading to the Gulf by the year 2025, along with the reductions that would achieve the 2035 goal, which would result from a significant reduction in nutrient loads in the Mississippi River, would seem to have relevance for the Project and the Draft EIS.

Yet the Action Plan, its goals, and their potential impacts are not mentioned or referenced in the Draft EIS. This is the case for the modeling of N and P trends and water quality impacts of the Project that are described in Chapter 4 and elsewhere, as well as the Past, Present, and Reasonably Foreseeable Future Projects and Trends for N and P (also in Chapter 4). The Action Plan is similarly not included in the 49 Reasonably Foreseeable Future Projects Considered in the Cumulative Impacts Analysis that are listed in Table 4.25.1-1, nor among the Laws, Regulations, and Executive Orders that are listed under Consultation and Coordination in Chapter 5.

There are several discussions of Gulf Hypoxia in the Draft EIS that provide opportunities to reference the Action Plan and the substantial body of science that has informed its development, but none do so. The discussion in Chapter 3 of excessive nutrient (N and P) loads [that] create.. hypoxic conditions, or dead zones that persist for a prolonged duration treats the problem as a global issue without mentioning the large annual hypoxic zone that forms each year in the Project area.

The "Draft Phase II Restoration Plan #3.2", issued by the Louisiana Trustee Implementation Group (TIG) in conjunction with the Draft EIS, does mention the Gulf Hypoxic Zone and the Hypoxia Task Force in its Chapter 3 (on page 3-44), but in a somewhat misleading way.

Following a discussion of nutrient issues that focuses on their positive impacts, a 2018 report from the Hypoxia Task Force is quoted to cite channelization and impoundment of the Mississippi River and loss of coastal wetlands as two factors that contribute to "excess nutrients reaching Gulf water."

The 2018 report does include those two factors but states clearly that "the leading causes" of increased amounts of nutrients delivered to the Gulf are "the nitrogen and phosphorus loads [that] come mainly from sources upstream of the Gulf. Sources of nitrogen include agriculture (both row crop agriculture and animal feeding operations), atmospheric deposition, urban runoff, and point sources such as wastewater treatment plants." (Progress Report on Coordination for Non-point Source Measures in Hypoxia Task Force States; [https://www.epa.gov/sites/production/files/2018-05/documents/nps\\_measures\\_progress\\_report\\_1-\\_may\\_2018.pdf](https://www.epa.gov/sites/production/files/2018-05/documents/nps_measures_progress_report_1-_may_2018.pdf))

Mention of the Action Plan is also absent from the discussion of Mitigation Measures in Chapter 4 and Appendix R of the Draft EIS, though as a currently operating as well as long-standing effort involving conservation and management to reduce nutrient loads upstream of the Project area, the Plan would seem to merit consideration as one way to avoid and minimize at least some of the potential negative impacts of the Project, specifically those caused by high nutrient loads in the river water conveyed by diversions.

Finally, as noted in our comments made last year for the NEPA Scoping Process for the Project, the Corps and a number of federal Cooperating Agencies (EPA, NOAA, USDA, USGS) and the State of Louisiana have all made commitments under the Hypoxia Action Plan to help fulfill its Target and Goal. Those commitments make the complete lack of mention of the Hypoxia Action Plan in the Draft EIS all the more notable.

Sincerely,

Doug Daigle

Coordinator

Louisiana Hypoxia Working Group

[REDACTED]

[REDACTED]

[REDACTED]

Baton Rouge, LA 70803

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**Concern ID: 61815**

**The discussion in Chapter 3 of excessive nutrient (N and P) loads that create hypoxic conditions treats the problem as a global issue without mentioning the large annual hypoxic zone that forms each year in the proposed Project area.**

**Response ID: 16426**

The Gulf of Mexico hypoxic zone was considered in the Draft EIS in Chapter 3, Section 3.5 Surface Water and Sediment Quality. The proposed Project would not have more than negligible impacts on the Gulf of Mexico hypoxic zone because it is located outside of the Project's area of potential impacts (defined in Chapter 3, Section 3.1.1 [Project Area] of the Draft EIS). Although the Gulf hypoxic zone is not expected to be impacted by proposed diversion operations, because it is near the proposed Project area, the USACE did include a

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description and map of the Gulf hypoxic zone in Section 3.5.2.6 in Surface Water and Sediment Quality (see Figure 3.5-6). In response to this comment, the USACE has revised the title of Section 3.5.2.6 (Dissolved Oxygen) to 3.5.2.6 (Dissolved Oxygen and Hypoxia) in the Final EIS so that information about hypoxia in and near the proposed Project area can be more readily found by EIS readers. As explained in the EIS, Chapter 4, Section 4.25.5.2 in Cumulative Impacts, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone. Chapter 4, Section 4.25.5.4.4 Nitrogen and Section 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS have been updated to include a summary of the Gulf Hypoxia Action Plan.

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**Concern ID: 61817**

**Commenters stated that information about the Gulf Hypoxia Action Plan (Louisiana Hypoxia Working Group), which calls for a 20 percent reduction in nitrogen and phosphorus loading to the Gulf by 2025, is pertinent to the Draft EIS but is not mentioned. Commenters requested that the plan should be included in the Final EIS.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2008. Gulf Hypoxia Action Plan 2008 for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2013. Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2016. December 2016 Update, Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Response ID: 16428**

The USACE and the LA TIG agree that the Gulf Hypoxia Action Plan is relevant to the proposed Project area. Therefore, in response to these comments, a discussion about the Gulf Hypoxia Action Plan has been added to Section 4.25.5.4.4 Nitrogen and 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS. The Hypoxia Action Plan has highlighted the important role that river diversions could play in reducing nutrient loads. In addition, substantial nutrient load reduction could be achieved through the measures being implemented by the other states and entities involved with the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These combined efforts could lessen the potential impacts of excess nutrient loads to Barataria Basin and the northern Gulf of Mexico.

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**Concern ID: 62638**

**The Restoration Plan should be clear that, as stated in the Progress Report on Coordination for Non-point Source Measures in Hypoxia Task Force states, the leading causes of increased amounts of nutrients delivered to the Gulf are upstream sources of nitrogen and phosphorus (that is, agriculture, atmospheric deposition, urban runoff, and point sources like wastewater treatment plants).**

**Response ID: 16649**

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Chapter 3, Section 3.10.5.1.4 Nutrient Loading of the Final EIS has been revised to reference the Hypoxia Task Force report and further identify the types of anthropogenic sources that have resulted in increased nutrient loading in the Gulf.

The LA TIG acknowledges the comment about the leading causes of increased amounts of nutrients being delivered to the Gulf and has revised Section 3.2.1.6.5 (Alternative 1 - Benefits to Offshore Ecosystems) of the LA TIG's Final Restoration Plan accordingly.

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**Concern ID: 63190**

**Commenters recommend Hypoxia Action Plan be seen as a mitigation effort already in place and/or that its recommended actions be considered as part of the mitigation for Project.**

**Response ID: 16564**

The commenters accurately noted that the Gulf Hypoxia Action Plan is relevant to the Project area. In response to these comments, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS. Similar text has been added to the LA TIG's Final Restoration Plan. The proposed Project is anticipated to reduce the amount of nitrogen and phosphorus that reaches the Gulf of Mexico through nutrient uptake in the marshes that would be created and/or sustained by the proposed diversion. Because the proposed Project is already anticipated to reduce the nutrients that contribute to the Gulf Hypoxia Zone (GHZ), further mitigation actions with respect to the GHZ for the proposed Project are not considered necessary. However, CPRA has committed to implement water quality monitoring for nitrogen and phosphorus (and other parameters) in the outfall area and to make the results of that monitoring available online to the public and interested parties in real time. Consequently, while the Hypoxia Action Plan would not be considered as mitigation for impacts associated with the Project, the anticipated reduction in nutrients reaching the Gulf through wetlands restoration and the water quality monitoring/access to water quality monitoring data would be consistent with the Hypoxia Action Plan.

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**Correspondence ID:40523**

Planet Share

Nancy Adkins

As farming along the the Mississippi River increases and the potential for more nitrogen and phosphorus runoff also increases, how will this effect the restoration of the wetlands as well as the entire Gulf of Mexico? How will this potential increase be monitored and dealt with? Thank You for your time.

Sincerely, Nancy Adkins,Imperial,Mo.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic “dead zone” in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA’s Mississippi River/Gulf of Mexico Hypoxia Task Force “Hypoxia 101” webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in

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lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 Applicant's Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant's Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA's management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62867**

**The Final EIS should not be published unless there are commitments to monitor the following parameters at the diversion site or in Barataria Bay: Project operations, the flow and quality of the water flowing through the diversion, wetland type coverage over time, water surface elevation, water quality in the basin, salinity, contaminant concentrations in diverted sediments, fish and shellfish abundance, oyster reef parameters, benthic community composition and abundance, SAV coverage, finfish and oyster contaminant concentrations, and shellfish harvest restrictions. These same data should also be collected in two reference basins.**

**Response ID: 16676**

Basin-side monitoring of water surface elevation, water quality in the basin, salinity, fish and shellfish abundance, and benthic community composition and abundance to evaluate how the Project is meeting Project objectives were included in the Monitoring and Adaptive Management (MAM) Plan of the Draft EIS (Appendix R2 ). Riverside monitoring parameters include river discharge, suspended sediment concentrations, nutrient concentrations in water conveyed to the Barataria Basin, sedimentology of the Alliance South sand bar, and Mississippi River sediment load were also included in the MAM Plan of the Draft EIS. Additionally, in the Fish and Wildlife Coordination Act Report (CAR) section of Chapter 5 (Consultation and Coordination) of the Draft EIS, CPRA accepted USFWS' recommendation on pre- and post-construction periodic sampling of Contaminants of Concern in fish, shellfish, and wildlife from the outfall area and the Mississippi River (see Section 3.7.3.23 of the MAM Plan [Appendix R2 to the EIS]). Therefore, no changes were made in the Final EIS on these issues. The Louisiana Department of Health will continue to monitor shellfish harvest restrictions. Additionally, the majority of the parameters above are collected via the State's System Wide Assessment and Monitoring Program that will allow comparison of the Project variables within and among other estuarine basins across the Louisiana coast.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

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Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40524**

Wilkie Declouet

This Mid-Sediment Diversion is going to destroy everything and our way of life. My community of Ironton has been picked on for a long time. First we had to fight for running water. Next it was the RAM company. Oil tank farm and now this damn diversion. The diversion is going to cause a lot of problems for my community and neighboring communities. I for one just want our community left alone.

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**Concern ID: 61933**

**Commenters expressed concern that the MBSD Project is going to cause a lot of problems for the community of Ironton and the neighboring communities. There is an alarming lack of detail and lack of analysis about how the MBSD Project would affect Ironton. Some specific concerns regarding Ironton include whether the MBSD Project would result in impacts on air quality, noise, traffic, emergency services, flood risks, and community cohesion.**

**Response ID: 16286**

The Draft EIS Chapter 4, Sections 4.7 Air Quality, 4.8 Noise; 4.13 Socioeconomics; 4.15 Environmental Justice; and 4.22 Land-Based Transportation identified potential air quality, noise, transportation, and flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 (Socioeconomics Technical Report) provides contextual information about the community. Section 4.15 Environmental Justice, has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. Also, in the Final EIS, Section 4.15.5.1 Environmental Justice has been added to provide a summary of impacts on the majority-Black community of Ironton, which is the closest community to the diversion, to assist understanding the projected impacts of the proposed Project on that community.

CPRA has engaged in public outreach meetings with the communities that would be impacted by the MBSD to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the communities projected to be impacted.

Outreach efforts to better understand community concerns regarding impacts, including cultural impacts, and mitigation and stewardship measures are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures

are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40525**

OysterFellas Oyster Co.

PJ

These diversion projects that want to divert the river into two major estuaries will not only destroy the marine life but will also destroy the existing flora that holds the fragile system together now. It will completely change the hydrology, which is hanging in the balance now. Channelizing river water into the estuary will not build land, it will only eliminate any salinity. The only way to build land with a river is to have heavy sediment laden water slowly overflow the banks of the river dropping the sediment as it moves outward. The key is to have sediment!!!! The river has minimal in its water column. Once again, you must flood an area with SEDIMENT LADEN WATER AND LET IT SLOWLY MOVE ACROSS TO LET THE SEDIMENT DROP OUT. Not turbulent water!!! And so many other reasons that I have voiced before. And yes I am a fisherman with Forty years of experience watching it die and trying to stop it long ago. It caused me to go back to school for an environmental degree, so I could be part of the solution, which is to stop this stupidity. In grammar school I did a science project on the river building new land, basically it just re-deposited soil from one place to another, which is what Mardi Gras pass is doing. And when the water is slow moving it stays separate fresher on top and higher salinity on the bottom. Which is why we had the worlds biggest oyster reefs. Dredge and build new lands from the gulf side in or you will just be wasting everyone's time and destroying everything left in lower Louisiana.

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**Concern ID: 61782****Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.****Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61966**

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**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process. CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Correspondence ID:40526**

Town of Jean Lafitte

Timothy Kerner

The probably and possible negative effects that will and may be caused by the The Mid-Barataria Sediment Diversion project concerns our community gravely. The projected increase in tidal surge and water level, even in its slightest, could be a catastrophic to the Town Jean Lafitte, Barataria, Crown Point, and Lower Lafitte. I would also like to emphasize the discrepancy between the mitigation plans and funds for the oyster beds/ dolphin population and the brown shrimp fishery. The amount of mitigation should reflect the potential damage that may be caused and that is simply not the case for the brown shrimp fishery, which has been one of our strongest resources for over a century.

It is clear that our communities of Jean Lafitte, lower Lafitte, Barataria, and Crown Point will suffer some of the worst effects caused by this project, especially in the 50 years that it takes to build up the land.

I am also concerned about the root strength of the freshwater diversions facing a more frequent and stronger weather events than it has when most of Louisiana land was built. Could newly settled sediment form together to build land under these modern conditions? Just this past year, we experienced 7 strong tidal surge events. There is less sediment and worse conditions that should be examined to the fullest extent.

That being said, I do understand that we are in midst of Louisiana's greatest crisis and something drastic needs to be done to save our Coast. If this project is approved it will be of the greatest importance that we complete the Jean Lafitte, Barataria, Crown Point and Lower Lafitte tidal protection and that our commercial fishermen (brown shrimp fishermen) are properly mitigated. The Barataria Basin produces 1/3 of the brown shrimp in Louisiana, and is the most concentrated area for brown shrimp in the country. There needs to be a better plan of action for this incredibly important industry to not only the State of Louisiana, but to the United States.

CPRA has made great strides to save our Coast and I commend them. They are leading the fight to this national crisis. They have been in constant communication and have provided aid to increase our flood protection. They have handled this entire process with open ears and have adapted along the way. I greatly appreciate it.

If the project works it could save South Louisiana, but if it doesn't it will destroy the very fabric of what will be left.

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**Concern ID: 62011**

**Commenters are concerned about the impacts of the proposed MBSD Project operations on the coastal communities including Jean Lafitte, lower Lafitte, Barataria, Crown Point, and the island of Grand Isle.**

**Response ID: 16209**

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics considers impacts on community populations, housing and property values, community infrastructure, as well as community cohesion and other potential socioeconomic impacts on affected communities in the proposed Project area. As described, communities near the immediate outfall area (within 10 miles north and 20 miles south)

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outside of flood protection are anticipated to experience increased tidal flooding and storm surge that may increase ongoing trends in outmigration and cause minor to moderate, permanent, adverse impacts on community cohesion in these areas. Long-term benefits of the proposed Project are also anticipated in communities in the west bank New Orleans area north of the diversion, where decreases in storm damages are anticipated over time due to the Project. The communities of Lafitte and Des Allemands are located in areas anticipated to experience permanent, minor to moderate beneficial impacts associated with storm hazards. The proposed Project is projected to increase surge heights by only up to 0.1 foot in the community of Grand Isle. Chapter 4, Sections 4.13 Socioeconomics, 4.14 Commercial Fisheries, and 4.15 Environmental Justice provide detailed analyses of impacts from the proposed Project. The Socioeconomics Technical Report in Appendix H1 provides additional details.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable



to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62409**

**The commenter commends CPRA for making great strides to save our coast and for being in constant communication and have provided aid to increase the Town of Jean**

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**Lafitte's flood protection. They have handled this entire process with open ears and have adapted along the way.**

**Response ID: 15874**

Comment noted.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the

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**Concern ID: 63015**

**There are misrepresentations in the EIS about how nutrients in the river would spread out far from the sand deposition area to lower plant biomass belowground. Increasing nutrient loads from diversions would weaken soils, not strengthen soils.**

**The modern Mississippi River has nutrient concentrations that are much higher than when the mostly organic soils were created centuries ago (Turner et al. 2007) and may weaken soils by 30 percent, resulting in less belowground biomass, and change vegetation from being comprised of perennials to annuals (Turner et al. 2011). Increased flooding inundation, which is a consequence of river diversions, also weakens the belowground biomass of wetland plants (Morris et al. 2017) that may erode during high water events or from hurricanes (Kearney et al. 2011, Howes et al. 2010). Individual roots become weaker when exposed to ambient levels of nutrients found in the river (Hollis and Turner 2019a, b; Hollis and Turner 2021). The soil becomes degraded, accumulates less biomass, and decomposes and erodes faster (Swarzenski et al. 2008, Hebert et al. 2020). The diversion of river water into the nearby marshes would almost certainly weaken soils, making them less resistant to wave energy and hurricanes. A striking example is the net loss of wetlands in the Davis Pond Diversion where increased land loss occurred beginning the year after the diversion opened (Turner et al. 2019). This is an area that has no significant sediment input.**

**Turner RE, Rabalais NN, Alexander RB, Mclsaac G, Howarth RW 2007. Characterization of nutrient and organic carbon and sediment loads and concentrations from the Mississippi River into the northern Gulf of Mexico. Estuaries Coasts 30: 773-790.**

**Turner RE 2011. Beneath the wetland canopy: loss of soil marsh strength with increasing nutrient load. Estuaries Coasts 33 1084-1093.**

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**Morris JT, Barber DC, Callaway JC, Chambers R, Hagen SC, Hopkinson CS, Johnson BJ, Megonigal P, Newbauer SC, Toxler T, Wigand C 2016. Contributions of organic and inorganic matter to sediment volume and accretion in tidal wetlands at steady state. *Earth's Future* 4, doi:10.1002/2015EF000334.**

**Kearney MS, Riter CA, Turner RE 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847**

**Hollis LO, Turner RE 2019a. The tensile root strength of *Spartina patens* varies with soil texture and atrazine concentration. *Estuaries and Coasts* 42: 1430-1439. doi: 10.1007/s12237-019- 00591-5**

**Hollis LO, Turner RE 2019b. The tensile root strength of *Spartina patens*: response to atrazine exposure and nutrient addition. *Wetlands* 39(4): 759-775. Doi:10.1007/s13157-019-01126-1**

**Hollis LO, Turner RE 2021. The tensile root strength of *Spartina patens* declines with exposure to multiple stressors. *Wetlands Ecology and Management* 29: 143-153. Doi: 10.1007/s11273- 020-09774-5**

**Howes NC, FitzGerald DM, Hughes ZJ, Georgiou IY, Kulp MA, Miner MD, Smith JM, Barras JA 2010. Hurricane-induced failure of low-salinity wetlands. *Proc Natl Acad Sci USA*; 107: 14014-14019.**

**Swarzenski CM, Doyle TW, Fry B, Hargis TG 2008. Biogeochemical response of organic-rich freshwater marshes in the Louisiana delta plain to chronic river water influx. *Biogeochem* 90:49-63.**

**Hebert ER, Schubauer, JP-Berigan, C 2020. Effects of 10 yr of nitrogen and phosphorus fertilization on carbon and nutrient cycling in a tidal freshwater marsh. *Limnology and Oceanography* 65: 1669-1687**

**Turner RE, Layne M, Mo Y, Swenson EM 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. *Restoration Ecology* 27: 1231-1240. <https://doi.org/10.1111/rec.13024>**

**Mo Y., Kearney M, Turner RE 2020. Excess nutrient impairs the resilience of coastal ecosystems to hurricanes: a long-term satellite and ground-based study for Louisiana coastal marshes. *Environment International* 138: 105409. <https://doi.org/10.1016/j.envint.2019.105409>**

**Response ID: 16028**

The literature cited by the commenters has been reviewed, including Turner et al. 2007, Turner et al. 2011, Morris et al. 2017, Kearney et al. 2011, Howes et al. 2010, Hollis and Turner 2019, Swarzenski et al. 2008, Hebert et al. 2020, Turner et al. 2019, and Mo et al. 2020, and Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS has been revised to include additional analysis regarding the impact of nutrient input from the proposed Project on vegetation communities and soil shear strength.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation**

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**measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSF Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63182**

**Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.**

**Response ID: 16559**

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40529**

Don Beshel

June 2, 2021

Comments: Draft Restoration Plan and Environmental Impact Statement: Mid-Barataria Sediment Diversion

The diversions planned by the State of Louisiana CPRA will impact our saline marsh negatively as seen by previous diversions, natural and manmade.

An alternative would be dredging from river with very little fresh water intrusion.

#### Land Building

These diversions have built land in the immediate outfall; however the areas farther away have experienced a higher land loss due to changes caused by the lower salinity. The salt marsh flora losses causes increased erosion and land subsidence in old marshland and result in a net land loss. The natural land took nature thousands of years to build cannot be replicated by diversions.

#### Protection

Due to land loss and subsidence, FEMA base flood elevations increase causing higher vulnerability to structures and increasing private and public costs to protect these communities. The diversions will also increase tide in the outfall areas increasing the water level on our levees making them weaker from extended periods of water saturation.

#### Controlled Diversion Structures Operations

These structures are operated by boards with people who leave structures open when sediment material in river water is at its least during the year. Originally, CPRA informed that structures would be open only during high sediment load periods. The Caernarvon Diversion proved that responsible planning should include local control over the diversion with common goals in mind such as open in high river and closed in low river. Caernarvon remained open and contributed to extensive land loss during Hurricane Katrina. The Bohemia Freshwater Control structure is another example of failed policies by government. It was neglected, eroded from high river to the once salt marsh and now the Breton sound estuary is almost devoid of salt marsh flora and fauna.

#### Marine Mammal Act

The Marine Mammal Act protecting the marine animals has been politically removed from outfall areas of planned diversions. These animal and their pods will disappear. MMA is a nationwide act.

#### Economics

All salt marsh fauna; fish, oysters, shrimp and their food chain will disappear causing a major impact on the fisherman who support their families, businesses and communities. The entire Barataria and Breton

Estuaries will be impacted and no longer produce the seafood so many depend upon. I operate Beshel

Boat Launch which is located four miles upriver from the Bohemia Freshwater Control structure, now called Mardi Gras Pass, and the chart below maps out over time the losses incurred from fresh water intrusion.\*

#### Culture

If you have never been to a backyard boil, then you don't live in southeast Louisiana. We risk our entire future on these unproven diversions. Generations of fishermen will lose their livelihood and the culture will vanish. The fresh catches that are sold throughout our area will be replaced by foreign or higher priced domestic seafood which will limit the exposure of seafood in our culture. Louisiana is the Sportsman's Paradise and the two most important estuaries, Barataria and Breton estuary, will no longer provide the stock that makes Louisiana world renowned.

#### Summary

The proposed diversions will not be beneficial long term for the people of Plaquemines Parish and no guarantee can be made that they will perform as planned.

#### Beshel Boat Launch\*

##### Annual Sales Increase/Decrease Previous Year

2010. Deepwater Horizon

2011. -3.8% Bohemia spillway erodes open. No oysters in Pointe-à-la-Hache in recorded History.

2012. -53.0%

2013. -2.2%

2014. -13.1%

2015. -7.7%

2016. -21.0%

2017. -4.4%

2018. -18.0%

2019. -20.4%

Don Beshel



Braithwaite, LA 70040

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#### **Concern ID: 61906**

**The MBSD Project would cause loss and detrimental impacts on the recreational and sport fishing industry in the Barataria Basin.**

#### **Response ID: 16236**

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism acknowledges that the proposed Project would impact recreational and sport fishing in the Barataria Basin. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on

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recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips.

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**Concern ID: 61917**

**Commenters expressed concerns over CPRA's potential for mishandling of the operation and long-term maintenance of the proposed MBSD Project, particularly pointing to CPRA's past inadequate operations and maintenance of other diversions.**

**Response ID: 16004**

CPRA would operate the proposed MBSD Project as detailed in the Operations Plan, which is found in Appendix F2 Preliminary Operations Plan in the Final EIS. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated proposed Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

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10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated

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Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRAs and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRAs's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than

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measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp,**

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**crawfish, crabs, and alligators. Altogether, Louisiana’s commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant’s Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant’s Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.



In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not

know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

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Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of

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the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which

measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63060**

**The proposed diversions would build land in the immediate outfall; however, the areas farther away would experience a higher land loss due to changes caused by the lower salinity. The losses in salt marsh flora causes increased erosion and land subsidence in old marshland and would result in a net land loss. The natural land that took nature thousands of years to build cannot be replicated by diversions.**

**Response ID: 16066**

The EIS acknowledges that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations (see Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS).

However, salt- and brackish marsh vegetation would not be subjected to direct mortality due to the lower salinity of transported water. While saline and brackish species are associated with salinity ranges of greater than 18 ppt and between 18 and 5 ppt, respectively (see Chapter 3, Section 3.6.1.2 in Estuarine Wetlands of the EIS), brackish marsh can fluctuate from fresh to saline conditions depending on tidal movement, and species such as *Spartina alterniflora* are common in both salt and brackish marsh (Connor and Day 1987). Salt is a stressor affecting osmosis and cell structure. Plants occurring in saline and brackish marshes have developed adaptations to either exclude uptake or excrete salt; however even salt marsh species grow better at lower salinities (Mitsch and Gosselink 2000; Teal et al. 2012). However, as described in Chapter 4, Section 4.6.5.1.2.1 Salinity of the Final EIS, in some areas of the Barataria Basin, the seasonal change in salinity due to operation of the diversion above base flow (primarily during spring and early summer) and lower-flow conditions during fall and winter months would be large enough to temporarily change the wetland hydrology from a brackish to fresh or saline to brackish system. In the southern basin, where salt marsh predominates, peak salinities would be within the range for salt marsh vegetation under the

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No Action and Applicant's Preferred Alternatives. While the action alternatives would not counteract all wetland losses across the Barataria Basin over the analysis period, as shown in Section 4.6 in Wetland Resources and Waters of the U.S., Table 4.6-4, the proposed Project would reduce wetland losses when compared with the No Action Alternative. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 64057**

**The socioeconomic impacts would affect southeast Louisiana and the area impacted by the proposed MBSD Project for generations and ensure the end to the traditions and culture of south Louisiana and its families.**

**Response ID: 16230**

The EIS discusses impacts on the local communities and various quantitative and qualitative impacts from the proposed Project in Chapter 4, Section 4.13 Socioeconomics, including Community Cohesion (Section 4.13.5.6). Consistent with the concern of the commenter, the EIS does find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative.

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**Correspondence ID:40530**

Greg Gasperecz

Ladies and Gentlemen of the USACE,

I am writing to indicate my support for the Mid-Barataria Sediment Diversion permit application requested by the Louisiana Coastal Restoration Authority. I believe the project will greatly benefit all of southeast Louisiana by creating new marshlands in an area that has been severely degraded. Such wetlands are vital to hurricane protection, wildlife habitat, and fisheries.

While the project will result in significant expansion of freshwater marshes, it will also cause the displacement of certain fisheries toward the Gulf of Mexico. Oyster harvesting will be significantly affected in the areas that revert to predominantly freshwater. Shrimp and crab fisheries will also likely be displaced. Recreational fishing for species such as spotted sea trout, red drum, black drum, and flounder will also likely be significantly displaced southward. These impacts will cause economic hardship to the commercial fishers who currently work in the areas that will be converted to freshwater marsh. I urge the USACE to impose restrictions on the operation of the project as may be needed to limit the extent of the displacement of these fisheries, so as to somewhat mitigate the impact on commercial fishers.

Thank you,

Greg J. Gasperecz

New Orleans

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and



impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40531**

Virginia Richard

Halito, sv hochifo yvt Virginia Richard. MOWA Chahta ohoyo sia. Bvlbancha atalih. Hello, my name is Virginia Richard. I am a MOWA Choctaw woman. I currently live in the city my people have called Bvlbancha long before European arrival. It is also known as New Orleans, LA. I was born and raised in South Louisiana, and have spent most of my life here. I currently work in the environmental non-profit sector and have an insider perspective on how restoration is carried out in our state.

I object to the Mid-Barataria Sediment Diversion (hereafter also referred to as "MBSD") as proposed because the process by which this project has garnered public support embodies the core of what is wrong with how we approach restoration in Louisiana. The Mississippi River levee system is partially to blame for our land loss, but what has been purposefully and conveniently left out of the narrative is accountability for extractive industries. For almost a century, extractive industries have shredded our coastline, thus inducing the rapid decline of wetlands from saltwater intrusion. They are also the biggest drivers of climate change, which is fueling sea-level rise. We will not and cannot move forward in the face of land loss and climate change until we fully hold extractive industries accountable. Unfortunately, the restoration industrial complex of Louisiana is afraid to speak the truth and hold them accountable because these same industries fund a very small portion of the restoration we need.

Secondly, the planners and promoters of the MBSD have decided in their paternalistic wisdom to sacrifice the homes, cultures, and livelihoods of Indigenous people and other people of color whose ways of life will be irreparably altered, for the good of larger tax bases upstream. Additionally affected will be fishers, shrimpers, and others of all ethnicities who make their living from the land and water. It is a shame that these communities are left to seek funding on their own to repair the damages of extractive industry such as spoil banks and open canals. It is a greater shame that they should have to do this while also fighting for their livelihoods. Meanwhile, a well-funded propaganda machine is touting a highly-experimental project using a narrative that conveniently ignores what is easily the biggest source of our woes: extraction.

Additional points to address are:

1. Frontline, and especially Indigenous, communities must have a greater say in restoration processes at all phases, from the very beginning of looking for potential restoration projects, all the way through implementation and monitoring.
  - a. Indigenous communities consulted must include all self-identified Indigenous people, not just state and federally recognized entities. Louisiana has a long and complicated colonial history that has left much of its Indigenous population without state, and more often without federal, recognition.
  - b. To not intentionally include ALL of these communities and to not give their input the same gravity as the input from federally recognized tribes is to be complicit in, and an act of, genocide. To be clear, consultation with federally recognized tribes is insufficient.

c. Consultation with Indigenous and minority communities (regardless of recognition status) does not constitute consent. Consultation with any Indigenous and/or minority community is not sufficient in and of itself.

d. Traditional ecological knowledge (TEK) must be taken into account and considered with equal, if not greater, gravity as academic studies.

2. BEFORE the MBSD is started, ALL canals dug into our wetlands should be filled. All spoil banks left by pipelines should be leveled.

3. All spending for the promotion of the MBSD must be reported to the public in extensive detail. This includes spending from federal and state agencies, foundations, non-profits, businesses, etc.

4. The Mississippi River carries massive amounts of pollution from upstream.

a. Some of that pollution, such as per-and polyfluorinated substances (PFAS), do not exist in nature, do not ever break down (earning the name "forever chemicals"), and have been linked to horrendous side effects in living organisms.

b. Plastic pellets called "nurdles" cause harm to wildlife and humans. Plastics never fully disintegrate; they just get smaller and smaller. Microplastics harbor toxins and bacteria, especially in warmer waters. They have made their way into every part of the food chain and have even been found in human placenta.

On August 2, 2020, CMA CGM Group vessel Bianca released nurdles into the Mississippi River. After almost a year of volunteer clean ups, the river and river banks are still teeming with them. (I helped document and clean up these on a volunteer basis, and know that we have barely made a dent.) Due to the lackluster response from the government and the company involved, it is more than reasonable to expect more spills in the future.

Until nurdles are well-regulated (and this spill is completely cleaned up), it is unsafe to introduce river water into the Barataria Basin.

c. Fertilizer runoff from the Mississippi River into the Gulf of Mexico continues to cause historic "dead zones". Clearly, current environmental regulations are not enough to protect our water from excessive nitrogen and other causes of hypoxia. The water introduced into the Barataria Basin must have a way of having excess nutrients safely removed, and the definitions of acceptable amounts of nutrients must be re-evaluated.

d. Any plan to introduce water from the Mississippi River into the Barataria Basin must come with a comprehensive plan to protect the basin from all types of pollution, at any concentration, especially for pollutants we don't yet fully understand and/or regulate. Anything less is irresponsible for our water, land, wildlife, and humans.

5. Any studies done by institutions funded by any extractive industries should be redone in a completely neutral environment.

6. The possibility of salinating river water upon introduction to the Barataria Basin must be studied.

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**Concern ID: 61894**

**Consider the alternative of tearing down spoil banks and backfilling abandoned canals before, in addition to, or instead of implementing the proposed MBSD Project.**

**Response ID: 15987**

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This suggested alternative would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. It would not re-establish deltaic processes between the Mississippi River and Barataria Basin through the delivery of sediment, fresh water, and nutrients. However, the EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the Final EIS), and has updated the analysis to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The EIS recognizes that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years.

This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan and the LA TIG through Natural Resources Damage restoration planning.

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**Concern ID: 61896**

**Add salt injection points directly downstream of the river sediment flow before it gets into the basin so that the volume of fresh water is reduced.**

**Response ID: 15990**

This outfall feature alternative was considered in the Draft EIS but was not fully evaluated because it does not meet purpose and need for the Project because it does not restore the natural deltaic process between the Mississippi River and Barataria Basin through the introduction of fresh water, sediment, and nutrients from the Mississippi River into the Basin. Refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS. Additionally, the basin will experience periodic introduction of more saline water naturally through tidal processes and storm events. Potential impacts associated with changes in salinity are addressed in Chapter 4, Section 4.5 Surface Water and Sediment Quality.

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**Concern ID: 61930**

**The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers. Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the "greater good", particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be**

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**indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans. Both the Draft EIS and the LA TIG's Draft Restoration Plan would benefit from additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.**

**Response ID: 16281**

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61932**

**Communities with environmental justice concerns, which include all communities who are vulnerable to racial, ethnic, economic, and ecological violence, should be “meaningfully involved” in “the development, implementation, and enforcement of environmental laws, regulations, and policies” during the proposed MBSD Project.**

**Response ID: 16285**

As discussed in Chapter 1, Section 1.6 Scope of the EIS, and Chapter 4, Section 4.15 Environmental Justice, the EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance to identify the impacts that would likely occur if the proposed Project were to be approved. USACE, the LA TIG, and CPRA have engaged communities with environmental justice concerns in development of the EIS. Examples of public outreach provided by USACE for the EIS include special public notices for the permit application, the scoping process and scoping meetings, and public review of and public meetings regarding the Draft EIS. Material and information related to the Draft EIS were made available through Federal Register notices, press releases, social media, the New Orleans District website, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries and community centers.

USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities, including communities with environmental justice concerns, regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period. Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the joint virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on communities with environmental justice concerns, including low-income and minority populations, such as cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.



CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62263**

**Commenters expressed concern that plastics and microplastics (including but not limited to PFAS) in the Mississippi River would be introduced into the basin through the proposed MBSD diversion, causing adverse impacts on wildlife and humans. Commenters stated that plastics never fully disintegrate, are poorly regulated, and have made their way into every part of the food chain. One commenter witnessed a major spill in the river of plastic pellets called “nurdles” that was never fully cleaned up.**

**Response ID: 16435**

The USACE acknowledges that microplastics and PFAS in surface water are currently not regulated. There are currently no data to determine whether PFAS concentrations in the Mississippi River are significantly different from concentrations in the Barataria Basin. There are no standards to evaluate whether PFAS concentrations are unacceptably elevated in the river or the basin.

The Draft EIS acknowledges that accidents and spills can occur unexpectedly in the river or in the basin. Public and private emergency response teams are available to minimize damage from such accidental releases. As described in Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. Also in response to this concern, the USACE has added a new subsection to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of accidental spills of hazardous substances in the river during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills in the Mississippi River.

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**Concern ID: 62264**

**The commenter expressed concern that the Draft EIS understates the proposed Project's potential impacts on nitrogen and phosphorus in the Barataria Basin and requested that the Final EIS explain how nitrogen (N) to Phosphorus (P) ratios (N:P) indicate the health of waters. While a portion of LDEQ's narrative nutrient criteria calls for the maintenance of natural N:P ratios, this does not account for the fact that while ratios might remain relatively constant, the loading of N and P would certainly increase, likely resulting in increased algal growth (and potentially toxic algae blooms and hypoxic areas). The Draft EIS only refers to half of LDEQ's narrative nutrient criteria, leaving out the half stating that nutrient concentrations that produce aquatic growth that it creates a public nuisance or interferes with designated water uses shall not be added to any surface waters. (L.A.C 33:IX.1113.B.8). The commenter further explained that this portion of the criteria is arguably the most important, as it refers to actual impacts of nitrogen and phosphorus pollution. The commenter stated that the**

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**Draft EIS also fails to consider USEPA or other proposed numeric criteria. It is difficult to understand how the authors can make impact determinations when no consideration was given to half of the narrative nutrient criteria and no numeric nitrogen and phosphorus goals are given.**

**Response ID: 16438**

In response to this comment, the USACE has added the full narrative nutrient criteria statement to Chapter 3, Section 3.5.2.4 in Surface Water and Sediment Quality and to Chapter 4, Sections 4.5.5.3 and 4.5.5.4 in the Surface Water and Sediment Quality. As explained in Section 3.5.2.4, “the EPA generated sub-ecoregion reference condition metrics for total nitrogen (0.71 milligrams/liter[mg/L]) and total phosphorus (0.125 mg/L) for the Mississippi River and Barataria Basin concentrations (USEPA 2001). It is important to note that the reference metrics provide a numerical value to compare the Mississippi River and the Barataria Basin nutrient concentrations and are not intended to be used to evaluate waterbody status relative to the current narrative nutrient criterion.” The USEPA reference metrics, however, are not enforceable criteria.

Proposed Project impacts associated with nutrient loading and algal blooms are addressed in Section 4.10.4.4 in Aquatic Resources of the Final EIS. A reference to Section 4.10 is included in Section 4.5.5.3 in Surface Water and Sediment Quality of the Draft EIS. A reference to Section 4.10 Aquatic Resources has been added to Section 4.5.5.4 (Phosphorus) of the Final EIS. Clarifying language has been added to Sections 4.5.5.3, 4.5.5.4, and 4.25.5.4 in Cumulative Impacts. Appendix R2 Monitoring and Adaptive Management (MAM) Plan includes proposed monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species), in the Barataria Basin during proposed Project operations to guide CPRA’s management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62421**

**A well-funded propaganda machine is touting a highly-experimental project using a narrative that conveniently ignores what is easily the biggest source of the local communities' woes: extraction; these communities are left to seek funding on their own to repair the damage from these industries such as spoil banks and open canals.**

**Response ID: 15953**

Comment noted; however, this comment raises concerns that are outside the scope of this EIS.

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**Concern ID: 62422**

**All spending for the promotion of the MBSD must be reported to the public in extensive detail. This includes spending from federal and state agencies, foundations, non-profits, and businesses.**

**Response ID: 15862**

The commenter's recommendation is noted, but is outside the scope of this EIS. Financial reporting regarding the LA TIG agencies' budgets and amounts expended is available through the Deepwater Horizon DIVER database. <https://www.diver.orr.noaa.gov/web/guest/diver-explorer?siteid=9&subtitle=DWH%20Natural%20Resource%20Damage%20Assessment%20Data>. USACE does not have information regarding expenditures by agencies and/or organizations to promote the proposed MBSD Project.

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**Concern ID: 62423**

**Any studies completed by institutions funded by extractive industries should be redone by a neutral party.**

**Response ID: 15954**

The authors and agencies involved in the EIS analysis utilized the best information and data available to them to develop a comprehensive document that considers the beneficial and adverse impacts of the proposed Project. USACE is neither a proponent for nor an opponent of the proposed Project. Studies utilized in the EIS were reviewed and considered by USACE's independent third-party contractor, GEC, and its experts for technical acceptability. GEC executed an Organizational Conflict of Interest statement attesting that it does not have an interest in the outcome of the permitting process. USACE independently evaluated and verified the EIS for its accuracy, scope, and contents.

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**Concern ID: 62499**

**Several Indigenous Peoples of the State of Louisiana are already experiencing losses of important cultural sites and historic territories due to erosion. They should have been consulted. The commenter understands there is no legal obligation, but state-recognized Tribal Nations like the United Houma Nation, Pointe Aux Chien Indians, and the Isle de Jean Charles Band of the Biloxi-Chitimacha-Choctaw-Muskogee Creek Indians would be MOST affected by this sediment diversion; so it stands to reason that there is an ethical obligation to invite and collaborate with their council. The fact that the state has recognized many of these Native Nations even if the federal government**

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**does not implies an obligation to consult with all Indigenous Peoples in an area that would be impacted by a state-sponsored project.**

**Response ID: 16457**

The USACE acknowledges the commenter's concern about ensuring that all potentially affected Tribal Nations be invited to participate in the Section 106 consultation process. As indicated in Chapter 4, Section 4.24 Cultural Resources of the Draft EIS, cultural resources consultations have been conducted in accordance with Section 106 of the NHPA. Appendix K Cultural Resources Information of the EIS includes the PA negotiated between the Section 106 consulting parties regarding the proposed Project. The PA explains the outreach conducted by the USACE to Tribal communities, identifies the Tribal Nations that decided to participate in the Section 106 Process, and explains that the USACE has and would continue to consult with any interested Tribal Nation who may have not yet requested to consult.

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**Concern ID: 62882**

**The understated cause of coastal land loss is dredging canals and building spoil banks, which diversions do not address.**

**Response ID: 15834**

The EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see Chapter 3, Section 3.6.2.2.4 in Wetland Resources and Waters of the U.S. of the EIS), and the analysis has been updated in the Final EIS to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The EIS recognizes that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years. In addition, Chapter 1, Section 1.2.1 in Project Background and Chapter 3, Section 3.1.4 in Introduction describes the historical reasons for coastal land loss within the Barataria Basin and notes that as a result of this coastal land loss, various agencies and non-governmental organizations have implemented coastal protection, restoration, and rehabilitation projects within the basin. CPRA has identified the proposed Project for implementation based on the recommendations in its Coastal Master Plan and identified large-scale sediment diversions as a restoration tool for sustainable ecosystem restoration to counter the basin-wide effects of erosive processes such as sea-level rise and subsidence.

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**Concern ID: 62883**

**Frontline, and especially Indigenous, communities must have a greater say in restoration processes at all phases, from the very beginning of looking for potential restoration projects, all the way through implementation and monitoring. Traditional ecological knowledge (TEK) must be taken into account and considered with equal, if not greater, gravity as academic studies. CPRA should have meetings that include these Indigenous people, their voices, their understanding of the natural world and their compassion for the other entities of the coast.**

**Response ID: 16404**

USACE and the LA TIG, including CPRA, acknowledge the comments and seek engagement and participation from all communities, the public, agency, and stakeholder groups wishing to be involved in the EIS and Restoration Plan processes. USACE and LA TIG coordinated with

the SELA Voice organizations to understand the needs of the local communities, including Indigenous communities, regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan. Recommendations for where to make the Draft EIS and the LA TIG's Draft Restoration Plan available so it would be accessible to disadvantaged individuals and groups, as well as recommendations regarding translation of materials related to the Draft EIS and Restoration Plan, were implemented.

Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area, in an effort to reach out to community groups to gather information related to the proposed MBSD Project. In addition, CPRA has engaged the public through numerous meetings with the communities projected to be impacted by the proposed MBSD Project, including several Indigenous communities, to solicit input on mitigation and stewardship strategies. This includes reaching out to local non-profits to assist with and facilitate meetings with the impacted communities, including low-income, minority, and Indigenous communities. This input has resulted in substantial revisions to CPRA's Mitigation and Stewardship Plan since the release of the Draft EIS (see Appendix R1 to the Final EIS). A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. CPRA acknowledges the suggestion to consider traditional ecological knowledge and would take these suggestions into consideration for future engagement efforts. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 to the Final EIS for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

Also, as explained in Chapter 4, Section 4.24 Cultural Resources of the Final EIS, cultural resources consultations have been conducted in accordance with Section 106 of the National Historic Preservation Act. The Section 106 Consulting Parties included USACE (the lead federal agency), the State Historic Preservation Office, the Advisory Council on Historic Preservation, CPRA (the Applicant), LA TIG, and federally recognized Tribal Nations who expressed historic ties to the Barataria Basin. The Programmatic Agreement developed for the proposed Project through the NHPA Section 106 consultation sets forth the alternative mitigation to be implemented by CPRA as part of implementing the Project. This alternative mitigation involves a comprehensive research project regarding the historical cultures of the Indigenous Tribes of Southeastern Louisiana focusing on the Barataria Basin and the larger southeastern Mississippi River delta region to prepare a comprehensive ethnohistoric overview documenting Native American presence and history. A website and public education materials are included as products to be developed through the alternative mitigation. See Section 4.9 of the Final Mitigation and Stewardship Plan for the proposed Project (in Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63202**

**There needs to be a plan to protect the basin from pollution introduced from the Mississippi River into the Barataria Basin.**

**Response ID: 16570**

Chapter 3, Section 3.5.1.1 Water Quality Standards and Dedicated Uses - Mississippi River of the Draft EIS considered the commenter's concern regarding the potential for the Project to introduce pollution from the Mississippi River into the basin and explains that the Mississippi River fully supports designated uses for the river established by the Environmental Protection Agency and the Louisiana Department of Environmental Quality. However, the designated uses for the Mississippi River may be different from the designated uses for other waterbodies in the Barataria Basin. The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS) includes monitoring of a variety of water quality related parameters, which would start prior to construction and continue throughout the Project's implementation.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in

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the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63843****Nutrients in diverted water should be monitored and removed before reaching Barataria Basin.****Response ID: 16692**

The issue raised by the commenter on monitoring nutrients in diverted water was considered in the Monitoring and Adaptive Management (MAM) Plan included with the Draft EIS (Appendix R2); no changes were made in the MAM Plan in response to this comment. CPRA has proposed to measure Mississippi River nutrient concentrations on a biweekly basis during operational events (above baseflow), and quarterly during base flow conditions. This information will be used to calculate, in conjunction with measurement of the water volume conveyed into the Barataria Basin, the nutrient loads conveyed into the Barataria Basin. CPRA also proposes to measure nutrient levels in Barataria surface waters on a monthly basis.

Chapter 4, Section 4.6 (Wetland Resources and Waters of the U.S.) of the Draft EIS also discussed how wetlands created by the Project would likely absorb the additional nutrients diverted to the basin, thereby reducing the potential negative impacts of nutrients in Mississippi River water. In response to commenters' concerns, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not

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know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40532**

Kindra Arnesen

The Louisiana CPRA Mid- Barataria river diversion if built will have widespread negative impacts to coastal communities throughout Louisiana and the surrounding Gulf states. Plaquemines Parish house's the largest commercial fishing fleet in Louisiana. Our way of life depends on the health and sustainability of the estuaries and Fish stocks the system supports this is true in both state and federal fisheries. The fallout area of the mid Barataria diversion is essential fish habitat. The importance of this area is immeasurable not only as a food source here on the coast but for our entire country. While sustaining the culture heritage and way of life for coastal communities this area is a nursery and provides the food source for species throughout the northern Gulf of Mexico. This includes migratory species that populate the East Coast such as bluefin tuna. Considering the projected change in salinity levels, this project will cause [REDACTED] widespread damages including oyster and brown shrimp mortality, the extinction of the Barataria Basin Dolphins. Create a forced mass migration of fishery effort sending vessels into other areas causing increase pressure on stocks in these areas. This area should be protected by the Magnuson Steven fisheries conservation and management act of 1976 [REDACTED]. No permit should be issued as this project will violate federal law. The project also violates the oil pollution act of 1990 regarding the standards of collateral injury that the project would cause. River water impacts associated with existing diversion are undeniable. The CPRA has no real plan to mitigate the damages to the mid Barataria diversion project will cause. This project also is in direct violation of the PP ordinance 14 - 52 [REDACTED]. Ordinance prohibits the granting of any permits in Plaquemines Parish regarding the construction and development or employment patient of additional freshwater sediment diversion projects. Over the last five years I've attended meetings held by the CPRA in multiple communities people throughout coastal communities. People throughout coastal communities have asked for an alternative to the planned diversion. The CPRA has refused to even consider an alternative to this destructive project. Dredging is a proven method to build land. The river diversion will do more harm to the existing vegetation this will increase land lose we can build our coast back without large scale river diversions. [REDACTED]

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned

coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of**

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**seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

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potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62083**

**Commenters suggested that shrimping, fishing, and oysters would disappear in the Barataria Basin because of the fresh water diluting the salinity to a level that cannot sustain breeding of these species.**

**Response ID: 16247**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS described impacts of the proposed Project on finfish and shrimp and oyster species. As described, impacts may include those associated with changes in salinity. As summarized in EIS Section 4.14.5 in Commercial Fisheries, as compared to the No Action Alternative moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative sometime after 2050. While abundance of shrimp and oysters would decline under the Applicant's Preferred Alternative (as compared to the No Action Alternative), the EIS impact analysis does not anticipate shrimp and oysters would disappear from the basin. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS

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(Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the

proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

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**Concern ID: 62492**

**Commenters suggested that no permit should be issued as this Project would violate federal law.**

**Response ID: 15746**

Table 5.1-1 in Chapter 5, Section 5.1 Compliance with Laws, Regulations, and Executive Orders summarizes the Project's status of compliance with applicable federal statutes, executive orders, and policies. Final EIS Appendix S (Compliance Documentation) provides associated documentation of this compliance.

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**Concern ID: 62504**

**This area should be protected by the Magnuson-Stevens Fisheries Conservation and Management Act of 1976.**

**Response ID: 15747**

Estuarine and marine areas within the Project area are considered Essential Fish Habitat under the Magnuson-Stevens Fishery Conservation and Management Act. As required by that Act, USACE and the LA TIG formally requested essential fish habitat (EFH) consultation with NMFS on February 24, 2021, regarding the proposed Project. As a cooperating agency in the development of the EIS, NMFS provided technical input for the development of an EFH assessment. NMFS reviewed the EFH assessment and concurred with the USACE's findings of impacts on federally managed fisheries from the construction and operation of the proposed Project. NMFS included two conservation recommendations in its concurrence letter. USACE and the LA TIG provided interim responses to the NMFS concurrence letter, both noting that they would provide a final response prior to the issuance of any Record of Decision for the Project. The EFH assessment, NMFS concurrence, and the USACE and LA TIG responses can be found in the Final EIS Appendix N (Aquatic Resources including Essential Fish Habitat Assessment).

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**Concern ID: 62506**

**Commenters noted that this Project is in direct violation of the Plaquemines Parish ordinance 14 - 52 which prohibits the granting of any permits in Plaquemines Parish regarding the construction and development of additional freshwater sediment diversion projects.**

**Response ID: 15989**

The permit applicant, CPRA, is responsible for compliance with local laws and regulations applicable to the Project.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by "the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative". Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it**

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**should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the "assessment of natural resource damages." See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter "NRDA regulations" at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG's Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current

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ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 62771**

**The estuary provides a food source and nursing grounds for many species of fish (including migratory species), invertebrates, aquatic insects, which are threatened by this proposed Project.**

**Response ID: 16149**

The impacts to the Barataria Basin from the proposed Project were discussed throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, which included both adverse and beneficial impacts on area flora and fauna, based on the specific life histories and habitat preferences.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013).**

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**Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA).** <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the

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proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63181**

**CPRA has no real mitigation plan.**

**Response ID: 16558**

The Draft EIS contained CPRA's Mitigation and Stewardship Plan in Appendix R1.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 64168**

**Commenter questions the viability of workplace substitutions to other fishery species or industries and notes that these types of substitutions are not likely to fully offset the adverse impacts.**

**Response ID: 16265**

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The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14 Commercial Fisheries of the Draft EIS discussed the potential impacts on commercial fishing activities, which includes a discussion of potential behavioral changes that fishers may make in response to changes in species availability, including substitution of fish species, taking longer trips, and upgrading gear. While substitution of species may occur, such changes have costs that the fishers would incur.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be

listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40534**

Katie Percy

June 3, 2021

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

Re: Draft Restoration Plan and Environmental Impact Statement: Mid-Barataria Sediment Diversion

Dear U.S. Army Corps of Engineers and Louisiana Trustee Implementation Group:

I would like to provide comments to the U.S. Army Corps of Engineers, other cooperating agencies, and the Louisiana Trustee Implementation Group on the Draft Environmental Impact Statement (DEIS) and Phase 2 Restoration Plan #3.2 for the Mid-Barataria Sediment Diversion.

First and foremost, I would like to express my full support for the identified preferred alternative in the Draft EIS for the project, and the proposed use of funds from the Deepwater Horizon Oil Spill to implement the project.

I am a proud Louisianan - born and raised. I care deeply for the people of this state; all of the people across all of the state. I am also a trained ecologist and wildlife biologist; and I have studied and been witness to the deterioration of our natural ecosystems because of extreme anthropogenic changes. In Louisiana, that has notably included the extensive levee system built along the Mississippi River, albeit well intentioned, that severed the vast majority of the delta from the freshwater and sediment input needed to sustain land in the face of rising sea level. The Mid-Barataria Sediment Diversion will reintroduce a component that is critical to the longevity of this ecosystem and region – prolonged sediment input.

The Barataria Basin was also one of the most impacted areas during the 2010 Deepwater Horizon oil spill. The Mid-Barataria Sediment Diversion would help address the injuries to wetland habitat associated with the 2010 oil disaster.

I commend the Coastal Protection and Restoration Authority for being at the forefront of climate adaptation planning with the Coastal Master Plan. Within the Coastal Master Plan, the Mid-Barataria Sediment Diversion is a large-scale restoration project that will work in concert with nearby marsh creation projects; it will greatly extend the life of those nearby projects, as well as the millions of dollars that have already been invested in them and the surrounding area.

Over 30 decades of research have gone in to understanding how to maximize the land building power of a sediment diversion. And I have had the privilege to witness fist hand the land building power that a diversion from the Mississippi River can have – Davis Pond, Caernarvon, and Mardi Gras Pass are all building land. I have also seen the rookeries of nesting birds – herons, egrets, ibis and spoonbills – that these outfall areas now support, which is further indicative of a rebounding food-web and ecosystem.



However, because the diversion will inevitably cause changes to the abundance and distribution of some fish and wildlife species, I would also like to see the development of a robust adaptive management program that functions with utmost transparency and includes as many people and agencies as is feasible in that process. Furthermore, I support the use of mitigation funds for the commercial fisheries and communities who will be most impacted by the diversion.

It is an unfortunate fact that without the diversion this ecosystem, and the added storm surge buffer that it provides, will suffer irreversible degradation. Ultimately, I believe the cumulative benefits of the Mid-Barataria Sediment Diversion have been established in the DEIS.

I support restoration and risk reduction projects that have the greatest potential benefit. For that reason, I support the Mid-Barataria Sediment Diversion project.

With gratitude,

Katie Percy

Baton Rouge, Louisiana

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**Concern ID: 61737**

**The construction of levees along the Mississippi River precluded land-building sediments from entering Louisiana estuaries, which has caused a loss of Louisiana's coastal wetlands and other problems, such as making properties more vulnerable to hurricane damage and decreasing property values.**

**Response ID: 16024**

The impacts raised by the commenters were considered in the Draft EIS. Information about historic causes of land loss can be found in Chapter 3, Section 3.1.4 Overview and History of the Project Area and Section 3.6.2 in Wetland Resources and Waters of the U.S. The importance of maintaining wetlands for the protection of coastlines, coastal communities, and wildlife resources is discussed in Sections 3.6 Wetland Resources and Waters of the U.S. and 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Applicant's Preferred Alternative is to implement a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 61848**

**Commenters expressed the opinion that the Mid-Barataria Sediment Diversion Project would help support and enhance the lifespan of other coastal restoration and protection projects.**

**Response ID: 16462**

The commenters correctly note that, as discussed in Chapter 4, Section 4.25.6 Cumulative Impacts, Wetland Resources and Waters of the U.S., "Cumulative impacts on wetland accretion from operation of the reasonably foreseeable future projects combined with operation of the MBSD Project action alternatives would likely result in fewer losses in

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wetlands in both the Barataria Basin and birdfoot delta, but most notably in the Barataria Basin, where implementation of the MBSD Project action alternatives would prevent the loss of an additional 26,000 acres.”

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**Concern ID: 61870**

**If no action is taken, the resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture.**

**Response ID: 15941**

The concerns raised by the commenters were considered in the Draft EIS. The EIS evaluates anticipated conditions in the Barataria Basin if no action is taken. Within the EIS, the No Action Alternative enables a comparison of anticipated future conditions without the proposed Project to anticipated future conditions with the proposed Project and the alternatives. Refer to Chapter 4 Environmental Consequences of the EIS, for a description of anticipated conditions under the No Action Alternative for each of the resource areas evaluated. The Delft3D Basinwide Model was used to forecast conditions that would occur under the No Action Alternative which helped to inform the analysis in Chapter 4.

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**Concern ID: 62211**

**The Project would provide prolonged sediment input so critical to this ecosystem and region.**

**Response ID: 16423**

The Draft EIS considered the benefits of sediment that the proposed Project would deposit into the Barataria Basin. It can contribute in numerous ways, including by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment can form marsh or land. These benefits are discussed in Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology; Section 4.4.4 Hydrology and Hydrodynamics; and in Section 4.6 Wetland Resources and Waters of the U.S.. These processes are part of the model computations described in Appendix E Delft3D Modeling and are fully incorporated in the results and conclusions of the Draft EIS. No related edits have been made to the Final EIS.

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**Concern ID: 62662**

**The proposed Project is likely to succeed because other diversions have also built land and restored ecosystems. Specific examples of land-building projects include the Caernarvon Freshwater Diversion, Davis Pond, West Bay, Fort St. Phillip, the Jaws, Wax Lake, and Mardi Gras Pass. Many of the benefits of the Project, in terms of soil creation and microbial processes, are not captured in the engineering of the modeling. Many of the fine sediments transported by the diversion cannot be dredged but are critical soil components.**

**Response ID: 16635**

The benefits to land building of fine sediments transported by the diversion were addressed in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in 4.2.3 Geology, Topography, and Geomorphology. The Delft3D modeling conducted for the EIS distinguishes the types of sediment (sands and fine sediments) that would be deposited in the basin. Table 5.2-1 in EIS Appendix E Delft3D Modeling lists the sediment classes included in the model. As described in EIS Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics, sand and fine

sediments would contribute to land building in the basin in two ways - by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment could form marsh or land. The model's physics-based computations showed that the coarser sands would settle out before the finer sediment. As the sediment builds up, discharge velocities would increase over the previously deposited sediment and resuspend it, pushing it farther into the basin. Thus, the model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed without moving it by dredging and placement. In addition, Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS discusses the geomorphic impacts of diversion operations, including the Wax Lake Outlet, the Caernarvon Freshwater Diversion, the Davis Pond Freshwater Diversion, the Bohemia Spillway, and Bonnet Carré Spillway, and Mardi Gras Pass.

The likelihood of the Project's success and its potential benefits were considered in the LA TIG's Draft Restoration Plan. As part of evaluating the Project and alternatives, the LA TIG considered the likelihood that the Project would succeed and achieve the LA TIG's goals. Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the LA TIG's Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, these sections note that the knowledge gained through the projects noted by the commenters has been applied in designing the Project and evaluating whether and how the Project would restore and sustain critical marshlands. A full description of the range of benefits that would be provided by the Project is also included in Section 3.2.1.6 Benefits Multiple Resources of the Restoration Plan.

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**Concern ID: 62675**

**Commenters noted that the impacts of the DWH oil spill on wetlands, wildlife, birds, communities, and land loss are still felt by this region and in particular, Barataria Basin where 95 percent of the oiling occurred. These impacts are exacerbated by decades of saltwater intrusion, sea-level rise, and subsidence.**

**Response ID: 16497**

The impacts of the DWH oil spill were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 Wetland Loss of the EIS notes the ongoing impact of the DWH oil spill on wetlands, as well as ongoing saltwater intrusion, sea-level rise, and subsidence. Section 3.10.5.2 Key Fish and Shellfish Species of the EIS provides an overview of the adverse impacts of the oil spill on key aquatic species within the Barataria Basin.

The LA TIG agrees with the commenters that the impacts of the DWH oil spill are significant in this region and thus the LA TIG is committed to continuing to plan and implement significant restoration projects like the LA TIG's Preferred Alternative in the Restoration Plan. The LA TIG's Restoration Plan focuses on restoring wetlands, coastal, and nearshore habitats in the Barataria Basin. These habitats are critical components of the broader northern Gulf of Mexico ecosystem and suffered the greatest degree of oiling in Louisiana due to the DWH oil spill.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates**

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**knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63133**

**Commenters support the proposed mitigation measures for the commercial fishing industry.**

**Response ID: 16517**

The comments received in support of the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40535**

John Hancock

We live in a time that forces us to make difficult choices. Do we choose to prioritize the economic well-being of one industry or the economic sustainability of the region at large? Do we choose to protect a small number of ecological niches or do we attempt to restore and protect the regional ecology over the long term. This project raises fundamental ethical questions about humankind's relationship with nature. The costs of this project are high, but I fear the cost of inaction will be far more consequential. I support this project because it restores the natural role the river has played in this region, will restore local ecology lost to rising sea levels, and will protect the greater economic region from the devastating impacts of climate change.

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**Concern ID: 61854**

**The cost of the proposed Project is a sound investment. More specifically, \$2 billion seems a reasonable price for decades of extension of habitat and use. Even though the cost of the Project is high, the price of inaction would be far greater.**

**Response ID: 16619**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

The LA TIG acknowledges commenters' belief that the Project would be a sound investment. As part of the OPA analysis, the LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The LA TIG has found that the Project costs are commensurate with achieving the goals of comprehensive integrated ecosystem restoration intended to persist for decades even in the face of rising sea levels and continued coastal erosion.

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**Concern ID: 61880**

**Commenter expressed concern regarding societal choices the Project presents such as whether to prioritize the economic well-being of one industry or the economic sustainability of the region at large.**

**Response ID: 15836**

Under NEPA, the EIS was prepared to analyze environmental impacts, both beneficial and adverse, that may result from construction, operation, and maintenance of the proposed MBSD Project and its reasonable alternatives. Proposed measures to avoid, minimize, and mitigate impacts on resources were also suggested by CPRA and have been summarized in Chapter 4, Section 4.27 Mitigation Summary and in CPRA's Final Mitigation and Stewardship Plan in Appendix R1 of the Final EIS. As part of its decision-making process, USACE will conduct a public interest review in which the project's probable harms will be weighed against its prospective benefits.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62348**

**Commenters note that humans should be good stewards of our environment as it supports life on earth, and note some of the benefits of ecosystem restoration.**

**Response ID: 15792**

Comment noted. The Draft EIS considered the various effects of the Project on the natural and human environment.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.



**Correspondence ID:40536**

Devon Turner

As a resident of Port Sulphur, LA in southern Plaquemines Parish, I love the people and land that I call home. Land loss in southern Plaquemines is real, and I support the diversion project to rebuild that land which is so crucial to our long-term presence on maps. Louisiana and Plaquemines Parish also have a detailed history of sacrificing the people of color and working people of this part of the parish for the "greater good," for the benefit of people in the more populated northern half of the parish, the city of New Orleans, and/or white business owners who do not reside in the parish. The Bohemia Spillway project is just one example. The destruction of local levees to lessen flooding in other areas of the region is another. Louisiana and Plaquemines Parish also have a longstanding history of engaging in racist practices when it comes to allocating resources. For example, when large land owners and businesses receive governmental supports, they do not often trickle down to the workers that sustain their businesses.

I appreciate the mitigation efforts outlined in the draft proposal and presented in the slides during the April community sessions. More specifically, I support the aspects of the proposal that provide supports for folks in the seafood industry to adapt (provisions for grants to access new technologies and materials and trainings to develop skills) and supports for homeowners who may experience more flooding.

I am also advocating for these additional measures: (1) monetary support or sufficient compensation for seafood industry workers who experience a loss in income during the adaptation period; (2) access to capital for people who rent or are contracted by "water barons" (and whose employment relationships is more akin to debt peonage) to purchase equipment and materials to go into business for themselves; (3) the prioritization of support for historically marginalized groups and lower Plaquemines Parish residents; and (4) the direct involvement of people most impacted by the diversion project in the planning and implementation of mitigation efforts.

If not already addressed in the mitigation plan, I believe the above additional measures would further advance the equitable implementation of the project and mitigation efforts. If these or similar measures are not adopted, the diversion project planners must address how they will ensure the equitable allocation of resources.

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**Concern ID: 61930**

**The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers. Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the "greater good", particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were**

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**destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans. Both the Draft EIS and the LA TIG's Draft Restoration Plan would benefit from additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.**

**Response ID: 16281**

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

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conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

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The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final

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EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63133**

**Commenters support the proposed mitigation measures for the commercial fishing industry.**

**Response ID: 16517**

The comments received in support of the Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any

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particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63703**

**Commenters request that the agencies involved with developing the EIS meaningfully engage with affected EJ communities/organizations to inform the development of EJ mitigation measures. Specifically, it was requested that relevant materials are translated and presented in plain, non-technical language.**

**Response ID: 16508**

CPRA engaged the communities potentially impacted by the Project, including low-income and minority communities, through public meetings to solicit input on mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional



feedback from low-income and minority community members on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). CPRA will continue to engage with potentially impacted communities and organizations with EJ concerns concerning the implementation of the mitigation and stewardship measures. Additionally, CPRA has and will continue to provide requested translation and provide key documents and information on the Project in English, Spanish, and Vietnamese.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63930**

**Public comments asked to ensure mitigation dollars are set aside to help the most marginalized communities and provide an equitable allocation of resources.**

**Response ID: 16579**

CPRA's Draft Mitigation and Stewardship Plan included in the Draft EIS (Appendix R1) set forth numerous measures that CPRA could undertake to mitigate Project impacts. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The Final Mitigation and Stewardship Plan contains additional details on the various mitigation and stewardship measures specifically designed and

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targeted to assist low-income and minority individuals and communities including reserving a portion of some mitigation and stewardship programs for individuals from identified communities with environmental justice concerns that may be disproportionately impacted by the Project and engaging an outreach coordinator to assist community members with available programs and resources. A summary of the public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63935**

**State and Federal agencies should collaborate with CPRA to help with mitigation efforts related to workforce development, housing, education and training programs, mental health, fisheries subsidies and access to capital for people to go into business for themselves.**

**Response ID: 16582**

According to CPRA, it is collaborating with the LA TIG federal agencies (NOAA, DOI, USEPA, USDA) through the LA TIG framework as well as other venues, in the development and implementation of the Mitigation and Stewardship Plan. CPRA anticipates working with other State agencies, such as Louisiana Economic Development, on the workforce development, education and training programs included in the Mitigation and Stewardship Plan (Appendix R1 to the EIS). Finally, the State of Louisiana has been working with, and will continue to work with, Louisiana Sea Grant on the Seafood Futures initiative, focused on ensuring a long

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term, sustainable fishing industry in spite of coastal changes. Louisiana Sea Grant, based at Louisiana State University, is part of the National Sea Grant Program, a network made up of 34 programs located in each of the coastal and Great Lakes states and Puerto Rico. Sea Grant Programs work individually and in partnership to address major marine and coastal challenges.

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**Correspondence ID:40537**

Richard Carriere

The Mid-Barataria Sediment Diversion has been well researched and seems a prudent plan of action verses the choice of doing nothing.

The intent is to restore some of the very land building processes (in a managed manner) that historically occurred in the lower Mississippi that built much of the land of SE Louisiana prior to the heightened levees and other controls upon the river.

The project is especially essential now due to past and predicted continued likely accelerating such as land loss, due to sinking, sea level rise, and other factors as pointed out in the Draft Plan.

The chances of significant benefit from the project are favorable. Even if in time we lose SE Louisiana as well as other low lying coastal regions of earth at least here in SE Louisiana we have a extremely potent land building asset namely the Mississippi River including its' annual high flow stages and sediment sediment load. It is likely to at least buy time, "likely decades" if perchance climate change is not stopped. Two billion \$ seems a reasonable price for decades of extension of habitation and use.

I am fully in support of seizing the opportunity and going forward with this important project.

Thanks Kindly,

Richard Carriere, Jr., Masters in Science Teaching

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**Concern ID: 61854**

**The cost of the proposed Project is a sound investment. More specifically, \$2 billion seems a reasonable price for decades of extension of habitat and use. Even though the cost of the Project is high, the price of inaction would be far greater.**

**Response ID: 16619**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

The LA TIG acknowledges commenters' belief that the Project would be a sound investment. As part of the OPA analysis, the LA TIG considered the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The cost to carry out the Project was evaluated in Section 3.2.1.2 Cost to Carry Out the Alternative of the LA TIG's Draft Restoration Plan. The LA TIG has found that the Project costs are commensurate with achieving the goals of comprehensive integrated ecosystem restoration intended to persist for decades even in the face of rising sea levels and continued coastal erosion.

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**Concern ID: 61872**

**The purpose and need statement upon which the alternatives analysis was built meets the intentions and goals of the proposed Project and appropriately captures the need**

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**to restore injury by reestablishing deltaic processes between the Mississippi River and Barataria Basin.**

**Response ID: 15828**

The commenter's support for and approval of the Project's purpose and need is acknowledged.

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**Concern ID: 61881**

**The Mid-Barataria Sediment Diversion has been well researched, the range of alternatives evaluated in the Draft EIS is reasonable and meets the purpose and need, and seems a prudent plan of action versus the choice of doing nothing.**

**Response ID: 15837**

The commenter's support of the proposed Project is acknowledged.

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**Concern ID: 62662**

**The proposed Project is likely to succeed because other diversions have also built land and restored ecosystems. Specific examples of land-building projects include the Caernarvon Freshwater Diversion, Davis Pond, West Bay, Fort St. Phillip, the Jaws, Wax Lake, and Mardi Gras Pass. Many of the benefits of the Project, in terms of soil creation and microbial processes, are not captured in the engineering of the modeling. Many of the fine sediments transported by the diversion cannot be dredged but are critical soil components.**

**Response ID: 16635**

The benefits to land building of fine sediments transported by the diversion were addressed in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in 4.2.3 Geology, Topography, and Geomorphology. The Delft3D modeling conducted for the EIS distinguishes the types of sediment (sands and fine sediments) that would be deposited in the basin. Table 5.2-1 in EIS Appendix E Delft3D Modeling lists the sediment classes included in the model. As described in EIS Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics, sand and fine sediments would contribute to land building in the basin in two ways - by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment could form marsh or land. The model's physics-based computations showed that the coarser sands would settle out before the finer sediment. As the sediment builds up, discharge velocities would increase over the previously deposited sediment and resuspend it, pushing it farther into the basin. Thus, the model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed without moving it by dredging and placement. In addition, Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS discusses the geomorphic impacts of diversion operations, including the Wax Lake Outlet, the Caernarvon Freshwater Diversion, the Davis Pond Freshwater Diversion, the Bohemia Spillway, and Bonnet Carré Spillway, and Mardi Gras Pass.

The likelihood of the Project's success and its potential benefits were considered in the LA TIG's Draft Restoration Plan. As part of evaluating the Project and alternatives, the LA TIG considered the likelihood that the Project would succeed and achieve the LA TIG's goals. Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success -

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Alternatives 2-6 of the LA TIG's Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, these sections note that the knowledge gained through the projects noted by the commenters has been applied in designing the Project and evaluating whether and how the Project would restore and sustain critical marshlands. A full description of the range of benefits that would be provided by the Project is also included in Section 3.2.1.6 Benefits Multiple Resources of the Restoration Plan.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40538**

Sierra Club

Grace Morris

June 3, 2021

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RE: Draft EIS of Mid-Barataria Sediment Diversion

CEMVN-PM-P #2013-0634 (Section 408)

CEMVN-OD-SE #MVN-2012-2806-EOO (Section 10/404)

Nearly four years after scoping comments were accepted, we are presented with 1,000 pages of documents, and yet questions raised during scoping in 2017 were not addressed. The document is particularly vague when it comes to addressing the impacts on the communities that are within a two mile radius of the Mid-Barataria Sediment Diversion: Ironton, Myrtle Grove and Wood Park.

1. Is Louisiana going to do right by people on the frontlines of the coastal crisis?

"The closest residence are in Ironton, about 0.5 mile south-southeast [down river] of the proposed diversion complex" (DEIS, Chapter 4, p.674).

There is an alarming lack of detail and lack of analysis about how the Mid-Barataria Sediment Diversion will effect Ironton.

This Draft EIS belittles the major impacts the Mid-Barataria Sediment Diversion would have on Ironton, and implies that impacts are limited to construction. Ironton already is inundated with pollution from upriver grain terminal (CHS) and Alliance Refinery and down river coal export terminals. Removing trees from the land removes a critical buffer of air quality protection for Ironton.

As this Draft EIS acknowledges, there is new information about the site: the historic St. Rosalie cemeteries. We request that state and federal officials work with residents of Ironton as well as those who are connected to the St. Rosalie sacred sites, to respect the rights of people to make decisions on what happens to homes, sacred places and how to best preserve and protect this local Black community and local Black history.

2. What Got Us Into This Mess Will Not Get Us Out Of It

Louisiana cannot have its coast and eat it to. Without guaranteeing that coastal land in this same project scope-which is most of coastal Plaquemines and Jefferson Parish-will not be further degraded, the analysis of this EIS is flawed. Louisiana cannot mandate that coastal residents raise their homes or leave while simultaneously accepting permit applications for

heavy industrial facilities that destroy what precious coastal land is left. The land that CPRA claims will be built by the proposed Diversion goes out the window if a dock is put next to the structure or if pipelines are permitted to crisscross through.

The pride of the idea behind the proposed Mid-Barataria Sediment Diversion is that it undoes the mistake of straight-jacketing the river, and in theory would mimic natural processes to build land the way the Mississippi River built land for thousands of years. This is a good pivot towards more ecologically-minded design, and yet, changing one thing - busting a section of levee and digging a channel, which has been done in the vicinity with Caernarvon, the Industrial Canal that destabilized and divided the 9th Ward in New Orleans leading to devastating tragedy in 2005, and MRGO - is not enough. The process must also be different. The proposed mitigation fund is a step in the right direction, and it needs to include transparent details, and it needs to include the historic Black community right next to the Diversion.

How is the state and federal government going to make Ironton whole? This draft EIS seems to ignore one of the core purposes of NEPA: to not sacrifice marginalized communities. Ironton has survived the white supremacy of Leander Judge Perez (infamously excommunicated by the Catholic Church), numerous hurricanes including more recently Katrina (2005), Gustav (2008), Isaac (2012) and Zeta (2020). Current Lieutenant Governor Billy Nungesser wanted to move Ironton down river after Katrina. A number of polluting industries have attempted to come in on top of Ironton and neighboring communities since Katrina as well - the failed RAM coal export terminal, the failed NOLA oil tank farm, the failed IGP chemical complex and now theres the proposed Tallgrass oil export terminal. Those same business interests pushed the Plaquemines Parish Zoning Board to re-zone residential and light commercial property as heavy industrial.

All to say, with all these unrelenting pressures bearing down amidst a coastal crisis on Ironton, is it going to be a cornerstone \$1billion project in the states Coastal Master Plan that does this beautiful, historic community in?

3. While Its an Open Secret that 500-year Storms are Happening with 100-year Frequency, 100-year Levee Protection Is Still Official, So&

While the entire vibrant coastal community in Louisiana is in the crosshairs of coastal crisis, those living outside of 100-year levee protection are especially vulnerable. The 2017 Coastal Master Plans Appendix B, People and the Landscape, states:"...approximately 70-80% of all coastal homeowners do not have flood insurance. Being uninsured is not always a matter of choice in south Louisiana. NFIP rates are rising, and private flood insurance is almost impossible to obtain" (12).

It is highly misleading that this draft EIS refers to levees in vague language. The implication is that levees referred to are 100 year levees, whereas in reality that is not the case. The EIS needs to include explicit detail on the status of levees and analysis of impacts to nearby residents home insurance and flood insurance costs.

These comments are submitted on behalf of the Sierra Club, which is the nations oldest grassroots environmental advocacy organization, with 3,700 members residing in Louisiana, and is dedicated to protecting public health and the environment.

Sincerely,

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Grace Morris  
Organizing Representative

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**Concern ID: 61850**

**Commenters expressed concern that reasonably foreseeable industrial facilities like the Plaquemines Liquids Terminal and pipelines that may be built near the proposed MBSD Project structure or in the Barataria Basin would cause adverse impacts on the marsh ecosystem restored by the MBSD Project operations. One commenter expressed the opinion that industrial facilities that may be constructed near the proposed MBSD Project should be denied permit because they would be inconsistent with the objectives of the proposed MBSD Project.**

**Response ID: 16464**

The commenters' concern about the potential impact of future industrial development and activity on the habitat that would be created by the proposed Project was considered in Chapter 4, Sections 4.25.4 and 4.25.6 in the Cumulative Impacts section of the Draft EIS. These sections explain that reasonably foreseeable industrial facilities and infrastructure that may be constructed in the proposed MBSD Project area are expected to have negligible impacts on proposed Project-area resources because the facilities would be required to adhere to permit conditions imposed by regulating agencies such as wetland mitigation, SWPPP, and SPCC plans in order to be constructed and operated.

Furthermore, CPRA entered into a Memorandum of Understanding with the Plaquemines Port Harbor & Terminal District (PPHTD) and the Plaquemines Liquid Terminal, LLC (PLT) requiring PPHTD and PLT to perform sediment transport modeling and a navigation study to determine the impact, if any, that the PLT Project may have on the proposed MBSD Project, and to agree to certain terms and conditions, as needed, to ensure that the PLT, once constructed and operated, does not have unreasonable adverse impacts on the design, construction, or operation of the proposed MBSD Project. These steps would help ensure that the PLT Project remains consistent with the Louisiana Coastal Master Plan.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

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**Concern ID: 61925**

**The Draft EIS belittled the major impacts the proposed Mid-Barataria Sediment Diversion would have on Ironton, and implied that impacts are limited to construction. Ironton already is inundated with pollution from an upriver grain terminal (CHS) and Alliance Refinery and down river coal export terminals. Removing trees from the land removes a critical buffer of air quality protection for Ironton.**

**Response ID: 16187**

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Chapter 3, Section 3.7.2 in Air Quality of the EIS describes the existing air quality classification under the Clean Air Act in the proposed Project area. Plaquemines Parish is designated as “unclassifiable/in attainment” for all criteria pollutants, meaning that the air quality in the area meets or is cleaner than national standards. As described in Chapter 4, Section 4.7.3.2 of the EIS in Air Quality, the Action Alternatives would cause minor to moderate adverse impacts on air quality during construction related to the use of combustion-powered equipment and fugitive dust generated by off-road vehicle use, earthwork (such as land clearing and ground excavation), aggregate and material handling (including concrete manufacturing), and wind erosion of exposed piles of dredged and excavated material. As described in Chapter 4, Section 4.7.4.2 in Air Quality of the EIS, the Action Alternatives would cause negligible air quality impacts during operation of the proposed Project due to active maintenance, which would not be sufficient to cause the proposed Project area to be re-designated as a non-attainment area. Tree cover can improve air quality via uptake of pollutants and the proposed Project would require clearing of some of the forest areas between Ironton and the existing Alliance Refinery. However, as depicted in Chapter 4, Section 4.18 Land Use and Land Cover, Figure 4.18-1, forest vegetation would remain on either side of the diversion structure and would continue to provide some buffer to air emissions from the Alliance Refinery and dust from the grain terminal for the community of Ironton. Chapter 3, Section 3.7.2 of the Final EIS was updated to identify existing sources of emissions in the Project vicinity include operation of the Alliance Refinery, the CHS terminal, and other industrial facilities.

Chapter 4, Section 4.15 Environmental Justice of the Final EIS has been revised to clarify information about potential impacts on the community of Ironton.

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**Concern ID: 61933**

**Commenters expressed concern that the MBSD Project is going to cause a lot of problems for the community of Ironton and the neighboring communities. There is an alarming lack of detail and lack of analysis about how the MBSD Project would affect Ironton. Some specific concerns regarding Ironton include whether the MBSD Project would result in impacts on air quality, noise, traffic, emergency services, flood risks, and community cohesion.**

**Response ID: 16286**

The Draft EIS Chapter 4, Sections 4.7 Air Quality, 4.8 Noise; 4.13 Socioeconomics; 4.15 Environmental Justice; and 4.22 Land-Based Transportation identified potential air quality, noise, transportation, and flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 (Socioeconomics Technical Report) provides contextual information about the community. Section 4.15 Environmental Justice, has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. Also, in the Final EIS, Section 4.15.5.1 Environmental Justice has been added to provide a summary of impacts on the majority-Black community of Ironton, which is the closest community to the diversion, to assist understanding the projected impacts of the proposed Project on that community.

CPRA has engaged in public outreach meetings with the communities that would be impacted by the MBSD to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the communities projected to be impacted.

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Outreach efforts to better understand community concerns regarding impacts, including cultural impacts, and mitigation and stewardship measures are discussed in Chapter 7 of the Final EIS. Refer to the Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62013**

**The Myrtle Grove subdivision is a residential neighborhood composed of homes, not camps, many of which may not have access to flood insurance. The proposed MBSD Project would increase flooding of the properties which would severely impact access to property and property values in Myrtle Grove and other affected areas such as Lake Hermitage.**

**Response ID: 16210**

The impacts raised by the commenters were considered in the Draft EIS in Chapter 4, Section 4.13 Socioeconomics, which discusses impacts of the proposed Project on property values, and Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction which discusses flood and storm related impacts due to the Project. The EIS (Section 4.13.5.3 in Socioeconomics) finds that the proposed Project would result in minor to moderate, permanent, adverse impacts on housing and property values in communities near the immediate outfall areas (within 10 miles north and 20 miles south) and outside of flood protection. These affected areas include the communities of Myrtle Grove, Hermitage, Suzie

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Bayou North, Suzie Bayou South, Woodpark, Happy Jack, and Grand Bayou, and to a lesser extent portions of Lafitte. In addition, negligible to minor increases in levee overtopping south of the immediate outfall area may occur in future years following delta formation (after approximately 20 years of Project operations) in the outfall area in communities inside levees, with the greatest increases in communities adjacent to the NOV-NFL Levee system.

The Final EIS discusses modeled impacts of the Project on water surface elevations and corresponding tidal inundation in Lafitte, Myrtle Grove, and Grand Bayou. These three communities are generally representative of other communities in the basin, including Hermitage, Suzie Bayou North, Suzie Bayou South, Woodpark, and Happy Jack (see Figure 4.13-1 in Section 4.13.1 Area of Potential Impacts in Socioeconomics). Lafitte, Myrtle Grove, and Grand Bayou also represent varying levels of exposure to tidal flooding. As explained in Section 4.20.3 Public Health and Safety – Overview of Model for Impact Analysis, Grand Bayou has no structural protection and would experience similar tidal flooding as the unprotected communities of Hermitage, Suzie Bayou North, Suzie Bayou South, and Happy Jack. Myrtle Grove impacts would be similar to the neighborhood of Woodpark. Without implementation of the measures outlined in the Mitigation and Stewardship Plan (Appendix R1), the largest impact on tidal inundation frequency due to the diversion is projected to occur in Myrtle Grove, as this is the community that is closest to the immediate outfall area of the proposed diversion structure outside flood protection and thus is projected to see the greatest increase in water levels.

Section 4.13.5.3 Housing and Property Values has been revised in the Final EIS to provide additional discussion of potential effects of the proposed Project on the availability of flood insurance. The Final EIS concludes that the proposed Project would not impact the availability flood insurance, but may cause an increase in flood insurance premium for some properties in communities projected to experience increases in tidal flooding and storm hazards. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict how flood insurance premiums may change. Since issuance of the Draft EIS, CPRA has expanded and refined the mitigation measures intended to address the inundation projected in the communities south of the proposed Project's immediate outfall area including Myrtle Grove, Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack. CPRA plans to provide a combination of structural improvements (for example, improving bulkheads and raising roads and homes) and non-structural measures.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

In Woodpark, Suzie Bayou, Deer Range, Lake Hermitage, Grand Bayou, and Happy Jack, CPRA plans to purchase Project servitudes from landowners. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. See Section 6.3.2 of the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62020**

**The EIS is lacking in detail and particularly vague when it comes to addressing the impacts on the communities that are within a 2-mile radius of the Mid-Barataria Sediment Diversion: Ironton, Myrtle Grove, and Wood Park. An assessment should be made on how the construction of this proposed Project might impact the property value of homes in the surrounding area and that those landowners/homeowners be made aware of the impact. Efforts should be made to reduce, as much as possible, the potential negative impacts that the construction of this proposed Project would have on surrounding communities including Ironton, Myrtle Grove, and Wood Park.**

**Response ID: 16216**

The impacts raised by the commenters were considered in the Draft EIS. The EIS includes analysis of socioeconomic impacts on affected communities. Section 4.13 Socioeconomics, 4.14 Commercial Fisheries, and 4.15 Environmental Justice provide detailed analyses of impacts from the proposed Project. In addition, the Socioeconomics Technical Report in Appendix H of the EIS provides additional details. In Chapter 4, Section 4.15.5 Environmental Justice of the Final EIS, a section has been added that provides a summary of impacts on the community of Ironton to assist understanding impacts of the proposed Project on that community.

CPRA has engaged in public outreach meetings with the communities and groups impacted by the proposed MBSD Project to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. A summary of these public outreach meetings can be found in Chapter 7 Public Involvement of the Final EIS. The Mitigation and Stewardship Plan in Appendix R1 of the EIS provides additional details about mitigation proposed by CPRA for the proposed Project, including mitigation measures for the communities projected to be impacted.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62294**

**The EIS needs to include explicit detail on the status of levees and analysis of impacts to nearby residents' home insurance and flood insurance costs.**

**Response ID: 15800**

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EIS Chapter 3, Section 3.20.3.1 Federal Risk Reduction Levees, provides information on the level of risk reduction or elevation to which each levee system was designed. EIS Chapter 4, Section 4.20.4.2 Public Health and Safety, provides an analysis of projected water levels through the 50-year analysis period as compared to the levee design heights throughout the Project area. Section 4.20.4.2 also explains that all permanent Project features such as guide levees that would be subject to storm surge and waves would be designed and built to provide a 50-year level of hurricane and storm damage risk reduction. Section 4.13.5.3 Housing and Property Values in Socioeconomics has been revised in the Final EIS to provide additional discussion of flood insurance due to MBSD impacts.

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**Concern ID: 62497**

**The commenters request that state and federal officials work with the residents of Ironton to respect the rights of these people to make decisions about what happens to sacred places (like St. Rosalie cemeteries) and how to best preserve and protect this local black community that is an important part of black history.**

**Response ID: 16455**

Information regarding the effects of the Project on the St. Rosalie cemetery has been added to the Executive Summary and to Chapter 4, Section 4.24.2.2 Applicant's Preferred Alternative in Cultural Resources of the Final EIS. To clarify potential impacts on Ironton, Section 4.15 Environmental Justice has been revised to highlight information about potential impacts on the community of Ironton in the Final EIS. For a summary of public outreach efforts related to the EIS and the Draft Restoration Plan, including outreach to Ironton residents, refer to Chapter 7 of the Final EIS. Similar information specific to the restoration planning is included in Section 1.8 of the LA TIG's Draft Restoration Plan.

CPRA held a public meeting in the community of Ironton. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section

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10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62878**

**The EIS and Mitigation Plan does not adequately consider or mitigate for impacts to Ironton. The EIS should include air pollution buffers for Ironton and flood protection easement areas for Ironton and other vulnerable communities outside of levee protection.**

**Response ID: 16505**

The concerns raised by the commenters were considered in the Draft EIS in Chapter 3, Section 3.7.2 Air Quality, Existing Conditions; and Chapter 4, Sections 4.8 Noise, 4.13 Socioeconomics, 4.15 Environmental Justice, 4.22 Land-Based Transportation and 4.25 Cumulative Impacts. Chapter 3, Section 3.7.2 Air Quality - Existing Conditions identifies the existing air quality in the proposed Project area and provides that Plaquemines Parish is designated as "unclassifiable/in attainment" for all criteria pollutants. The resource sections in Chapter 4 address potential air quality, noise, transportation, and tidal flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 Socioeconomics Technical Report to the EIS provides contextual information about the Ironton community.

CPRA committed to implementing best management practices (BMPs) to minimize construction impacts in the EIS in Chapter 4, Section 4.27.1 Avoidance and Minimization and Appendix R1 Mitigation and Stewardship Plan; additional information on BMPs is also included in the Mitigation Summary Table in Appendix R3. Construction emissions would be highly localized, and consequently the Project is only anticipated to impact air quality within 0.5 mile of the construction footprint; however, Ironton is located approximately 0.5 mile from the construction footprint (see EIS, Chapter 4, Section 4.7.1 Area of Potential Impacts). As stated in the EIS in Chapter 4, Section 4.15 Environmental Justice, populations in Ironton would experience minor to moderate, temporary adverse, impacts due to increased noise levels, dust, and transportation delays during the approximately 5-year construction period. During operations, air emissions would be negligible since the diversion structure would be electric-powered (see EIS Chapter 4, Section 4.7.4.2).

Beyond the near-term impacts of construction, operation of the Applicant's Preferred Alternative may have impacts on Ironton. Because it is within the New Orleans to Venice (NOV) Non-Federal Levee (NFL) W-05a.1 (La Reussite to Myrtle Grove levee reach) levee system, Ironton is not expected to be impacted by increases in frequency and duration of tidal flooding due to Project operations (see Section 4.15.4.2.2 Storm Hazards and 4.20.4.2 Public



Health and Safety). Further, guide levees constructed parallel to the diversion channel will be constructed to an elevation of approximately 15.6 feet and will serve as hurricane and storm damage risk reduction against storm surges. However, negligible to minor increases in risk of NOV-NFL Levee overtopping south of the immediate outfall area (following the delta formation in the outfall area) due to storm surge during certain 1 percent storms, may impact low-income and minority populations within Ironton. These potential impacts may be exacerbated to the extent that Ironton residents experience unique vulnerabilities.

To ensure that impacts on the community of Ironton have been adequately disclosed and to make that analysis readily accessible in one location within the EIS (rather than throughout the various resource sections), a section has been added to the Final EIS that provides a summary of impacts on the community of Ironton under the Applicant's Preferred Alternative (see Chapter 4, Section 4.15.5.1 Environmental Justice).

CPRA is not proposing specific mitigation to address or offset the negligible to minor increased risk in levee overtopping that could affect the community of Ironton inside the NOV-NFL system because this potential increased risk does not accrue until Project operations have resulted in the development of a delta (wetlands and marsh) in the area outside the NOV-NFL Levee adjacent to Ironton (circa 2040), and because this risk was identified for only one of the 100-year storm scenarios modeled. However, to help Ironton prepare for and mitigate flood risk from storms generally, CPRA would designate a liaison to work with residents in Ironton prior to commencing operations of the Project on community preparedness for storm-based flooding and damage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts were undertaken to better understand and address potential impacts on communities with environmental justice concerns, such as low-income and minority populations, that may be disproportionately impacted by the Project, as discussed in Chapter 7 of the Final EIS. This included meetings in the community of Ironton. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted environmental justice communities and organizations concerning the implementation of the mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63697**

**Commenters request that the EIS and Mitigation Plan include more details about planned EJ mitigation measures for diversion operations.**

**Response ID: 16507**

The Draft EIS considered impacts to low-income and minority communities due to Project operations in Chapter 4, Section 4.15.4 Operational Impacts in Environmental Justice.

In addition, since completion of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA engaged the communities potentially impacted by the Project, including low-income and minority community members, through public meetings to solicit input on CPRA's mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback from low-income and minority community members on the proposed mitigation measures. A summary of these public engagement meetings and other outreach efforts is provided in Chapter 7 of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (see Appendix R1). This includes additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted EJ communities and organizations concerning the implementation of the mitigation measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such

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measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40539**

Mike Mariana

RE: Response to Draft Phase II Restoration Plan #3.2 Mid-Barataria Sediment Diversion

Dear Sir or Madame:

Thank you for allowing me the opportunity to comment on the plan. Before going into a few detailed questions and concerns, I want to make a few general comments. First, this project absolutely must move forward. This is the silver Lining in the very dark cloud that was Hurricane Katrina. The need for significant coastal restoration projects has finally been realized. Please do not let anything that follows take away from the fact that I support the Mid-Barataria Sediment Diversion. In fact I have been suggesting multiple diversions like this for almost 40 years.

Second, we indeed must have multiple sediment diversions like this on both sides of the Mississippi to mimic the rivers natural flow and rebuild the delta. When the federal government built the current levee system, their decisions had significant repercussions. Yes, the vast majority of people who live in the Mississippi River Valley have been protected from devastating floods. However, in Plaquemines Parish, the river used to also nourish and renew the very ground on which we lived. It was our best defense against the forces of erosion and subsidence that are ever-present enemies of a coastal community. We have been robbed of an adequate defense mechanism for far too long.

Third, no group should be allowed to have veto power over this or similar projects. Rebuilding Louisianas coast is essential to all of us. At the same time, those who legitimately experience a taking from this and future diversions, must be reasonably compensated for their losses. However, I do not think that having to find a new spot to catch speckled trout should qualify as a taking. For legitimate groups like actual oyster fishermen, our diversion plan must include funds to compensate them for legitimate losses, and they should be given priority when issuing new oyster leases in the areas that become hospitable for the new oyster beds.

Moving to my specific comments and concerns about the current plan. After reviewing the 3 main options, I urge you to choose Option 3, the 150,000 cfs alternative. The reason is straight-forward. Spending 49.6% more on the project yields 86.1% more sediment, and 81.5% increase in new land area created, and a 63.3% increase in the bed elevation 10 miles south of the diversion. Those kinds of economies of scale will significantly leverage the increased construction investment.

At the same time, I have to question how Option 3 is alleged to produce only 9.7% more fresh and intermediate mars and less brackish and saline marsh than than Option 1. This does not make sense to me. The only thing I can figure is that the survey area for Option 3 was not large enough to quantify all of the benefits of marsh creation. Please address this issue.

A couple of other points we brought to my attention. First, it was claimed that a new governor who was not in favor of this project could shut it down at any point. That cannot happen. Second, it was alleged that the mitigation money , especially that greed to the oyster fishermen and property-owners impacted was way too small. Lastly, there was a structural concern regarding the diversion. It appears to have no flood gate on the marsh side. That would be a serious problem should a hurricane threaten the area, and it will happen again.

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There simply must be a flood gate as high as the river levees to protect the residents of Plaquemines Parish from being inundated.

Thanks very much for considering these comments. This project must go forward though with a few minor changes. No one or nothing can be allowed to stop the rebuilding of our coast. There is too much at stake. The animals with fins will swim to the water that is right for them, and the fishermen with motors on their boats will follow. May God bless your good work.

Regards,

Mike Mariana

[REDACTED]  
[REDACTED]  
[REDACTED]

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant's Preferred Alternative). Different or additional mitigation could be needed to address the projected

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impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61920**

**Commenters recommended that there must be a flood gate on the marsh side of the diversion structure to protect the residents of Plaquemines Parish from being inundated.**

**Response ID: 16007**

As described in Chapter 2, Section 2.8, Action Alternatives Carried Forward for Detailed Analysis of the Draft EIS, the proposed Project design includes earthen guide levees that would be constructed along both sides of the diversion conveyance channel. The portion of the guide levees on the protected side of the New Orleans to Venice Levee system (NOV-NF-W-05a.1) would be designed and built as hurricane and storm damage risk reduction against storm surges that may enter the diversion channel. A gated control structure would also be built on the Mississippi River side of the conveyance channel, and the gate would be closed prior to and during storm events.

CPRA considered a diversion structure with a back gate structure on the basin side (which is the marsh side). After detailed design and cost consideration, however, CPRA proposed eliminating the back gate design and proceeded with a diversion structure with hurricane/guide levees and no back gate structure. CPRA determined that the proposed Project without a gate structure is generally lower risk due to its passive operation relative to

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the active operation of a gate structure. In addition, the guide levees are proposed to be constructed to an elevation equivalent to a 2 percent Annual Exceedance Probability (AEP) (50-year storm) and will connect to the NOV-NF-W-05a.1 levee. CPRA worked with USACE to complete a USACE Risk Assessment of this proposed design through the Section 408 process.

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**Concern ID: 62081**

**Commenters suggested that the “catch” would move elsewhere to a place they can still be harvested.**

**Response ID: 16245**

Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS described anticipated impacts on aquatic species from the proposed Project. As described, there would be major adverse impacts on brown shrimp populations, while impacts to white shrimp and blue crab would be negligible to minor beneficial, and impacts on finfish would range from adverse to beneficial, depending on the species. Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed potential responses of the commercial fishing industry to changes in fish abundance and catch within the basin as well as the potential for fishers to partially offset some adverse impacts by changing their fishing locations, while noting that these adjustments would likely be accompanied by increased costs.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). CPRA’s Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations

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become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62372**

**A commenter noted that it has been said that a new governor could shut down this Project at any point, which cannot happen.**

**Response ID: 15854**

The commenter's input is noted. Consideration of potential future actions of undetermined governors is outside the scope of the EIS. The EIS evaluates the environmental impacts of the proposed Project and a reasonable range of alternatives, including No Action, to inform the USACE's decision regarding the requested Section 404/10 permit and Section 408 permission, as well as the NRDA decision of the LA TIG.

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**Concern ID: 62961**

**Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.**



**Response ID: 16532**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62975**

**Those who experience a taking from this and future diversions must be reasonably compensated for their losses; however, having to fish in a new location does not warrant compensation.**

**Response ID: 16611**

Statements about what types of losses might constitute compensable takings are beyond the scope of the EIS. The Mitigation and Stewardship Plan (Appendix R1 to the EIS) focuses on maintaining a sustainable fishery into the future, rather than compensating individual fishers for alleged losses.

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**Concern ID: 63055**

**Clarify how the 150,000 cfs Alternative is projected to produce only 9.7 percent more fresh and intermediate marsh and less brackish and saline marsh than the 50,000 cfs Alternative.**

**Response ID: 16061**

The same Project area was used for all alternatives assessed in the EIS, which is the extent of the Barataria Basin and birdfoot delta. Under each action alternative, the proposed Project would create and sustain existing wetlands. The magnitude of impacts would be greater under the 150,000 cfs Alternative when compared with the 50,000 cfs Alternative; however, because the 150,000 cfs Alternative would discharge more fresh water into the Barataria Basin, it would result in greater inundation of the marsh surface in the immediate outfall area, increasing plant stress and mortality. Therefore, the 150,000 cfs Alternative would result in the conversion of a larger area of existing, brackish marsh to freshwater and intermediate marsh in the delta formation area when compared with the other action alternatives. This difference is illustrated in Chapter 4, Section 4.6 Wetland Resources and Waters in the U.S., Figure 4.6-15. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63182**

**Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.**

**Response ID: 16559**

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

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The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40541**

David Cvitanovich

My name is David Cvitanovich. I am a stakeholder in this upcoming Myrtle Grove project. I am steadfastly against the proposed mid-barataria diversion. It's going to destroy our culture and our livelihood. I am a marshland owner on the east side of the river and am losing lots of marsh due to freshwater intrusion. Control freshwater would be good, but wide open diversion is no good whatsoever. They study it to death. They don't listen to the stakeholders. They don't listen to the people that have witnessed the utmost destruction down at Fort St. Phillip, Mardi Gras pass. All it did was move mud from here to there. I am deadly against it. I am steadfastly against it. I am against all these expensive studies before the shovel hits the ground. Dredge, don't divert. Dredge, don't divert. Dredge, don't divert. Thank you very much

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**Concern ID: 61957**

**Commenters are concerned with the lack of inclusion by CPRA. The CPRA held meetings, reached out to local communities throughout the process; however, the CPRA ignored most, if not all, of the input they received from the communities, shrimpers, crabbers, oyster fisherman, and others.**

**Response ID: 15903**

Chapter 7 Public Involvement of the Final EIS includes a summary of meetings that CPRA held with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. Refer to the Final Mitigation and Stewardship Plan in Appendix R1, which has been revised since the release of the Draft EIS in response to public input, for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional

Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRAs and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

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**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, "A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation" (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, *Estuarine, Coastal and Shelf Science*, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the

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Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG's Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest

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review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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2 June 2021

Louisiana Trustee Implementation Group  
c/o U.S. Fish and Wildlife Service  
P.O. Box 49567  
Atlanta, Georgia 30345

U.S. Army Corps of Engineers  
New Orleans District  
Attn: CEMVN-ODR-E; MVN-2012-2806-EOO  
7400 Leake Avenue  
New Orleans, LA 70118

Delivered via email to: [CEMVN-Midbarataria@usace.army.mil](mailto:CEMVN-Midbarataria@usace.army.mil)

Dear Louisiana Trustee Implementation Group Members and U.S. Army Corps of Engineers:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the Louisiana Trustee Implementation Group's (Louisiana TIG) draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion (draft RP #3.2) and the U.S. Army Corps of Engineers (USACE) New Orleans District's (CEMVN) Draft Environmental Impact Statement (DEIS)<sup>1</sup>. The draft RP #3.2 evaluates the Louisiana TIG's alternatives for restoring Louisiana's wetland, coastal, and nearshore habitats injured by the *Deepwater Horizon* (DWH) oil spill. The DEIS analyzes the potential impacts of the proposed Mid-Barataria Sediment Diversion (MBSD) project and a range of alternatives, including no action, on the natural and human environment.

### **Project background**

Large-scale sediment diversions are intended to transport sediment, freshwater, and nutrients via high-discharge volumes from the Mississippi River as a land-building tool. The proposed MBSD project would reconnect the Mississippi River to the Barataria Basin with the goal of rebuilding and stabilizing the delta marshes to protect against further erosion and land loss due to ongoing and future sea level rise, subsidence, and storm events. The MBSD would be constructed in Plaquemines Parish, Louisiana, on the right bank of the Mississippi River at mile 60.7. The project would involve the construction of a sediment intake system, a 2-mile long concrete conveyance channel, and an outfall transition feature. The intake system is designed to capture a high concentration of sediments and larger grain sizes from the lower portion of the water column, which would be delivered during the river's annual flood cycle. Nutrients introduced into the basin as part of the river flow are expected to enhance primary productivity. The introduction of fresh water is intended to maintain

<sup>1</sup> See notice of availability at 86 Fed. Reg. 12915 (5 March 2021), and extension of public comment period at 86 Fed. Reg. 22397 (28 April 2021).

the estuarine salinity gradients that are projected to be altered as a result of sea level rise and associated land loss.

The amount of sediment and fresh water that would be discharged through the MBSD is dependent in part on sediment levels in the Mississippi River, upstream flow conditions (i.e., the diversion would be operating only during flow rates exceeding 450,000 cubic feet per second (CFS) at the Belle Chasse water gage), and the maximum discharge flow rate for the MBSD considered under each alternative. The amount of land expected to be built or maintained varies with each alternative, and is dependent on Mississippi River flow rates as well as other factors, such as continued sea level rise, storms, subsidence, and other marsh restoration activities.

In 2016, the *Deepwater Horizon* (DWH) Natural Resource Damage Assessment (NRDA) Trustees determined that diversions of Mississippi River water into adjacent wetlands would provide large-scale benefits to coastal habitats injured by the DWH oil spill (DWH NRDA Trustees 2016). In its Strategic Plan and Environmental Assessment (SRP/EA) #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana, the Louisiana TIG selected the MBSD as the specific sediment diversion project to move forward for further analysis.

Available scientific literature indicates considerable ongoing debate about the effectiveness of large-scale sediment diversions as a land-building strategy (Turner et al. 2019, Blaskey 2020). The amount and type of sediment in the Mississippi River available for land building (Blum and Roberts 2009), sea level rise, large storm events, subsidence, and other natural events may negate any land building over the long-term (DeLaune et al. 2013; Suir et al. 2014; Chamberlain et al. 2018). These issues and uncertainties surrounding them were not, but should have been, fully addressed in the DEIS.

The Commission provided extensive comments<sup>2</sup> on the draft SRP/EA #3 in February 2018, notably raising concerns that a large-scale sediment diversion would have significant adverse impacts on bottlenose dolphins that are resident to the Barataria Basin. Despite those concerns, the Louisiana TIG finalized the SRP/EA #3 in March 2018, selecting as its preferred alternative a suite of restoration approaches that included the MBSD.

### **Restoration alternatives**

The DEIS follows on the analyses from the SRP/EA #3 to evaluate alternatives for restoring injured marsh resources in Barataria Bay, each of which included the MBSD but with different flow scenarios and with or without marsh terrace outfall features. The alternatives were based on a specific purpose and need statement that included only the implementation of a large-scale sediment diversion into Barataria Bay. The alternatives are as follows—

- Alternative 1: Variable flow up to 75,000 CFS maximum sediment diversion (applicant's preferred alternative, or APA)
- Alternative 2: Variable flow up to 75,000 CFS maximum sediment diversion including marsh terrace outfall features

<sup>2</sup> See the Commission's [5 February 2018 letter](#).

- Alternative 3: Variable flow up to 50,000 CFS maximum sediment diversion (A3)
- Alternative 4: Variable flow up to 50,000 CFS maximum sediment diversion including marsh terrace outfall features
- Alternative 5: Variable flow up to 150,000 CFS maximum sediment diversion (A5)
- Alternative 6: Variable flow up to 150,000 CFS maximum sediment diversion including marsh terrace outfall features
- No Action Alternative (NAA)

The draft DEIS concluded that there were negligible to minor differences in the impacts when terrace features were included. For that reason, the following comments focus only on the impacts associated with the action alternatives under the three selected flow scenarios (i.e., APA, with 75,000 CFS; AP3, with 50,000 CFS; and AP5, with 150,000 CFS), as compared to the NAA. The comments also focus primarily on direct impacts of MBSD operation under each alternative on bottlenose dolphins in Barataria Bay and their estuarine habitat, given that the MBSD is expected to operate for at least 50 years, and that impacts resulting from the operation of the MBSD would outweigh those resulting from construction activities. The Commission notes that operation of the MBSD will also have significant adverse impacts on dolphin prey species, such as spotted sea trout, and other important marine resources, such as submerged aquatic vegetation, benthic algae and other benthic fauna, brown shrimp, southern flounder, and eastern oyster. It will also have significant, long-term impacts on commercial and recreational fishermen and local communities.

### **Projected impacts of the MBSD project on Barataria Bay bottlenose dolphins**

Of primary concern to the Commission are the direct, permanent, and significant adverse impacts from MBSD operations on common bottlenose dolphins in Barataria Bay. Those impacts are expected to occur once the project is constructed (scheduled for 2027) as a result of large, frequent, and/or sustained influxes of fresh water into the dolphin's estuarine habitat. The common bottlenose dolphins identified as belonging to the Barataria Bay stock are year-round residents, inhabiting estuarine and Gulf coastal waters out to an average distance of 1.75 km from shore, with highest densities north of the barrier islands (Wells et al. 2017). The most recent abundance estimate for the stock is 2,071 dolphins (95% CI: 1,832 – 2,309), derived from a basin-wide capture-mark-recapture (photo-identification) survey conducted in March 2019 (Garrison et al. 2020). Additional background on the stock's preferred habitat, residency patterns, foraging, prey species, and DWH oil spill-related injuries were included in the Commission's [5 February 2018 letter](#), noting in particular an estimated 51 percent mean proportional decrease of the stock as a result of spill-related exposure (Schwacke et al. 2017). Follow-up studies conducted from 2016 to 2019 in Barataria Bay included health assessments in 2016, 2017, and 2018, photo-identification studies from 2017 to 2019, and the 2019 capture-mark-recapture study noted above. A scoring system was developed by marine mammal veterinarians to compare the health of the pre- and post-spill cohorts, based on a number of health factors (Schwacke et al. 2020). The results of that study showed an overall "guarded to worse" prognosis for the pre-spill cohort compared to the post-spill one, with continued evidence of chronic lung disease, impaired adrenal function, inflammation, and anemia. The researchers concluded that the health of the pre-spill cohort has not improved over time, and likely has worsened, compared to the post-spill cohort. The initial population recovery model developed for the NRDA studies (Schwacke et al. 2017) was subsequently revised based on the more recent data,

indicating that the population is currently at its lowest abundance since the spill occurred 10 years ago. The projected time to recovery<sup>3</sup> estimated by the revised model is 32 years. However, the population's recovery is still uncertain because that recovery trajectory does not account for the effects of various restoration efforts (whether positive or negative) or a changing climate, either or both of which could have a significant impact on the population's recovery (Schwacke 2021).

As discussed in the Commission's 2018 letter and demonstrated in other recent studies (Duignan et al. 2020; McClain et al. 2020), estuarine bottlenose dolphins known to have been exposed to low-salinity conditions or flooding events are prone to disease outbreaks and higher rates of stranding, mortality, and morbidity due to compromised epidermal integrity and/or physiological stress, which increases susceptibility to secondary infection. An Unusual Mortality Event (UME) in the northern Gulf of Mexico from February to November 2019<sup>4</sup> provided additional insights into the impacts of low-salinity exposure on bottlenose dolphins. The UME involved strandings of at least 337 bottlenose dolphins, with the majority reported from Mississippi, followed by Louisiana<sup>5</sup>, Alabama, and Florida. Although histologic examination of stranded animals was not always possible due to the advanced decomposition state of many of the dolphins, scientists noted that a large percentage of the dolphins exhibited mild to severe skin lesions consistent with prolonged exposure to low-salinity water (Deming and Garrison 2021). The increased strandings coincided with record rainfall in watersheds draining into the Gulf of Mexico during the 2019 winter, spring, and summer months, and the opening of the Bonnet Carre spillway in Louisiana<sup>6</sup> to prevent flooding. The influx of freshwater into dolphin estuarine habitat in Barataria Bay and other northern Gulf bays, sounds, and estuaries resulted in prolonged low-salinity conditions (less than 5 parts per thousand; ppt) throughout the Gulf for several months (Deming and Garrison 2021). Other factors that might have contributed to elevated stranding rates (such as cold or disease) have since been ruled out as causal factors for the UME (Deming and Garrison 2021).

Despite information gained from previous low-salinity events, our understanding of how different durations of varying salinity exposures affect the health and survival of bottlenose dolphins remains unclear. Therefore, an expert elicitation<sup>7</sup> was conducted to assess the possible thresholds at which adverse, permanent impacts of low-salinity exposure are expected to occur (Booth and

<sup>3</sup> Defined as the number of years for the stock to recover to at least 95 percent of baseline abundance. The originally estimated time to recovery for the Barataria Bay stock was 39 years (Schwacke et al. 2017).

<sup>4</sup> From February to November 2019, at least 337 bottlenose dolphins stranded from Florida to Louisiana, with the peak of strandings occurring from February to June. Scientists investigating the strandings attributed the deaths to prolonged exposure to low salinity waters, less than 10 parts per thousand (ppt), stemming from large amounts of precipitation (rain and snow) draining into watersheds that flow into the northern Gulf during the 2019 winter, spring, and summer months. (<https://www.fisheries.noaa.gov/national/marine-life-distress/2019-bottlenose-dolphin-unusual-mortality-event-along-northern-gulf>)

<sup>5</sup> The Louisiana Department of Wildlife and Fisheries (LDWF) stopped responding to dolphin strandings in early 2019 and completely withdrew from the state's stranding response program in September 2019, which affected the detection, reporting, and examination of dolphins that stranded in Louisiana during the UME. The number of stranded dolphins reported in Louisiana during the timeframe of the UME is therefore likely biased low.

<sup>6</sup> The Bonnet Carre spillway was opened twice in 2019, from 27 February to 11 April, and again from 10 May to 27 July, for a total of 123 days (<https://www.mvn.usace.army.mil/Missions/Mississippi-River-Flood-Control/Bonnet-Carre-Spillway-Overview/Spillway-Operation-Information/>).

<sup>7</sup> Expert elicitation is a formal, structured process in which expert knowledge of an uncertain quantity is captured in the form of a probability distribution (O'Hagan 2019).

Thomas 2021). Specifically, the expert elicitation was designed to assess the relationship between the number of days a dolphin spends in water with salinity levels less than 5 ppt and its survival probability, based on the professional judgment of relevant experts. The expert elicitation produced a dose-response function that integrated salinity and time as the specified “dose” (Booth and Thomas 2021). The experts believed that dolphins can endure some periods of exposure to salinity levels below 5 ppt before their health is compromised (median value of 62 days for dolphins exposed to other environmental stressors as well; 77 days for dolphins exposed to few other stressors). The period of tolerable exposure is shorter for dolphins exposed to acute changes in salinity, with a median time to death of 22 days of continuous exposure to water with salinity levels below 5 ppt. The experts also believed that once the survival probability begins to decrease, it decreases rapidly, especially in the presence of other environmental or health stressors.

As stated in section 4.11.5 of the DEIS, **operation of the MBSD under each of the alternatives is expected to have immediate, permanent, and major adverse impacts on the health, survival, and reproduction of the Barataria Bay stock of bottlenose dolphins due to prolonged exposure to low-salinity conditions.** The DEIS used a quantitative model to determine the projected impacts of MBSD operations associated with each flow-rate alternative (Garrison et al. 2020). The model assumed strong site fidelity by dolphins, based on telemetry data collected from tagged dolphins in Barataria Bay during the 2010-2014 NRDA surveys (Hornsby et al. 2017; Wells et al. 2017), a subsequent health assessment in 2018 (Cloyed et al. 2021), and the 2019 capture-mark-recapture study (Garrison et al. 2020). These and other studies summarized in the Commission’s 2018 letter suggest that dolphins exposed to low-salinity conditions would not be expected to move to other, more saline portions of the bay or gulf, or to neighboring estuaries, during an extended freshwater discharge event. The model integrated (1) spatial distribution data from the 2019 capture-mark-recapture study to simulate movements of animals, (2) projected salinity fields from a representative salinity year based on the high-resolution hydrodynamic Delft3D model used in the DEIS (corrected for retrospective and future salinity-prediction biases and uncertainties), and (3) the expert elicitation dose-response curves to determine individual survival rates based on a projection of continuous salinity exposure (consistent with the scenario considered by the expert elicitation). The model predicted changes in population survival rates under each alternative for dolphins inhabiting each of four strata in the bay – southeast, central, western, and island – as well as overall.

The model estimated a 34 percent reduction in the mean annual survival rate of dolphins due to projected freshwater inputs under the APA, relative to the NAA. In fact, all three alternatives considered here are expected to have a statistically significant reduction in mean annual survival rate relative to the NAA. The greatest reductions under the APA would be in the central and western strata (66 and 42 percent, respectively), where salinity gradients are the steepest, with lesser reductions in the island and southeast strata (7 and 15 percent, respectively). Higher flow years would presumably result in more significant reductions in survival relative to the NAA. The model projected a substantial decline in survival rates in the first few years of the project, particularly for dolphins in the central and western strata. The projected survival rates were determined to be insufficient to sustain the stock.

The model generated a projection of survival rates for a fairly constrained set of parameters, and so may represent a simplified “best-case scenario” for the dolphins in Barataria Bay. Shortcomings in the model, as identified in the DEIS and Garrison et al. (2020), are as follows—

- The model is limited to generating survival rates for only one year of operation, rather than a time series representing the planned operational period of the project (50 years).
- The model is based on the longest continuous number of days of low salinity exposure rather than the number of exposure events or days of exposure in a year. A second exposure event separated from the first by more than two days<sup>8</sup> would not be considered when evaluating impacts on survival.
- The projected salinity field is based on a hydrograph from a single “representative” year, in this case 1970 (cycle 0), rather than incorporating annual variability in hydrological conditions.
- The model does not account for future hydrological or climate conditions.
- The model does not account for potential changes in prey-species abundance and/or distribution, as well as other stressors experienced by dolphins in Barataria Bay, such as noise, fishery interactions, illegal feeding and/or harassment, vessel disturbance and/or strikes, pollution, and large storm events.

Based on the projected reductions in mean annual survival in the DEIS, the Commission requested that the National Marine Mammal Foundation and the National Marine Fisheries Service (NMFS) conduct additional analyses to determine (1) the projected effects of the MBSD project on dolphin recovery over time, and (2) how the MBSD project could delay recovery of the Barataria Bay bottlenose dolphin stock. As noted previously, the population trajectory model developed by Schwacke et al. (2017) and subsequently revised (Schwacke 2021) did not account for the effects of restoration activities (whether positive or negative). Those analyses were provided in the form of the enclosed report by Thomas et al. (2021) for two MBSD operational scenarios — the APA and the NAA. Using the Schwacke (2021) revised population trajectory model, the authors concluded that implementation of the APA would not only prevent recovery of the Barataria Bay stock (as predicted under the NAA), but it would also result in a precipitous decline in survival in the western and central strata within the first year of MBSD operation (consistent with the Garrison et al. (2020) model results). Within ten years of operation, bottlenose dolphins in the island strata are predicted to be reduced by 38 percent, in the southeast strata by 82 percent, and in the western and central strata by 100 percent; overall the Barataria Bay dolphin stock would be reduced by 78 percent. Within 50 years, dolphins in the island strata are predicted to be reduced by 85 percent and in the southeastern strata by 100 percent; overall, the Barataria Bay dolphin stock is predicted to be reduced by 96 percent.

**The near total loss of the Barataria Bay bottlenose dolphin stock due to MBSD project operations, or even losing the stock completely, appears inevitable if the project goes forward as planned. The Commission recognizes that this outcome could be consistent with Public Law 115-123 and the waiver issued under the Marine Mammal Protection Act if alternatives to avoid this result are not available. However, the Commission believes that there are alternative actions and additional measures that the state of Louisiana can take**

<sup>8</sup> The assumption of a physiological “reset” after 48 hours would require further research to validate.



that would reduce the impacts on dolphins, while still allowing the purposes of the project to be achieved.

### Marine mammal take waiver

In 2018, NMFS, at the direction of Congress, issued a waiver<sup>9</sup> to the state of Louisiana under the Marine Mammal Protection Act, authorizing the taking of marine mammals during the construction, operation, and maintenance of the MBSD and two other projects<sup>10</sup> included in Louisiana's 2017 Comprehensive Master Plan for a Sustainable Coast (Coastal Protection and Restoration Authority; CPRA 2017). The statutory language directing the Secretary of Commerce to issue the waiver requires the state of Louisiana to consult with the Secretary (through NMFS) to ensure that impacts on marine mammal species and stocks would be minimized to the extent practicable and consistent with the purpose of the project. It is unclear from the DEIS what effort was made by the state of Louisiana to meet this statutory responsibility in its selection of alternatives.

Section 6.3.6 of the draft RP #3.2 Appendix B: Mitigation and Stewardship Plan states that "CPRA will examine operational strategies to minimize (to the extent practicable consistent with the purpose and performance of the project) the Project's impacts on bottlenose [dolphins]. Given the dynamic conditions of any estuarine system, and the uncertainty around future conditions, the minimization measures will rely on the MBSD Monitoring and Adaptive Management Plan to inform future implementation." The Monitoring and Adaptive Management (MAM) Plan for bottlenose dolphins (section 3.7.3.19 of the draft RP #3.2 Appendix A) states that "adaptive management strategies include a framework for coordinating during operations, and a *post-operational* commitment to evaluate the ability of diversion operations to be modified to meet project goals while reducing impacts to marine mammals." Although these statements recognize the ongoing responsibility of the state to minimize impacts on dolphins and other marine mammals under the terms of Public Law 115-123, it appears to be limiting its review only to how operations can be adjusted once construction is complete. The state also should be reviewing whether the design and construction of the project can be modified to minimize impacts on marine mammals and whether there are alternatives with lesser impacts on marine mammals that would still satisfy the purposes of the project. Waiting to adapt MBSD operations until *after* dolphins are exposed to dangerously low salinity conditions is not a practicable or effective means to minimize those impacts or prevent freshwater exposure-related mortality.

The DEIS evaluated three alternative flow scenarios for the MBSD, but did not specifically discuss whether there were other sediment diversion-related alternatives that could be adopted that would minimize impacts on dolphins (including alternative design, construction, or operational features), and if so, whether any of the other alternatives were practicable and could be implemented consistent with meeting the purposes of the project. Therefore, the Commission recommends that the Louisiana TIG and the USACE expand the EIS to include a much more thorough identification and vetting of possible alternatives that could reduce impacts on dolphin stocks, along with a

<sup>9</sup> Section 20201 of Public Law 115-123 (the Bipartisan Budget Act of 2018).

<sup>10</sup> The Mid-Breton Sound Sediment Diversion and the Calcasieu Ship Channel Salinity Control Measures project.

discussion of whether each such alternative is practicable and would be consistent with meeting the purposes of the project.

If the proposed MBSD project were to move forward under the APA, as currently drafted, the Commission recommends that the Louisiana TIG and the USACE operate the MBSD in a way that minimizes the duration and amount of freshwater entering Barataria Bay via the MBSD so as to avoid adverse impacts on dolphins and other marine resources. This might be achieved through less frequent diversion openings or shorter duration diversion openings. It might also be achieved through a change in the trigger for opening the diversion from one based on exceeding a specific upriver flow rate (proposed as 450,000 CFS at the Belle Chasse water gage, which would result in an estimated 177 days of diversion openings annually, with the largest number of days open during the months from January and June) to one designed to avoid exceeding the dose-response threshold recommended by the expert elicitation (Booth and Thomas 2020), i.e., not allowing salinity levels of less than 5 ppt to persist for more than 21 days.

Another operational alternative that should be considered is management of the timing of freshwater influxes to minimize impacts on dolphin reproductive success. Bottlenose dolphins give birth to a single calf that remains with its mother generally for the first three to six years of its life (Wells et al. 1987). A study of Fiordland bottlenose dolphins exposed to freshwater discharge in New Zealand showed a higher prevalence of lesions in females and smaller-sized calves, suggesting that females and calves are particularly susceptible to health disorders in low-salinity conditions (Rowe et al. 2010). Although calves can be born at any time during the year, newborn calf sightings in the northern Gulf of Mexico are highest in spring and summer (Urian et al. 1996; Mattson et al. 2006; Miller et al. 2010, 2013), indicating that these may be periods when freshwater influxes should be minimized. The estimated bioenergetic requirements of lactating females are ~72 percent greater than non-lactating adult females, meaning that disruptions to prey availability during this crucial period of early calf rearing could adversely impact both the mother and new calf (Bejarano et al. 2017).

### **Avoiding collateral injury**

The projected near-loss of the stock anticipated under any of the alternatives considered in the DEIS would be inconsistent with the screening criteria for restoration projects under section 990.54(a)(4) of the Oil Pollution Act, which provides that evaluation of the proposed restoration alternatives must be based on, at a minimum, the extent to which each alternative will prevent future injury, and *avoid collateral injury*, as a result of implementing the alternative. Recognizing that collateral injury would occur to bottlenose dolphins, the Louisiana TIG has proposed to implement three stewardship measures to benefit dolphins in Louisiana: (1) support of a statewide stranding program for 20 years to improve the survival and health outcomes of marine mammals injured by the DWH oil spill, especially coastal and estuarine stocks of bottlenose dolphins; (2) support of activities to reduce stressful interactions between dolphins and humans (e.g., recreational fishery interactions, illegal “fishing” of dolphins, and impacts of marine vessels, noise, and other threats in Barataria Bay), and (3) funding to support stranding response surge capacity during UMEs.

Although these stewardship measures would normally be welcome, and would serve as critical supplements to a broader restoration plan to address injuries to dolphins caused by the

DWH oil spill, they do not alleviate in any appreciable way the immediate, or the even more severe long-term, deleterious impacts on the Barataria Bay dolphins expected to occur for the 50-year life of the project under each of the alternatives being considered for operation of the MBSD. Increased stranding response capacity directed at rescuing dolphins in poor health as a result of low-salinity exposure is unlikely to be effective, even with the proposed support for additional stranding response capacity in the event of a UME. This is due to the vast area expected to be inundated by fresh water, the distance between freshwater-exposed dolphin habitat in Barataria Bay and potential response facilities (once established), and the large number of dolphins expected to be acutely and continuously impacted by operation of the MBSD project (as predicted by the Garrison et al. 2020 and Thomas et al. 2021 models). Given that the stranding program in Louisiana is minimally functional at present, and efforts to rebuild the program will take several years<sup>11</sup>, the likelihood is low that a significant portion of stranded animals would be detected, let alone rescued and successfully treated, once operations commence in 2027. Even if animals were rescued in a timely manner, rehabilitation facilities in the Gulf of Mexico are extremely limited, as are options for release of rehabilitated animals into other habitats<sup>12</sup>. Rehabilitated dolphins from Barataria Bay could not be released back to their original habitat, due to ongoing low salinity conditions, and so would need to be released into adjacent estuaries or coastal waters. That is likely to prompt competition with established long-term resident bottlenose dolphins for prey, space, and other resources, and potentially lead to disruptions of multi-decadal, multi-generational dolphin community social systems (Wells 2014). Few studies have been carried out on the survivorship of estuarine bottlenose dolphins that have been rescued, rehabilitated, and released into other habitat (Mazzoil et al. 2008; Wells et al. 2013; McHugh et al. 2021), and even fewer studies involving dolphins that have experienced prolonged exposure to, and deleterious effects from, freshwater have been conducted (Deming et al. 2020). The published results of these studies make it clear that the rescue, rehabilitation, and release of hundreds of freshwater-exposed dolphins such that they remain functioning members of what now is a discrete population is neither feasible nor practical. To date, there has only been one successful release of a rehabilitated bottlenose dolphin back into the wild in Louisiana<sup>13</sup>. The proposed support of activities to reduce stressful interactions between dolphins and humans would also be largely ineffective in the long term given that impacts of MBSD operations are expected to result in significant, widespread, and immediate mortality, thereby negating any possible benefits resulting from such efforts.

<sup>11</sup> Marine mammal stranding networks are largely implemented by volunteer organizations, along with local, tribal, state, and federal government agencies. Given LDWF's 2019 decision to no longer participate in marine mammal stranding response activities, and the limited capacity for stranding response by the Audubon Nature Institute (the only other stranding network member currently authorized in Louisiana), NMFS recently hired a stranding coordinator in Louisiana to increase stranding response capacity by identifying and recruiting new potential stranding response partners. Funding alone is not likely to result in immediate capacity increases; staffing, training, and infrastructure requirements are expected to take several years before sufficient capacity is available for effective response to marine mammal strandings throughout Barataria Bay as well as in other parts of Louisiana where gaps in stranding response capabilities are a long-standing issue (Fougeres 2015).

<sup>12</sup> Issues associated with release of rehabilitated marine mammals include conflict with fisheries for resources; inadequate knowledge regarding the demography, behavior, and ecology of the recipient population; supporting survival of genetically not-so-fit individuals; introduction of novel or antibiotic-resistant pathogens into the marine environment; harm to human health; and cost (Moore et al. 2007). NMFS estimated that the cost of rehabilitating a cetacean may range from \$50,000-\$120,000 depending on the period that the animal must be captive and the type of care it requires (as cited in Gluch 2004).

<sup>13</sup> By the Audubon Coastal Wildlife Network in 2016 (<http://auduboncwn.org/octavius/>).

Given the direct, long-term, adverse impacts of MBSD operations on Barataria Bay bottlenose dolphins and other marine resources, the Commission recommends that the Louisiana TIG reject the identified action alternatives and instead revise the purpose and need statement such that alternatives other than operation of a large-scale sediment diversion at various flow rates are considered. Those alternatives should include land-building approaches that have proven to be effective at combating land loss in other coastal areas and that are less harmful to marine resources, including bottlenose dolphins. Functional alternatives for land building could include, for example, (1) the creation of barrier islands and marshes using dredged material, (2) the use of smaller-scale diversions, and (3) the backfilling of canals and spoil banks (Turner and McClenachan 2018). The last would directly mitigate and reverse some of the adverse results from previous engineering efforts that have contributed to the current land loss situation (Olea and Coleman 2014; Turner and McClenachan 2018; Turner et al. 2019). Those types of projects have been or are currently being implemented for habitat restoration elsewhere in Louisiana. The Commission recommends that the Louisiana TIG and the USACE further evaluate these and other functional alternatives to the MBSD as a means of reducing impacts and avoiding collateral injury to bottlenose dolphins and other marine resources.

### **Monitoring measures**

The DEIS states that five years prior to operations, several methods will be used to collect baseline information on the abundance, distribution, density, health, stranding rates/types/causes, survival and fecundity of the resident bottlenose dolphin population to be able to identify changes needed to the project once it is operational. The Commission agrees with the pre-operations sampling plan outlined for marine mammals in the DEIS Appendix R: Mitigation & Monitoring and Adaptive Management (MAM) Plans, which includes enhanced stranding response and investigations, capture-mark-recapture surveys, visual assessment surveys, health assessments, tagging, remote biopsy sampling, prey assessment, and collection of habitat data. However, the Commission is not aware of any pre-operation monitoring that has been initiated to date, beyond the studies that were conducted through 2019 and discussed herein. The Commission recommends that, if the MBSD project goes forward, the Louisiana TIG and CPRA work with NMFS to initiate the pre-operations sampling program for marine mammals in Barataria Bay by the end of 2021 to ensure a minimum five years of baseline information is collected on bottlenose dolphins and their prey species and habitat, prior to the implementation of the MBSD, as outlined in the MAM plan.

### **Inadequate restoration planning for marine mammals**

The Commission is concerned that the Louisiana TIG has yet to fully implement restoration activities that would facilitate recovery of bottlenose dolphins from the DWH oil spill. To date, the Louisiana TIG has implemented only one marine mammal project from its \$50 million budget for restoring marine mammals. That project would increase capacity and expand partnerships along the Louisiana coastline for marine mammal stranding response.

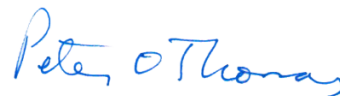
Other projects submitted to the NRDA portal that should be considered for restoration of marine mammals include—

- Reducing bycatch in state-based commercial and recreational fisheries<sup>14</sup>;
- Research on dolphin prey species and their availability;
- Support for the Gulf of Mexico Dolphin Identification System (to share information from photo-identification studies among researchers and stranding network members throughout the Gulf);
- Development and testing of alternative survey techniques (i.e., unmanned aerial vehicles (e.g., drones) and passive acoustic monitoring);
- Removal of debris and other harmful materials from high-use habitat;
- Documenting and preventing illegal feeding and harassment, and enhancing enforcement of protection measures;
- Increasing resources for responding to, and caring for, out-of-habitat or injured dolphins; and
- Developing and distributing appropriate outreach materials for commercial fishermen, anglers, and recreational boaters<sup>15</sup>.

Although we recognize the enormity of the impact of the oil spill on Louisiana's natural resources, and acknowledge that the Louisiana TIG is continuing to work on marine mammal restoration planning, that process seems unnecessarily slow, restrictive, and inefficient. It has delayed funding of projects to facilitate restoration of marine mammals in an area that suffered significant injury. The Commission recommends that the Louisiana TIG immediately (1) identify which of the restoration approaches for marine mammals identified in the PDARP are priorities for restoration in Louisiana and (2) prepare and publish a restoration plan to address high-priority restoration projects that can be implemented without delay.

The Commission appreciates the opportunity to review the draft RP #3.2/DEIS and hopes that the Louisiana TIG and the USACE consider these comments carefully before moving forward to approve this project. Please contact me if you have any questions concerning any issues raised in this letter.

Sincerely,



Peter O. Thomas, Ph.D.,  
Executive Director

**Enclosure:** Thomas et al. (2021)

**Cc:** Mel Landry, NMFS Restoration Center; Brian Lezina, Louisiana CPRA; [latig@la.gov](mailto:latig@la.gov), [gulfspill.restoration@noaa.gov](mailto:gulfspill.restoration@noaa.gov)

<sup>14</sup> Including the shrimp trawl, menhaden purse seine, coastal gillnet, pelagic longline, trap/pot, and charter boat/headboat fisheries.

<sup>15</sup> The Louisiana Sea Grant office could be a useful partner in the development of outreach materials for the public and specifically commercial and recreational fishermen.

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# Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion project on bottlenose dolphins in the Barataria Bay Estuarine System Stock

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## Summary

1. The proposed Mid-Barataria Sediment Diversion (MBSD) project will result in decreased levels of salinity in Barataria Bay, Louisiana. This decreased salinity has been predicted by the National Oceanographic and Atmospheric Administration (NOAA) to cause increased mortality of bottlenose dolphins in the Barataria Bay Estuarine System (BBES) Stock.
2. We used an existing model for the population dynamics of this stock to predict the population consequences of the increased mortality. We compared population projections under two scenarios (described in the Draft Environmental Impact Statement for the proposed project), “Applicants Preferred Alternative” (APA) and “No Action Alternative” (NAA), using the same four geographic regions (“strata”) as NOAA and assuming no movement of animals among strata.
3. The model predicts an immediate and severe population-level decline under the APA. In the first year of operation under the APA (2027), median predicted excess mortality under the APA is 585 dolphins (95% confidence interval [CI] 131-1459), leading to a median stock decline of 23% (95% CI 3-55). By contrast, under the NAA the stock is predicted to increase by 3% (95% CI 1-5) – the increase is because the stock is estimated to still be in recovery from the *Deepwater Horizon* oil spill. Therefore, after one year of operation, the stock is predicted to be 25% smaller (95% CI 6-56) under the APA than under the NAA.
4. After 10 years of operation, the parts of the stock in the Central and West strata are predicted to be functionally extinct (probability of < 30 animals remaining is 1 in the Central stratum and 0.99 in the West stratum). The part in the Southeast stratum, while not extinct, is predicted to be 82% lower (95% CI 44-96) under the APA than under the NAA. The Island stratum is less severely affected with a median predicted decline of 38% (95% CI 9-84).
5. After the planned 50 years of operation, dolphins in three out of the four strata are predicted to be functionally extinct under the APA, with the remaining Island stratum being severely reduced relative to the NAA (median predicted population size of Island stratum is 85% lower [95% CI 28-99] under the APA than under the NAA). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the APA is 143 dolphins (95% CI 11-706) compared to 3363 (95% CI 2831-4289) under the NAA. In other words, the stock is predicted to be 96% smaller (95% CI 80-100) under the APA than then NAA.

# Introduction

The Barataria Bay Estuarine System (BBES) Stock of bottlenose dolphins was heavily impacted by the *Deepwater Horizon* (DWH) oil spill. A population model (Schwacke et al. 2017) was developed to quantify the impact, and this model has recently been updated as part of a Gulf of Mexico Research Institute consortium project (CARMMHA) to collect additional information and refine the impact quantification (Schwacke et al. in preparation).

One proposed habitat restoration effort is the proposed Mid-Barataria Sediment Diversion (MBSD) project, which proposes to intermittently release water from the Mississippi River into the upper Barataria Basin. This will result in decreased levels of salinity in the basin that, in turn, will cause mortality of dolphins in the BBES Stock. The potential extent of this mortality was examined in a recent report by the National Oceanographic and Atmospheric Administration (NOAA; Garrison et al. 2020). That report gave predictions of annual survival rates in four geographic regions (“strata”) within the Barataria Basin (Island, Southeast, Central and West) under two scenarios presented in the Draft Environmental Impact Statement for the proposed project: the “Applicants Preferred Alternative”, where the MBSD is constructed and begins operation in 2027, and the “No Action Alternative”, where the MBSD is not constructed.

In this report, we integrate the annual survival of dolphins in each of the four strata from the two scenarios of Garrison et al. (2020) into the population model developed under the CARMMHA project, and use this to predict the consequences of the proposed MBSD project for the dolphin stock.

# Methods

## Impact on survival from NOAA analysis

We obtained from NOAA 1,000 replicate predictions of estimated annual survival under APA and NAA scenarios in each of the four strata, derived from the model of Garrison et al. (2020). The replicate predictions represent the range of scientific uncertainty on possible impacts, accounting for factors such as uncertainty on the salinity field for a given set of hydrographic conditions, uncertainty on animal movement and hence exposure, and uncertainty on the effect of low salinity on dolphin survival (see Garrison et al. 2020 for details). Note that all predictions are based on a single assumed annual hydrograph, that for 1970 (Garrison et al. 2020), and so do not account for uncertainty in future hydrographic conditions (see Discussion).

For each replicate prediction and stratum, we calculated the percentage difference in survival between the APA and the NAA as follows:

$$\% \text{ difference in survival} = \frac{\text{survival under APA} - \text{survival under NAA}}{\text{survival under NAA}} \times 100$$

The resulting distribution of percentage difference in survival in each stratum is shown in Figure 1, with associated summary statistics in Table 1. For the Island stratum, the median prediction is of a 2% decline in survival under the APA relative to the NAA, although in 10% of replicates the predicted survival decline is greater than 20%. For the Southeast stratum, the median prediction is of a 14% decline in survival with 40% of replicates predicting a survival decline of greater than 20%. Note, however, that 24% of replicates in this stratum predict an increase in survival under APA relative to the NAA. For the Central and West strata there is a large predicted decline in survival under almost all replicates.

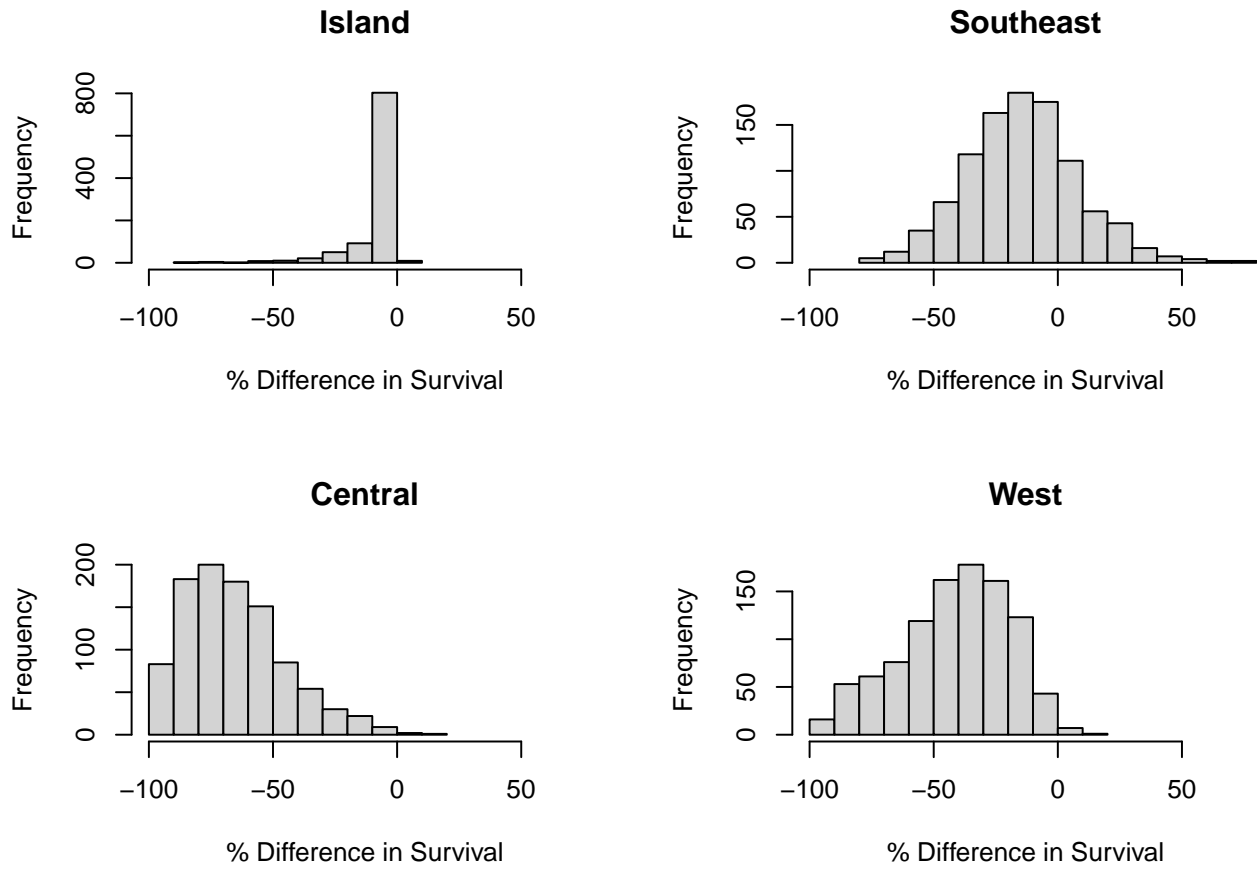


Figure 1: Predicted percentage difference in dolphin annual survival under the Applicant Preferred Alternative (APA) compared with the No Action Alternative (NAA). One thousand predicted survival rates were provided by NOAA and were derived from the model of Garrison et al. (2020).

Table 1: Summary statistics on predicted percentage difference in dolphin annual survival under the APA relative to the NAA. First column is median predicted percentage difference, second is percentage of replicates that predict a decline in survival of 20% or more, third is percentage of replicates that predict an increase in survival.

| Stratum   | median % diff | % (diff < -20%) | % (diff > 0) |
|-----------|---------------|-----------------|--------------|
| Island    | -2            | 10              | 1            |
| Southeast | -14           | 40              | 24           |
| Central   | -68           | 97              | 0            |
| West      | -39           | 83              | 1            |

## Population consequences

The population model of Schwacke et al. (in prep.) gives estimates of the population trajectory of BBES dolphins from 2010 onwards, accounting for the estimated effect of the DWH oil spill. We used this model as the basis to predict the estimated effect of the proposed MBSD project (APA) on the dolphin population. Like the APA survival predictions from Garrison et al. (2020), the population model accounts for scientific uncertainty in predictions by allowing multiple replicates to be drawn. We therefore based our predictions on 1,000 replicate samples.

For each sample, we partitioned the BBES dolphin population into the same four strata as Garrison et al. (2020), using estimates of the proportion of the total population with home range centers in each of the four strata. These estimates come from a spatial capture recapture analysis (Glennie et al. in prep.) that forms part of the inputs to the Schwacke et al. model. For the purposes of this analysis, we assumed that each stratum is demographically independent – i.e., that dolphins in the BBES stock do not move from one stratum to another. For each stratum, we ran the Schwacke et al. model for 75 years (2010-2076), under two scenarios. In the first scenario, representing the APA, for each year after the proposed MBSD project begins in 2027 we adjusted the survival values from the Schwacke et al. model using a random draw from the 1,000 values of percentage difference in survival for that stratum. In the second scenario, representing the NAA, we ran the Schwacke et al. model without modification.

We calculated the following metrics to summarize outcomes from the population model:

- In the first year of operation of the MBSD (i.e., 2027-2028)
  - Excess mortality: the total number of dolphins that are expected to die this year under the APA minus the number that are expected to die in the same year under the NAA.
  - Change in population size under the APA and under the NAA.
  - Percentage difference in population size in 2028 between APA and NAA.
- After 10 years of operation of the MBSD (i.e., in 2037)
  - Probability of functional extinction, where functional extinction is defined as < 30 animals.
  - Percentage difference in population size in 2037 between the APA and NAA.
- In the final year of operation the MBSD operations planning horizon (i.e., 2076)
  - Probability of functional extinction.
  - Population size under the APA and under the NAA.

In each case, we report the median value from the 1,000 replicate simulations, together with the lowest 2.5th and highest 97.5th percentile – these latter values represent a 95% confidence interval on the prediction.

## Results

We first present graphical representations and a qualitative description of the results, before presenting the summary metrics described in the Methods.

Figure 2 summarizes the population trajectories over all 1,000 realizations under APA (red) and NAA (black) scenarios. The populations follow the same trajectory under both scenarios up until 2027, when proposed MBSD operations start. During this period (2010-2027) the populations experience the negative effect of the DWH oil spill and, starting around 2020, begin to recover. After 2027 under the NAA, the populations continue to recover and reach a steady state long before the end of the simulation time period. Under the APA the median prediction for the Island stratum is of a steady decline, while the other strata experience rapid declines to extinction. The prediction at stock level, i.e., summing across strata, is shown in Figure 3. Under the APA, the stock is predicted to decline precipitously at first and then more gradually, reaching very low levels relative to the NAA by the end of the simulation time period.

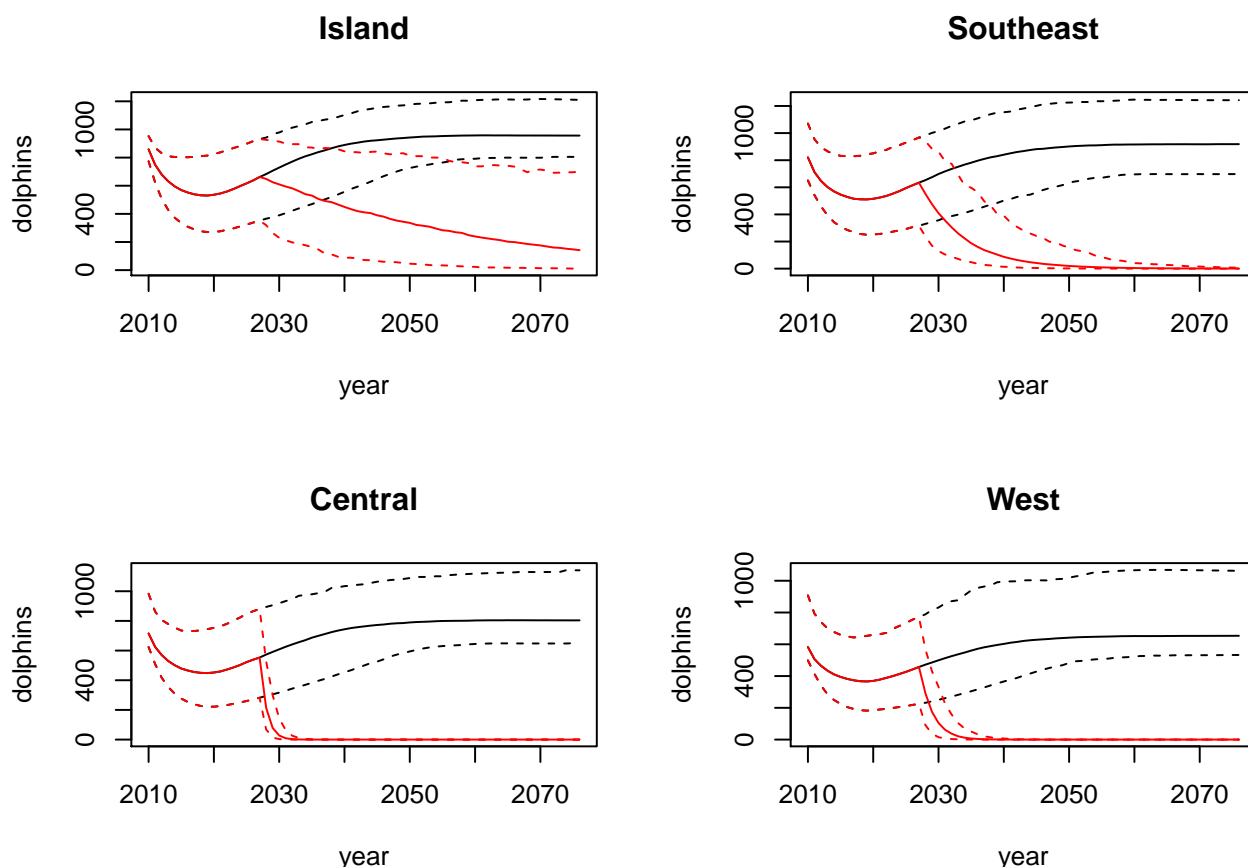


Figure 2: Summary of predicted population trajectories by stratum under the Applicant Preferred Alternative (red) and No Action Alternative (black) scenarios. Solid line shows median; dashed lines show 95% confidence limits.

The summaries given in Figures 2 and 3 are computed from 1,000 random realizations of the model. Figure 4 shows 10 example realizations. The part of the stock in the Island stratum experiences occasional large population decreases associated with years where there is a large decline in survival under the APA; in most years, however, there is little or no decline. After 50 years of operation, all realizations have experienced an overall decline and none are at the level of the corresponding NAA. The part of the stock in the Southeast stratum experiences frequent stronger declines, but also occasional increases associated with survival increase under the APA. Nevertheless, after 50 years of operation, all realizations are at or close to zero. The parts of the stock in the Central and West strata experience rapid declines towards zero in all realizations.

Quantitative summaries of the results are given in Tables 2-6<sup>1</sup>. Table 2 shows the predicted mortalities in the first year of the proposed MBSD operation (2027) under APA, NAA and the difference between the

<sup>1</sup>Note that in all these tables, the median shown in the “Total” row is calculated by first aggregating the strata and then calculating the median. This is not the same as simply summing the stratum medians. The same is true for the confidence limits.

### Barataria Bay Estuarine System Stock

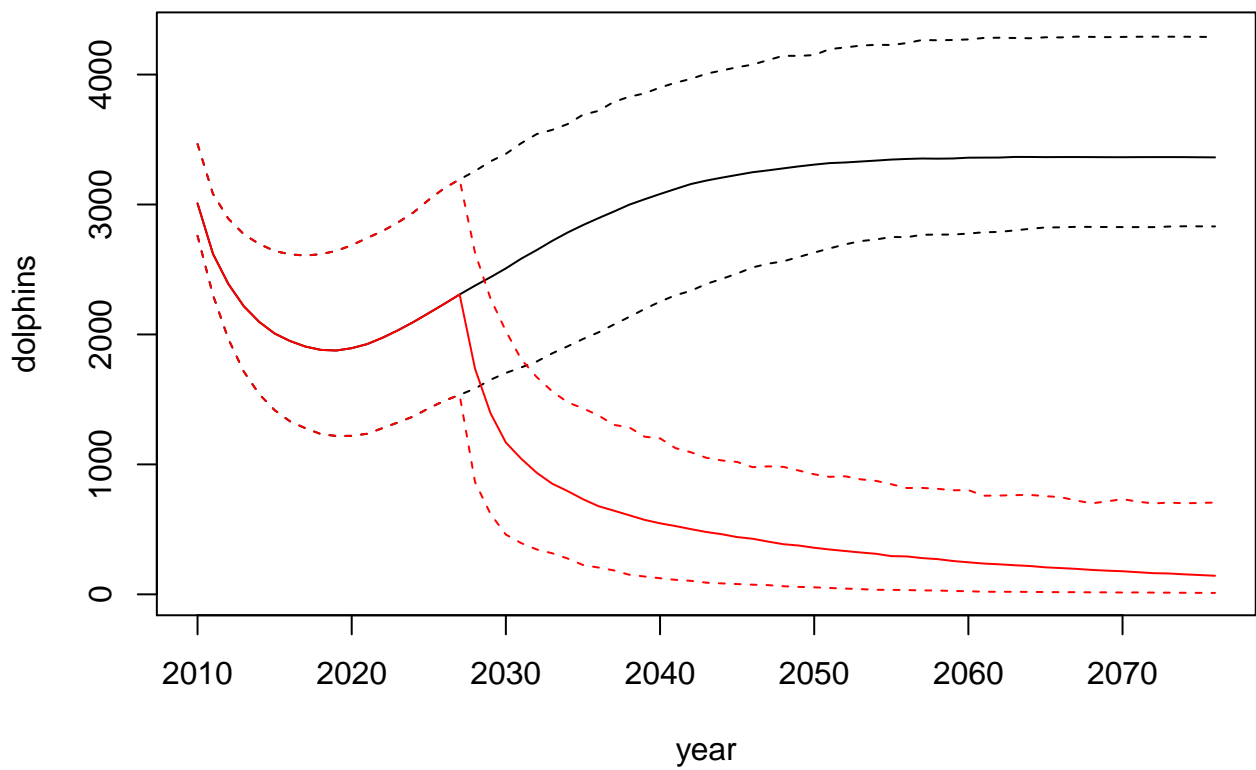


Figure 3: Summary of predicted stock trajectory under the Applicant Preferred Alternative (red) and No Action Alternative (black) scenarios. Solid line shows median; dashed lines show 95% confidence limits.

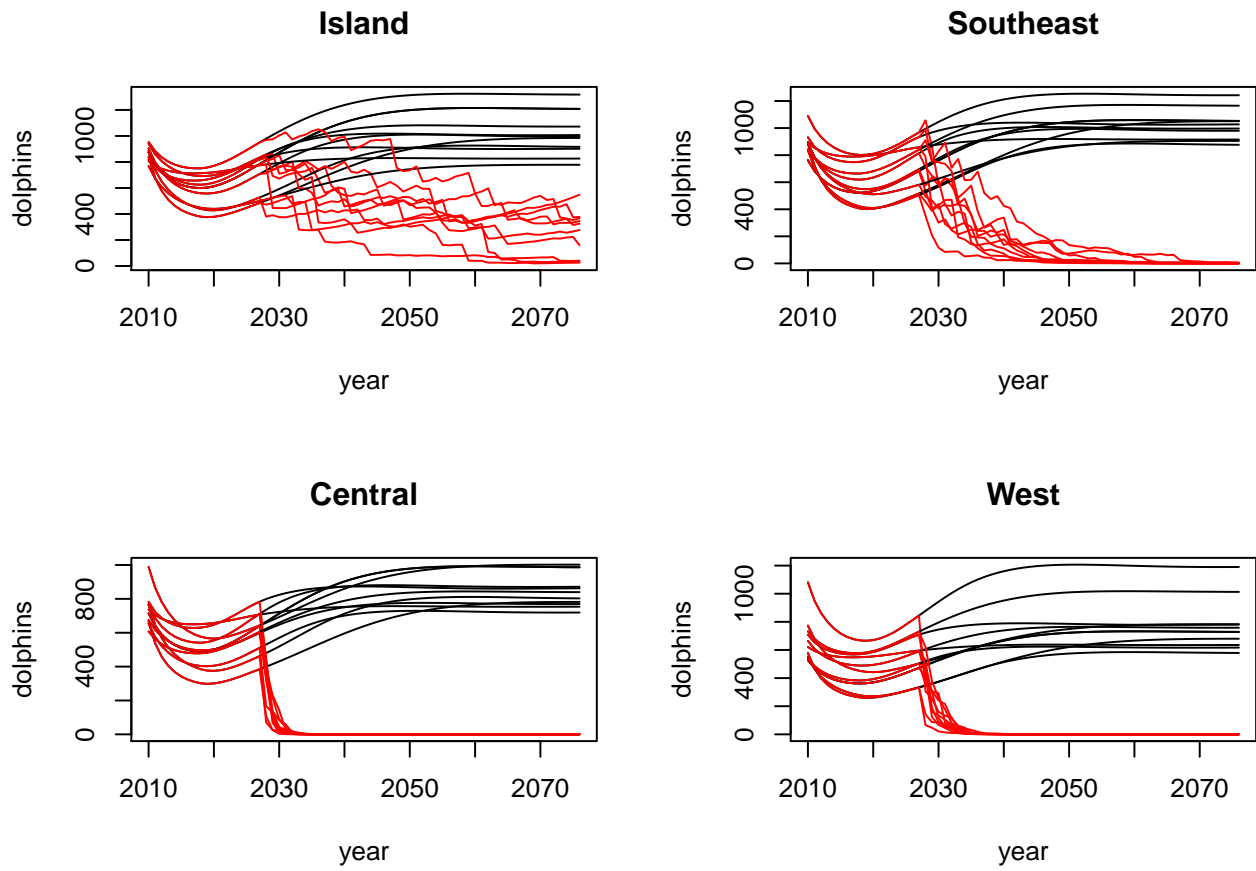


Figure 4: Ten example realizations of the population simulation under the Applicant Preferred Alternative (red) and No Action Alternative (black) scenarios.

two, which represents the predicted excess mortalities under the APA scenario. In this first year of MBSD operation, the median predicted excess mortality under the APA is 585 dolphins with 95% CI 131-1459. This excess mortality represents a median of 26% of the stock (95% CI 6-58) killed by the MBSD in its first year of operation.

Table 2: Predicted dolphin mortality in 2027 under APA and NAA scenarios. Last column shows excess mortality – i.e., mortality under APA minus mortality under NAA. Values are medians from the model simulations, with 95% confidence intervals in brackets.

| Stratum   | APA mortality   | NAA mortality | excess mortality (APA-NAA) |
|-----------|-----------------|---------------|----------------------------|
| Island    | 59 (26 — 261)   | 44 (23 — 64)  | 12 (0 — 217)               |
| Southeast | 111 (0 — 424)   | 42 (22 — 66)  | 69 (-50 — 367)             |
| Central   | 364 (120 — 715) | 37 (19 — 59)  | 326 (92 — 656)             |
| West      | 186 (53 — 461)  | 30 (15 — 52)  | 154 (31 — 420)             |
| Total     | 740 (26 — 261)  | 156 (23 — 64) | 585 (131 — 1459)           |

Estimated stock size in the 2027, before operation of the proposed MBSD, was 2307 animals (95% CI 1535-3193). Estimated stock sizes in 2028 under the APA and NAA are shown in Table 3. Under the APA, the stock is predicted to decline by 23% (95% CI 3-55) due to mortalities caused by the MBSD operation. By contrast, under the NAA the stock is predicted to increase by 3% (95% CI 1-5) – the increase is because the stock is estimated be still in recovery from the DWH oil spill. Therefore, by the end of the first year of MBSD operations, the stock is predicted to be 25% smaller (95% CI 6-56) under the APA than under the NAA (Table 3).

Table 3: Predicted number of dolphins in 2028 (after 1 year of operation of the MBSD) by stratum and overall under APA and NAA scenarios, and percentage difference between scenarios. Values are medians with 95% confidence intervals in brackets.

| Stratum   | APA dolphins      | NAA dolphins       | % difference    |
|-----------|-------------------|--------------------|-----------------|
| Island    | 648 (320 — 926)   | 683 (366 — 942)    | -2 (-31 — 0)    |
| Southeast | 551 (237 — 939)   | 653 (330 — 983)    | -12 (-49 — 7)   |
| Central   | 214 (68 — 528)    | 573 (294 — 894)    | -61 (-87 — -17) |
| West      | 291 (90 — 567)    | 472 (232 — 789)    | -35 (-79 — -7)  |
| Total     | 1736 (864 — 2629) | 2376 (1584 — 3258) | -25 (-56 — -6)  |

Tables 4 and 5 show the predicted population size in 2038 and 2076 respectively (i.e., after 10 years of operation of the MBSD and at the end of the 50 year planning horizon) under APA and NAA, as well as the difference between the two scenarios.



Table 4: Predicted number of dolphins in 2038 (after 10 years of operation of the MBSD) by stratum and overall under APA and NAA scenarios, and percentage difference between scenarios. Values are medians with 95% confidence intervals in brackets.

| Stratum   | APA dolphins     | NAA dolphins       | % difference       |
|-----------|------------------|--------------------|--------------------|
| Island    | 491 (118 — 868)  | 852 (503 — 1070)   | -38 (-84 — -9)     |
| Southeast | 137 (28 — 497)   | 810 (457 — 1126)   | -82 (-96 — -44)    |
| Central   | 0 (0 — 0)        | 712 (409 — 997)    | -100 (-100 — -100) |
| West      | 2 (0 — 21)       | 581 (328 — 964)    | -100 (-100 — -97)  |
| Total     | 644 (184 — 1304) | 2946 (2076 — 3790) | -78 (-93 — -59)    |

Table 5: Predicted number of dolphins in 2076 (at the end of the planning horizon for the MBSD) by stratum and overall under APA and NAA scenarios, and percentage difference between scenarios. Values are medians with 95% confidence intervals in brackets.

| Stratum   | APA dolphins   | NAA dolphins       | % difference       |
|-----------|----------------|--------------------|--------------------|
| Island    | 142 (11 — 700) | 956 (805 — 1210)   | -85 (-99 — -28)    |
| Southeast | 0 (0 — 7)      | 918 (698 — 1243)   | -100 (-100 — -99)  |
| Central   | 0 (0 — 0)      | 804 (650 — 1141)   | -100 (-100 — -100) |
| West      | 0 (0 — 0)      | 654 (533 — 1063)   | -100 (-100 — -100) |
| Total     | 143 (11 — 706) | 3363 (2831 — 4289) | -96 (-100 — -80)   |

Table 6 shows the predicted probability of functional extinction (i.e., proportion of simulation runs where the number of dolphins is less than 30) in each stratum in 2038 and 2076.

Table 6: Predicted probability of functional extinction (i.e., fewer than 30 dolphins remaining) by stratum in 2038 (after 10 years of operation of the MBSD under APA) and 2076 (at the end of the planning horizon for the MBSD)

| Stratum   | p(extinct) in 2038 | p(extinct) in 2076 |
|-----------|--------------------|--------------------|
| Island    | 0.00               | 0.1                |
| Southeast | 0.03               | 1.0                |
| Central   | 1.00               | 1.0                |
| West      | 0.99               | 1.0                |

## Discussion

Under the assumptions of this model, there is predicted to be a severe decline in stock size caused by the MBSD under the APA scenario. The stock is predicted to become functionally extinct in three out of four strata and severely reduced in the fourth. The declines are more severe than those estimated to have been caused by the DWH oil spill and will take place just as the stock is starting to recover from the oil spill. While the stock is estimated to recover fully from the DWH oil spill under the NAA scenario, this will not happen under the APA scenario.

We set a limit for “functional extinction” of 30 animals. To our knowledge there is no agreed threshold, and other reasonable values could have been used to indicate the point at which there are so few animals they no longer form a functioning part of the ecosystem. Regardless of the value used, the above findings would be

qualitatively the same

These results were generated by combining two separate analyses: the survival predictions from Garrison et al. (2020) and the population model of Schwacke et al. (in prep., updating Schwacke et al. 2017). These use some overlapping information – the photo-ID surveys undertaken in Baratara Bay from 2010-2019. Hence it would be possible, with more modelling effort, to integrate the two more closely by building components of the Garrison et al. model into the population model. However, this is not expected to make a qualitative difference to the population predictions.

The analysis undertaken here sampled values at random each year from the predicted survival effects under the APA and NAA generated by Garrison et al. (2020). This is equivalent to assuming the factors driving the uncertainty in predicted survival effects vary each year. While this is correct for some sources of uncertainty (e.g., uncertainty in salinity field given hydrography; animal movement and hence exposure), it is not fully correct for others (e.g., uncertainty on dolphin survival response given exposure). Ideally, the different components of uncertainty in the Garrison et al. model would be separated and then we could sample as appropriate at the annual level or just once per population projection. This reduction in annual variability would be expected to produce a somewhat more positive population projection, particularly in the Island stratum. However, one very important source of annual variability was neglected in these simulations: annual change in hydrography. The predictions we used from Garrison et al. model were based on a single annual hydrograph, from 1970 (cycle0, Garrison et al. 2020), when in reality hydrography is expected to vary substantially between years. This variability will mean that there are years of worse survival than predicted by Garrison et al. and years of better survival. The overall effect of this on the dolphin population will be to produce a more negative trajectory, because years of poor survival produce large decreases in population size, but in years of good survival the population can only increase by a small amount as it is constrained by the birth rate. The population can decline by 25% in a bad year but it cannot increase by 25% in a good year. Given this, we anticipate that addressing all of the issues related to uncertainty discussed in this paragraph will lead overall to more negative population predictions.

Another factor that makes our projections optimistic is that the population dynamics model is deterministic – it does not account for the random nature of births and deaths, and also allows non-integer population counts. Incorporating demographic stochasticity in the model, and restricting population sizes to be whole numbers will produce more negative predictions, although the difference will not be significant until the populations become small.

The analysis also assumed that the four strata are demographically independent. If dolphins move away from the three more affected strata into the Island stratum in response to low salinity then the stock-level effects may be lower; on the other hand, if dolphins disperse between strata without regard to salinity changes then more animals will move into the strongly-affected strata from the less-affected Island stratum and the stock-level effects may be greater. Genetic analyses have supported spatial structure within the Baratara Basin population, and have identified genetically distinct dolphin groups in the Western, East/Central, and Island portions of the basin (Rosel et al. 2017, Speakman et al. in prep.). Tracking of Baratara Basin dolphin movement patterns via satellite-linked tags has shown multi-year site fidelity to small home ranges (Wells et al. 2017), and have not shown changes in movement that are coincident with fluctuating salinity (Takeshita et al. submitted).

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG’s Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61894**

**Consider the alternative of tearing down spoil banks and backfilling abandoned canals before, in addition to, or instead of implementing the proposed MBSD Project.**

**Response ID: 15987**

This suggested alternative would not meet the goals and objectives as stated in the purpose and need and described in Chapter 1, Section 1.4 Purpose and Need and Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives. It would not re-establish deltaic processes between the Mississippi River and Barataria Basin through the delivery of sediment, fresh water, and nutrients. However, the EIS acknowledges the influence of canals and spoil banks on wetland losses in Barataria Basin (see Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the Final EIS), and has updated the analysis to include additional technical references regarding the influence of canals on the existing environment in the Barataria Basin. The EIS does not describe the proposed Project as a solution to fully reverse ongoing land-loss trends. The EIS recognizes that the proposed Project is projected to create and maintain only a portion of the wetlands that would otherwise be lost in the absence of the proposed Project over the next 50 years.

This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

Other similar restoration strategies are being considered for implementation by CPRA in its Coastal Master Plan and the LA TIG through Natural Resources Damage restoration planning.

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**Concern ID: 61906**

**The MBSD Project would cause loss and detrimental impacts on the recreational and sport fishing industry in the Barataria Basin.**

**Response ID: 16236**

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism acknowledges that the proposed Project would impact recreational and sport fishing in the Barataria Basin. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on

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recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips.

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and

technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the

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diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to



implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide**

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**approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

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OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the “assessment of natural resource damages.” See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter “NRDA regulations” at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG’s Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As

described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 62636**

**Despite concerns expressed about the potential harm that a large-scale sediment diversion could have on bottlenose dolphins in the Barataria Basin, the LA TIG finalized the SRP/EA #3 in March 2018, selecting as its Preferred Alternative a suite of restoration approaches that included the proposed Project.**

**Response ID: 16608**

USACE was not involved in the SRP/EA #3. USACE is not involved in the process to restore damages caused by the DWH oil spill.

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the SRP/EA #3, the LA TIG evaluated the extent to which the alternatives would prevent future injury as a result of the Deepwater Horizon (DWH) oil spill and avoid collateral injury including furthering impacts to bottlenose dolphins in the Barataria Basin. It found that marsh creation projects in Barataria Basin can help prevent future erosion injuries to marsh vegetation and soils in areas that suffered increased erosion as a result of the DWH oil spill. Restoration of marsh habitat also helps prevent future injury to estuarine-dependent resources, such as fish, crustaceans, and marsh birds that lost supporting habitat through the oil spill and through subsequent increased erosion. The SRP found that the operation of a large-scale sediment diversion would result in reductions in salinity in the Barataria Basin, and

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that reduction would adversely impact BSE marine mammals, including the stock of bottlenose dolphins in Barataria Bay, possibly resulting in illness and death.

USACE's Draft EIS evaluated impacts to bottlenose dolphins in Chapter 4, Section 4.11 Marine Mammals. As stated in that section, changes in salinity projected to occur as a result of operating the diversion are anticipated to have major, adverse, permanent impacts on the bottlenose dolphin population within the Barataria Basin. No edits based on this comment were made to Chapter 4 of the Final EIS.

These potential impacts to marine mammals were also included and considered by the LA TIG in its Draft Restoration Plan (see Section 3.2.1.5 [Avoids Collateral Injury]). As with the EIS, because these impacts were considered in the Draft Restoration Plan, no related edits were made to the main body of the Final Restoration Plan.

In recognition of the potential collateral injury to bottlenose dolphins and in response to public comments on this issue, CPRA would be responsible for ensuring the implementation of four key stewardship measures as part of the proposed Project to benefit dolphins in Louisiana; the last of these has been developed since the release of the Draft Restoration Plan in response to public concerns about potential marine mammal impacts. They are:

- A state-wide stranding program for 20 years intended to improve the survival and health outcomes of marine mammal populations injured by the DWH spill, especially coastal and estuarine stocks of bottlenose dolphins. Enabling a more rapid response to a live stranded cetacean would increase that animal's chance of survival by reducing the time spent on the beach, reducing stress on the animal, providing rapid treatment, and, if appropriate, transport to an authorized rehabilitation facility for additional treatment and care. In addition, this program would improve diagnoses of the causes of illness and death in cetaceans to better understand natural and anthropogenic threats, which would inform restoration planning and monitoring and adaptive management (see Section 3.2.1.1.5 [Associated Stewardship Measures – Alternative 1] of the Final Restoration Plan).
- Activities that would reduce stressful interactions between dolphins and humans, such as: reducing dolphin mortalities associated with recreational fishing; reducing illegal fishing of dolphins; and assessing and mitigating the impacts of marine vessels, noise, and other threats on marine mammals in the Barataria Basin. See Section 3.2.1.1.5 (Associated Stewardship Measures – Alternative 1) of the Final Restoration Plan for more details.
- Additional stranding surge capacity in response to unusual marine mammal mortality events (see Section 3.2.1.1.5 [Associated Stewardship Measures – Alternative 1] of the Final Restoration Plan).
- A Marine Mammal Intervention Plan, which outlines a spectrum of response actions for dolphins affected by the operation of the diversion, ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. For more information, see Appendix R5 to the Final EIS.

In considering the operation of the diversion, CPRA developed a detailed MAM Plan to evaluate the proposed MBSD Project's benefits and impacts on the Barataria Basin and consider how the management of the diversion may be adapted to better meet Project goals (see Appendix R2 [Monitoring and Adaptive Management Plan] to the EIS). In addition to performance monitoring to measure progress toward the proposed MBSD Project's restoration objectives, and to better understand the ecological functions and services provided by the proposed Project, the MAM Plan also includes monitoring to characterize the nature and extent of potential collateral injuries. CPRA's adaptive management strategies to minimize impacts to BBES dolphins from Project operations include a framework for coordinating stranding response activities during operations, and a post-operational commitment to evaluate the ability of diversion operations to be modified to meet Project goals while reducing impacts to marine mammals. Marine mammal related monitoring and adaptive management activities have been updated since the release of the Draft EIS to include more details regarding the process through which operational data would be used to evaluate potential modifications to those strategies and protocols.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62665**

**Commenters suggested that the proposed Project would achieve some benefits relative to the No Action Alternative, but that even if the modeling is correct (which it probably is not), the projected benefits provided by the Project would be very small compared to amount of habitat that is expected to be lost in the Barataria Basin over**

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**50 years. If the models used for the EIS turn out to be accurate, more than 43 percent of the land in the Barataria Basin will have disappeared even with the Project in 30 years. During that time, 105,000 acres of land will be lost, with the Project sustaining only 17,300 more acres than the No Action Alternative (5 percent of the basin's current land area). Because of this background of large land loss, the proposed Project could only be considered a stop-gap measure. Further, commenters cited sources indicating ongoing debate about the effectiveness of large-scale sediment diversions as a land-building strategy and recommended those uncertainties be addressed in the Draft EIS (Blaskey, 2020; Blum and Roberts, 2009; Chamberlain et al., 2018; DeLaune et al., 2013; Suir et al., 2014; Turner et al., 2019).**

**Blaskey, D. 2020. Modeling of distributary channels formed by a large sediment diversion in broken marshland. Dissertation, University of New Orleans, Louisiana. 112 pages.**

**Blum, M.D., and H.H. Roberts. 2009. Drowning of the Mississippi Delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience Letters* 2:488-491.**

**Chamberlain, E.L., T.E. Törnqvist, Z. Shen, B. Mauz, and J. Wallinga. 2018. Anatomy of Mississippi Delta growth and its implications for coastal restoration. *Science Advances* 4:eaar4740.**

**DeLaune, R.D., M. Kongchum, J.R. White, and A. Jugsujinda. 2013. Freshwater diversions as an ecosystem management tool for maintaining soil organic matter accretion in coastal marshes. *Catena* 107:139-144.**

**Suir, G.M., W.R. Jones, A.L. Garber, and J.A. Barras. 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. U.S. Army Corps of Engineers Mississippi River Geomorphology & Potamology Program, Report No. 2. 37 pages.**

**Turner R.E., M. Layne, Y. Mo, and E.M. Swenson. 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. *Restoration Ecology* 27(6):1231-1240.**

**Response ID: 16624**

The issues raised by the commenters were considered in the Draft EIS. For example, the proposed Project's long-term influence on land building and wetland creation has been modeled extensively through engineering and design and the impacts (beneficial and adverse) are described in Sections 4.2 (Geology and Soils), 4.4 (Surface Water and Coastal Processes) and 4.6 (Wetland Resources and Waters of the U.S.) of the EIS. With regard to modeling conducted to determine impacts of the proposed Project, the Delft3D Basinwide Model projections of Project impacts include uncertainties. Uncertainties are briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainty in model results is recognized in Table 4.2-4 found in Section 4.2.3.2.2.1 Geology, which indicates that land areas are considered accurate within +/- 200 acres and that the error in land gains is +/-300 acres.

As part of developing the EIS, the USACE, together with members of the LA TIG (including cooperating agencies and CPRA), reviewed the Delft3D Basinwide Model, including its



parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives. The cited studies were reviewed and included in relevant analyses in the Draft EIS.

The LA TIG acknowledges the commenters' concerns. As described in the LA TIG's Draft Restoration Plan, the Project would reestablish deltaic processes that deliver sediment, fresh water, and nutrients; improve the function of existing habitats; and develop deltaic habitats that connect nearshore and offshore ecosystems. The LA TIG expects that the Project would result in the creation of a maximum of 17,300 acres of land in the Barataria Basin by year 30 of operations; after 50 years of operation, the Project would result in the loss of 3,000 acres of land in the birdfoot delta but would create approximately 13,400 acres of land in the Barataria Basin, representing about 20 percent of the land remaining in the Barataria Basin at that time (see Section 3.2.1.1 [Alternative 1 Description] of the Restoration Plan). The LA TIG agrees that, with or without the Project, coastal Louisiana and the Barataria Basin would experience tremendous land loss. However, the LA TIG believes this background of large land loss makes the habitat created by the proposed Project even more important. Relative to other types of incremental approaches (for example, marsh creation through the application of dredged sediment), the Project would reconnect and reestablish sustainable deltaic processes and support the long-term viability of existing and planned coastal restoration efforts. All citations referenced by the commenters were included in the Final EIS and thus were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62866**

**A commenter recommends that, if the MBSD Project goes forward, the LA TIG and CPRA work with NMFS to initiate the pre-operations sampling program for marine mammals in Barataria Bay by the end of 2021 to ensure a minimum five years of baseline information is collected on bottlenose dolphins and their prey species and habitat, prior to the implementation of the MBSD, as outlined in the MAM Plan.**

**Response ID: 16675**

The dolphin monitoring measures raised by commenters were considered in Section 6.3.6 (Public Interest Mitigation - Marine Mammals) of CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) and Section 3.7.3.19 (Atlantic Bottlenose Dolphins [Tursiops truncatus]) of the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). The revised MAM Plan included in Appendix R2 of the Final EIS describes proposed dolphin monitoring during the 5 years prior to operations. The LA TIG coordinated with NMFS in the development of these measures.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

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where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62876**

**Commenter supports the pre-operations sampling plan outlined for marine mammals in the Draft EIS Appendices R1 and R2 (Mitigation and Stewardship Plan, and MAM Plan), which include enhanced stranding response and investigations, capture-mark-recapture surveys, visual assessment surveys, health assessments, tagging, remote biopsy sampling, prey assessment, and collection of habitat data.**

**Response ID: 16683**

Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) and Appendix R1 (Mitigation and Stewardship Plan) to the Draft EIS contained the information on marine mammal monitoring noted by the commenter. In addition, since the publication of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention (MMI) Plan to be implemented by CPRA to further respond to and recognize expressed public concerns about the potential impacts of the Project on marine mammals (see new Appendix R5 to the Final EIS). The MMI Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are

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identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62921**

**Commenters suggested that the State of Louisiana must comply with the MMPA waiver and minimize impacts to marine mammal population stocks in ways that are practicable and consistent with the purposes of the Project. This includes considering alternative actions and modifications to Project operations to reduce or mitigate impacts to BBES dolphins while still meeting the Project purpose. The Mitigation Plan incorrectly suggests that actions to reduce impacts to dolphins is not necessary because it would negatively impact Project performance. The Trustees should research all possible mitigation actions to reduce impacts to BBES and invest in the restoration projects that effectively reduce this impact. These may include alternative construction designs or operational strategies, such as reduced diversion flow or salinity thresholds, that would reduce impacts to bottlenose dolphins.**

**Response ID: 16703**

CPRA prepared a Mitigation and Stewardship Plan and a Monitoring and Adaptive Management (MAM) Plan. Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

There is no requirement in the Bipartisan Budget Act that CPRA evaluate alternatives other than the Project. The Bipartisan Budget Act of 2018, Section 20201 requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

CPRA's updated MAM Plan (Appendix R2 of the Final EIS) includes measures and frameworks for minimizing and monitoring impacts of the proposed Project on marine mammals. In addition, the LA TIG has developed a Marine Mammal Intervention Plan. As described in the Federal Register notice announcing issuance of the MMPA waiver, the State's consultation with NMFS will be ongoing to appropriately address the evolving Project planning and design for the construction, operation, and maintenance phases. This ongoing

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consultation is described in the MAM Plan as well as the Marine Mammal Intervention Plan (see below and Appendices R2 and R5 to the Final EIS for more details).

As described in the Draft EIS, the MAM Plan identifies potential ways in which the LA TIG may reduce impacts to dolphins. The MAM Plan in the Final EIS has been updated to provide more detail about the strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols. However, the adaptive management strategies and actions are largely reliant upon data that would be collected during either the pre-construction monitoring period or once operations commence. Once operational data are available, they would be used to evaluate the potential Project modifications to further minimize impacts to marine mammals. There are limited minimization measures available that would reduce impacts on marine mammals and those limited measures would likely only benefit dolphins residing the furthest from the diversion structure (for example, the Island strata).

However, the LA TIG recognizes that despite these operational strategies, dolphins within Barataria Bay would likely experience significant impacts, as described in the EIS, given the purposes of the proposed Project. In response, the LA TIG has developed a Marine Mammal Intervention Plan that outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia (see Appendix R5 to the Final EIS).

While the more severe actions such as euthanasia may not offset the ultimate outcome of mortality, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, the Mitigation and Stewardship Plan and MAM Plan include actions that would occur prior to operations to improve understanding of the BBES dolphins as well as improvement of stocks across the state (see Appendices R1 and R2 to the Final EIS).

In arriving at the mitigation and stewardship actions included in the Mitigation and Stewardship Plan, the LA TIG worked with experts within NOAA with expertise on marine mammals to ensure the consideration of all potential mitigation actions. In terms of operational strategies to reduce marine mammal impacts, as noted above, those strategies cannot be further defined at this time as they are largely reliant upon data that would be collected during the pre-construction monitoring period or once operations commence. One goal of the proposed Project is to deliver sediment, fresh water, and nutrients into the basin and the design of all of the action alternatives would accomplish that goal. Alternative diversion designs that accomplish that goal on the desired scale would not address dolphin impacts, as those impacts are largely related to salinity changes, which are driven by the transmission of fresh water into the basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement.

Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62925**

**Increased stranding response capacity is unlikely to be effective because there are insufficient stranding response and rehabilitation resources, rehabilitation is expensive and results are unknown, and rehabilitated dolphins released in other estuaries will compete with established populations (Deming et al., 2020; Fougères, 2015; Garrison et al., 2020; Gluch, 2004; Mazzoil et al., 2008; McHugh et al., 2021; Thomas et al., 2021; Wells et al., 2013; Wells, 2014).**

**Deming, A.C., N.L. Wingers, D.P. Moore, D. Rotstein, R.S. Wells, R. Ewing, M.R. Hodanbosi, and R.H. Carmichael. 2020. Health impacts and recovery from prolonged freshwater exposure in a common bottlenose dolphin (*Tursiops truncatus*). *Frontiers in Veterinary Science* 7:235.**

**Fougères, E. 2015. Overview of the Gulf of Mexico marine mammal stranding network. Pages 11- 13 in Cornish, V. (ed.). 2015. Gulf of Mexico Marine Mammal Research and Monitoring Meeting: Summary Report. Marine Mammal Commission, Bethesda, MD 20910.**

**Garrison, L.P., J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NMFS-SEFSC-748, Miami, Florida. 90 pages.**

**Gluch, N. 2004. United States Small Cetacean Rehabilitation Policy: Driving forces behind a socially motivated policy. Master's Thesis, Duke University. 30 pages.**

**Mazzoil, M.S., S.D. McCulloch, M.J. Youngbluth, D.S. Kilpatrick, M.E. Murdoch, B. Mase-Guthrie, D.K. Odell, and G.D. Bossart. 2008. Radio-tracking and survivorship of two rehabilitated bottlenose dolphins (*Tursiops truncatus*) in the Indian River Lagoon, Florida. *Aquatic Mammals* 34(1):54-64.**

**McHugh, K.A., A.A. Barleycorn, J.B. Allen, K. Bassos-Hull, G. Lovewell, D. Boyd, A. Panike, C. Cush, D. Fauquier, B. Mase, R.C. Lacy, M.R. Greenfield, D.I. Rubenstein, A.**

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**Weaver, A. Stone, L. Oliver, K. Morse, and R.S. Wells. 2021. Staying alive: Long-term success of bottlenose dolphin interventions in southwest Florida. *Frontiers in Marine Science* 7:624729.**

**Thomas, L., T. Marques, C. Booth, R. Takeshita, and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock. Report to the Marine Mammal Commission, Bethesda, Maryland.**

**Wells, R.S., D.A. Fauquier, F.M.D. Gulland, F.I. Townsend, and R.D. Giovanni, Jr. 2013. Evaluating postintervention survival of free-ranging odontocete cetaceans. *Marine Mammal Science* 29(4):E463-E468.**

**Wells, R.S. 2014. Social structure and life history of common bottlenose dolphins near Sarasota Bay, Florida: Insights from four decades and five generations. Pages 149-172 in J. Yamagiwa and L. Karczmarski (eds.), *Primates and Cetaceans: Field Research and Conservation of Complex Mammalian Societies, Primatology Monographs*, Tokyo, Japan: Springer.**

**Response ID: 16543**

Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock of the EIS and Section 3.2.1.5 (Avoids Collateral Injury) of the LA TIG's Restoration Plan acknowledge that a large number of dolphins would become ill and strand or die in Barataria Bay as a result of the Project.

Two citations mentioned by the commenter (Garrison et al., 2020 and Wells, 2014) were included in the Draft EIS. Other citations mentioned by the commenter (Deming et al., 2020; Fougères, 2015; Gluch, 2004; Mazzoil et al., 2008; McHugh et al., 2021; Wells et al., 2013) were reviewed and would not change the findings of the EIS, but they have been added to Section 4.11 (Marine Mammals). As noted in other responses, the Final EIS has also been updated to reflect the results of Thomas et al (2021), which did not change the conclusions of the EIS.

To address bottlenose dolphin impacts, the LA TIG has developed a Marine Mammal Intervention Plan that has been included in the Final EIS and Final Restoration Plan (Appendix R5 to the EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions such as euthanasia may not offset the ultimate outcome of mortality, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. However, the LA TIG recognizes that the number of animals able to be relocated will likely be very small in comparison to the number impacted by the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally,

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impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan).

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The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include



more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on "Effects of Low Salinity Exposure on Bottlenose Dolphins," 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>

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**Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.**

**McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.**

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully

avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

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**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11

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Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 63075**

**The estimates of bottlenose dolphin survival rates provided in the Draft EIS may be inaccurate due to key modeling assumptions and limitations, which were acknowledged in the Draft EIS and associated studies (Garrison et al., 2020). For example, because the models used by the Draft EIS did not look at the cumulative effect of multiple stressors and exposure to low-salinity waters over many years, the Draft EIS likely underestimates the impact of the proposed Project on bottlenose dolphins.**

**Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p.**

**Response ID: 16596**

USACE and the LA TIG acknowledge the assumptions and limitations of the modeling, and the resulting uncertainties (including potential underestimation of adverse impacts) noted by the commenter. In addition to the Delft3D modeling, published, peer-reviewed studies (and in some cases, pre-published data available only to the NMFS EIS authors) were reviewed in conjunction with development of the EIS's evaluation of projected impacts to bottlenose dolphin populations in the Project area. The Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The EIS considers multiple sources of stress for bottlenose dolphins including salinity and temperature; sedimentation and land loss; contaminant and nutrients; food web and ecological interactions; and dolphin prey. While quantitative analysis regarding the combined effects of multiple stressors and prolonged salinity exposure are not currently available, the qualitative analysis supports the permanent, major, adverse impact on BBES dolphins found in the EIS (the most significant adverse impact category of the EIS).

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**Concern ID: 63076**

**Another operational alternative that should be considered is management of the timing of freshwater influxes to minimize impacts on dolphin reproductive success.**

**Commenters provided multiple references for further information on dolphin reproduction and health.**

**Bejarano, A.C., R.S. Wells, and D.P. Costa. 2017. Development of a bioenergetic model for estimating energy requirements and prey biomass consumption of the bottlenose dolphin *Tursiops truncatus*. *Ecological Modelling* 356: 162-172.**

**Mattson, M., K. Mullin, G. Ingram, and W. Hoggard. 2006. Age structure and growth of the bottlenose dolphin (*Tursiops truncatus*) from strandings in the Mississippi Sound**

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region of the north-central Gulf of Mexico from 1986 to 2003. *Marine Mammal Science* 22:654-666.

Miller L.J., A.D. Mackey, T. Hoffland, M. Solangi, and S.A. Kuczaj III. 2010. Potential effects of a major hurricane on Atlantic bottlenose dolphin (*Tursiops truncatus*) reproduction in the Mississippi Sound. 2010. *Marine Mammal Science* 26(3):707-715.

Miller L.J., A.D. Mackey, M. Solangi, and S.A. Kuczaj III. 2013. Population abundance and habitat utilization of bottlenose dolphins in the Mississippi Sound. *Aquatic Conservation: Marine and Freshwater Ecosystems* 23:145-151.

Rowe, L.E., R.J.C. Currey, S.M. Dawson, and D. Johnson. 2010. Assessment of epidermal condition and calf size of Fjordland bottlenose dolphin *Tursiops truncatus* populations using dorsal fin photographs and photogrammetry. *Endangered Species Research* 11:83-89.

Urian, K.W., D.A. Duffield, A.J. Read, R.S. Wells, and D.D. Shell. 1996. Seasonality of reproduction in bottlenose dolphins, *Tursiops truncatus*. *Journal of Mammalogy* 77:394-403.

Wells, R.S., M.D. Scott, and A.B. Irvine. 1987. The social structure of free-ranging bottlenose dolphins. Pages 247-305 in H.H. Genoways (ed.). *Current Mammalogy*. Plenum Press, New York, New York.

**Response ID: 16705**

Impacts on dolphin reproduction were considered in the Draft EIS. More specifically, Chapter 4, Sections 4.11.5.1 and 4.11.5.2 in Marine Mammals included an analysis of the potential impacts of harmful algal blooms, spring flows, and multiple stressors on reproductive health. Section 4.11.5.2 also considered the potential impacts of reduced reproductive health on the recovery trajectory of BBES Stock population. Some citations mentioned by the commenter (Bejarano et al., 2107; Miller et al., 2013; and Urian et al., 1996) were included in the Draft EIS. The other citations mentioned by the commenter (Mattson et al., 2006; Miller et al., 2010; Rowe et al., 2010, and Wells et al., 1987) were reviewed and would not change the findings of the EIS, but they have been added to Section 4.11.

As discussed in Chapter 2, Section 2.4.2 Evaluation of Operational Trigger, in developing the proposed Project, CPRA considered different operational triggers for the diversion, including using pulsing operational regimes, to determine whether various operational alternatives would meet the purpose and need of the Project and which would best meet those purposes. CPRA concluded that a simple on/off operational trigger with no pulsing provides the greatest total volume of sediment.

Section 4.11.5.2 of the Draft EIS finds that the timing of the proposed Project operations would result in the lowest salinity levels in the BBES Stock area at the peak of dolphin calving and that this would represent a serious threat to dolphin reproductive success.

With respect to approaches that CPRA could use to mitigate potential impacts to dolphins, the LA TIG and CPRA have developed three documents that address the issue.

First is CPRA's Mitigation and Stewardship Plan, which includes support for a state-wide stranding program, a program to reduce non-diversion related stressors to dolphins, and additional stranding surge capacity in response to unusual marine mammal mortality (see

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Section 3.2.1.1.5 [Associated Stewardship Measures – Alternative 1] of the Final Restoration Plan).

Second is the MAM Plan, which CPRA expanded in response to public comments to include more details regarding the process through which operational data would be used to evaluate potential modifications to those strategies and protocols (see Appendix R2 to the Final EIS). As stated in the MAM Plan, adaptive management strategies, such as timing of freshwater influxes, are largely reliant upon data that would only be available once operations commence but may also be informed by new information gained during the preoperational period. At that time, these data would be used to evaluate potential operational actions, including timing and magnitude of freshwater influxes, that may further minimize impacts to marine mammals and dolphin reproductive success while achieving Project goals.

Third is the Marine Mammal Intervention Plan, which outlines a spectrum of response actions for dolphins affected by the operation of the diversion, ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. For more information, see Appendix R5 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63078**

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**The impact of increased freshwater inputs from the Mississippi River into coastal areas of Louisiana in 2019 caused a die-off leading to an unusual mortality event (UME). The Louisiana Department of Wildlife and Fisheries (LDWF) was winding down its involvement in the marine mammal stranding network during that time. While a group called Audubon Coastal Wildlife Network attempted to fill the void left by the LDWF, critical data were missed. It is estimated that only 33 percent of stranded animals were reported for Louisiana during the whole of the 2019 UME.**

**Response ID: 16598**

Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS has been revised to acknowledge the limitations of data collection by the LDWF during the 2019 UME. Analysis in the Final EIS is based on additional expert opinion regarding effects on dolphins from freshwater exposure compiled for Booth & Thomas (2021) and new data reported in Thomas, et al. (2021). This additional information supported the impact conclusions in the Draft EIS. NOAA has assumed coordination of the Louisiana Marine Mammal Stranding Network. Independent of this Project, the LA TIG has funded a project to support stranding network enhancements. Further, through the Project, the LA TIG would support an additional 20 years of funding for the Louisiana Marine Mammal Stranding Network.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63629**



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**Operation of the MBSD will adversely affect dolphin prey species, such as spotted sea trout, as well as other important marine resources, such as submerged aquatic vegetation, benthic algae and other benthic fauna, brown shrimp, southern flounder, and eastern oyster.**

**Response ID: 16603**

The impact of the Project on dolphin prey species was discussed and considered in detail in Chapter 4, Section 4.11.5.1 (Marine Mammals - General Impacts on Habitat and the Environment) of the Draft EIS, which notes:

Certain marine mammal prey species are more tolerant of lower salinity waters than others. Of the 10 key species analyzed in Section 4.10 Aquatic Resources that are known BBES dolphin prey (representing 75 percent of the stomach prey content), the Applicant's Preferred Alternative would result in overall minor beneficial impacts on six species (red drum, Gulf menhaden, bay anchovy, blue crab, white shrimp, and bass) and a major adverse impact on brown shrimp, minimal adverse impact of spotted seatrout, negligible to minimal adverse impact on southern flounder, and neutral impacts on Atlantic croaker. Oysters are not known to be a prey item for BBES dolphins.

Further, as discussed in Section 4.11.5.1 (General Impacts on Habitat and the Environment in Marine Mammals), initial adverse impacts on SAV would be temporary, with permanent beneficial impacts to overall coverage and biomass of SAV once the salinity regime stabilizes. Although the specific timing of these changes cannot be predicted, Section 4.10.4.1.2 in Submerged Aquatic Vegetation has been updated in the Final EIS to indicate that SAV colonized mudflats relatively quickly (within 2 years), once conditions were suitable, at Mardi Gras Pass (on the east side of the Mississippi River). The resulting increase in SAV biomass would result in increased primary productivity, increased nursery habitat for aquatic species, and shifts in the food web would play a role in the impacts on dolphin prey species. Impacts on benthic algae would be adverse or beneficial, depending on the salinity tolerance of a given species (see Section 4.10.4.2 [Benthic Resources]).

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**Concern ID: 63752**

**Commenters questioned the slow pace of LA TIG restoration planning for marine mammals and noted several restoration actions that have already been submitted to the NRDA restoration project idea portal. They suggested that the LA TIG identify priorities for marine mammal restoration in Louisiana and prepare a Restoration Plan to implement those priorities without delay.**

**Response ID: 16652**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH oil spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 Draft EIS Public Review: Public Meetings Summary and Responses to Public Comments, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views. The LA TIG acknowledges the comments and notes that because the discussion of specific marine mammal restoration project ideas is beyond the

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scope of this particular restoration planning effort, no related edits have been made to the LA TIG's Restoration Plan.

The LA TIG recognizes the importance of expediency in restoration of all resources injured by the DWH oil spill, including marine mammals. In the 2016 NRDA settlement with BP, \$50M was allocated to the restoration of Marine Mammals in the Louisiana Restoration Area. Settlement payments from BP began in 2017 and will occur every year for 15 years. Therefore, considerations must be made regarding the priority for expenditures of restoration dollars. There are additional implementation considerations that help to set the pace for restoration for all resources across the Gulf. Since the settlement, the LA TIG has approved two projects from the Marine Mammal allocation: the Assessment of Marine Mammal Physiological Responses to Low Salinity Exposure and the Louisiana Enhanced Marine Mammal Stranding Network. The LA TIG has also funded the Louisiana Marine Mammal Abundance, Distribution, and Density project from the Monitoring and Adaptive Management allocation.

It is imperative that the LA TIG maximize the effectiveness of restoration efforts for all resources, including marine mammals. Thoughtful, intentional restoration planning is the first step in that process. Considerable data needs exist in regard to the identification and prioritization of marine mammal stressors in Louisiana. In the LA TIG Monitoring and Adaptive Management Strategy (LA TIG 2021), the LA TIG identified fundamental objectives for marine mammals in Louisiana and data needs to support the development of SMART (smart, measurable, achievable, realistic, and time-bound) objectives. These objectives will guide the expenditure of monitoring and adaptive management funding to support better understanding of marine mammal needs in Louisiana and, in turn, support the prioritization of restoration actions for that resource.

The LA TIG will consider the Project suggestions submitted to the DWH project portal when planning for future restoration efforts. The LA TIG appreciates the submission of thoughtful ideas based on the experience and knowledge of our partners and citizens.

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**Concern ID: 63823**

**Commenters noted that the proposed mitigation will not actually reduce impacts on dolphins, and there is no way to mitigate those impacts. Commenters noted that reducing human interaction will not reduce or address impacts of the projects on the local population.**

**Response ID: 16550**

Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock of the EIS acknowledges that according to Thomas, et al. (2021) most of the approximately 2,300 dolphins within the Barataria Basin will perish within the first 10 years of start of operations of the proposed Project (comparing the anticipated Barataria Basin 2027 dolphin population [2,307 dolphins] to the projected 2038 population under the Preferred Alternative [644 dolphins] indicates that approximately 72 percent of the dolphins would perish). That section further acknowledges that the anticipated dolphin mortality would be due to reductions in salinity levels rather than other stressors and that mitigation and stewardship measures that would not reduce the salinity impacts, would be unlikely to reduce the projected dolphin mortality.

With respect to the Restoration Plan, in Section 3.2.1.5 (Avoids Collateral Injury) the LA TIG acknowledges that a large number of dolphins would become ill and strand in Barataria Bay

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as a result of the Project. The Mitigation and Stewardship Plan also acknowledges that the proposed mitigation may not minimize impacts of the Project on dolphins (see Appendix R1 to the EIS). Measures described in the MAM and Mitigation and Stewardship Plan were developed in recognition of the anticipated effects of the Project and to provide valuable data to inform adaptive management actions that could be considered to minimize adverse impacts on BBES dolphins while being consistent with the Project's purpose (see Appendices R1 and R2 to the Final EIS).

The LA TIG does not agree that there is no effective mitigation for this Project but recognizes that the mitigation will be limited (that is, primarily for dolphins around Grand Isle), depending on how operations are managed. Similar to mitigation, the stewardship measures described in the Mitigation and Stewardship Plan will primarily benefit other Louisiana stocks of dolphins outside of the Barataria Basin, though they will provide some benefit to BBES dolphins. For example, minimizing dolphin feeding will protect dolphins from vessel interactions. As noted in Chapter 4, Section 4.11 (Marine Mammals) of the EIS, a remnant BBES dolphin population is expected to remain near the barrier islands. Efforts to reduce anthropogenic stressors other than those from the Project through the Stewardship and Mitigation Plan will benefit the existing and future population in the Barataria Basin and throughout the state. However, the LA TIG recognizes that the impacts of the Project will likely be significant on marine mammals even with the proposed mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63826**

**Commenters suggested that no one will be able to mitigate dolphin impacts if Project activities kill them.**

**Response ID: 16551**

The stewardship measures described in the Mitigation and Stewardship Plan are intended for implementation prior to and during diversion operations. Although these measures may not minimize impacts from the proposed Project on BBES dolphins, they could enhance individual dolphin survival threatened by other anthropogenic sources, such as by funding a state-wide stranding program (the current funding of which is set to expire in 2026; see Appendix R1 to the EIS).

Regarding the operation of the diversion, CPRA also developed a detailed MAM Plan to evaluate the proposed MBSD Project's effects on the Barataria Basin as they occur and consider how the management of the diversion may be adapted to better meet Project goals (see Appendix R2 [Monitoring and Adaptive Management Plan] to the EIS). In addition to performance monitoring to measure progress toward the proposed MBSD Project's restoration objectives, and to better understand the ecological functions and services provided by habitat created by the Project, the Monitoring and Adaptive Management (MAM) Plan also includes monitoring to document changes to the abundance, distribution, population demography, density, survival, health and reproduction of the BBES Stock of bottlenose dolphins, their prey, and their habitat that may result from the operation of the Project and resulting low salinity.

Adaptive management strategies in CPRA's MAM Plan to minimize impacts to BBES dolphins from Project operations include a framework for coordinating stranding response activities during operations, and a commitment to evaluate whether diversion operations could be modified to meet Project goals while reducing impacts to marine mammals. Marine mammal related MAM activities have been updated since the release of the Draft EIS to include more details regarding the process through which operational data would be used to evaluate potential modifications to those strategies and protocols.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not

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know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63828**

**It is unclear from the Draft EIS what effort was made by the State of Louisiana to meet the statutory responsibility under the Bipartisan Budget Act in its selection of alternatives.**

**Response ID: 16553**

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

There is no requirement that CPRA evaluate alternatives other than the Project. The Bipartisan Budget Act of 2018, Section 20201 requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the Project, to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 of the Final EIS) includes measures for minimizing and monitoring impacts of the Project on marine mammals. As described in the Federal Register notice announcing issuance of the MMPA waiver, the State's consultation with NMFS would be ongoing to appropriately address the evolving Project planning and design for the construction, operation, and maintenance phases. This ongoing consultation is described in the MAM Plan as well as the Marine Mammal Intervention Plan (see Appendices R2 and R5 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of

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the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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# JURISICH OYSTERS, LLC

June 3, 2021

**VIA U.S. MAIL and EMAIL:**

**CEMVN-Midbarataria@usace.army.mil**

U.S. Army Corps of Engineers

New Orleans District

Attn: CEMVN-ODR-E; MVN-2012-2806-EOO

7400 Leake Avenue

New Orleans, LA 70118

RE: Park: Federal Agencies - other than NPS  
Project: Mid-Barataria Sediment Diversion  
Draft Restoration Plan 3.2 and  
Environmental Impact Statement (ID: 100083)  
Document: Draft Restoration Plan and  
Environmental Impact Statement:  
Mid-Barataria Sediment Diversion (ID: 110454)

Dear Sirs:

The Mid-Barataria Sediment Diversion (MBSD) is guaranteed to destroy the coastal environment and habitat for many species. The MBSD is also guaranteed to come with a price tag of over \$2 billion. What the Louisiana Coastal Protection and Restoration Authority (CPRA) **cannot** guarantee, however, is whether the MBSD will even have a net positive creation of marshland in the Barataria Basin. The Environmental Impact Statement (EIS) fails to recognize the certain damages that will result from the MBSD (destroy wildlife and seafood industries) in exchange for only the hopeful creation of marshland.

1. The MBSD Provides Minimal Benefits to Coastal Restoration.

CPRA has overstated the benefits of the MBSD. The No Action Alternative proposal in the EIS (i.e. no construction of the diversion) projects the Barataria Basin to have 72,800 acres of wetlands in 2070.<sup>1</sup> With the MBSD, CPRA projects only 85,500 acres in the Barataria Basin, if all goes according to plan.<sup>2</sup> These projections indicate that the anticipated net gain of the \$2 billion MBSD is only 12,700 acres at cost of \$150,000 per acre.

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1 See Mid Barataria Sediment Diversion EIS Executive Summary, Page ES-9.

2 *Id.*

## 2. Other Diversions Have Not Created Land As Expected.

Plaquemines Parish is home to numerous river diversions, both natural and man-made. These diversions include Caernarvon, Davis Pond, Mardi Gras Pass, West Bay, the Jump, Baptiste Collette, and Cubpits Gap.

The Caernarvon and Davis Pond diversions were hailed by CRPA's predecessor as diversions that would grow marshland and help the local eco-systems. However, the anticipated benefits of these diversions were never realized. In both instances, no land growth was achieved and the local seafood industries in those areas were decimated.

The Jump, Baptiste Collette, and Cubpits Gap divert the equivalent amount of water as expected by the MBSD. However, none of these diversions has created any new land over the last 150 years of their existence. The West Bay project created less than 10% of the land it was projected to create.

Despite numerous historical examples showing failed land growth, CPRA believes the MBSD will somehow perform differently. However, in 2020, CPRA cut the MBSD estimate of the net gain of marshland from 30,000 acres down to 12,000 acres.

## 3. The Mississippi River Contains Harmful Pollutants and Fertilizers.

CPRA touts the MBSD as a re-creation of the natural historical process of the river's sediment dispersion. However, the Mississippi River is not the sediment-rich water source from 100 years ago. Throughout the Mississippi River watershed footprint, fertilizer runoff, pollutants, plastics and other waste are dumped into the river and sent downstream. Nutrients in the river, including nitrogen and phosphorus, cause marsh plants to grow too fast leading to erosion.

Recently, PCS Nitrogen in Ascension Parish has sought permission to dump 90 to 100 million gallons of highly acidic phosphogypsum waste water into the Mississippi River.<sup>3</sup> This waste water contains harmful nutrients, heavy metals, radioactive elements and other contaminants. CPRA's diversion would take this polluted water and dump it into the Barataria Basin. Similarly, Plaquemines Liquids Terminal proposes to construct an oil terminal just north of the MBSD.<sup>4</sup> Any accidental or emergency discharge from this facility would empty into the Barataria Basin through the MBSD.

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3 *Where will these 90-100 million gallons of treated acid water end up? Probably the Mississippi River*, Apr 26, 2021, [https://www.theadvocate.com/baton\\_rouge/news/article\\_b130c278-9ec0-11eb-bcbe-0738666077c3.html](https://www.theadvocate.com/baton_rouge/news/article_b130c278-9ec0-11eb-bcbe-0738666077c3.html).

4 *Amid climate change, controversial \$2.5B oil terminal moves forward in Plaquemines Parish*, April 18, 2021, [https://www.nola.com/news/environment/article\\_3c619b70-9c95-11eb-82c0-b7113194838f.html](https://www.nola.com/news/environment/article_3c619b70-9c95-11eb-82c0-b7113194838f.html).



The pollutants in the Mississippi River have created a large expanse of hypoxic water, resulting in the annual “Dead Zone” in the Gulf of Mexico. The MBSD would relocate or replicate the Gulf of Mexico “Dead Zone” and move it closer to Louisiana’s coast by dumping it directly into the Barataria Basin.

4. CPRA Overestimates the Amount of Sediment Derived from the Mississippi River.

The water expected to flow through the MBSD contains very little sediment. In order to obtain the amount of sediment required to build marshland, CPRA must flood the Barataria Basin with millions of gallons of water.

R. Eugene Turner, a coastal ecologist at LSU, has stated that river diversions destroy more wetlands than they save by sending harmful fertilizer nutrients into the wetlands which overgrow vegetation and cause soil erosion.<sup>5</sup> Likewise, Ed Richards, a law professor and director of Louisiana State University’s Climate Change Law and Policy Project, believes that the U.S.A.C.E. and CPRA favor the MSBD because of political and economic incentives, rather than scientific and ecological outcomes.<sup>6</sup>

Additionally, CPRA’s modeling assumes that sufficient sediment will travel from the Mississippi River through the MBSD. However, upriver dams are blocking sediment.<sup>7</sup> Before the existence of the dams, levees, river dredging and other efforts to control the Missouri and Mississippi Rivers, more than 440 million tons of sediment found its way to the Louisiana coast each year, according to the U.S. Geological Survey.<sup>8</sup> Dams and other control structures have reduced the historical river sediment by half. As more upriver dams are created, the sediment contained in the Mississippi River and the estimated amount of sediment traveling through the MBSD will decrease. This results in more water and less land in the Barataria Basin.

Without sufficient sediment, the MBSD is nothing more than a freshwater diversion. This freshwater diversion will destroy the brackish water ecosystem and destroy the natural habitat for brown shrimp, bottlenose dolphins, and oysters.

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5 *Rerouting the Mississippi River could build new land—and save a retreating coast*, April 22, 2021, <https://www.sciencemag.org/news/2021/04/rerouting-mississippi-river-could-build-new-land-and-save-retreating-coast>.

6 *Mississippi River Rescue Plan Called Too Big to Fail*, March 23, 201, <https://www.scientificamerican.com/article/mississippi-river-rescue-plan-called-too-big-to-fail/>.

7 *Louisiana coastal restoration curbed by too little sediment; these states have too much*, March 29, 2021, [https://www.nola.com/news/environment/article\\_497596b2-8d69-11eb-85a0-5f157115365e.html](https://www.nola.com/news/environment/article_497596b2-8d69-11eb-85a0-5f157115365e.html).

8 *Id.*

5. The MBSD Will Destroy the Natural Habitat for Brown Shrimp, Oysters, and Bottlenose Dolphins.

The diversion will funnel 75,000 cubic feet per second of river water into the Barataria Basin on average of 177 days per year. This massive influx of freshwater will eliminate the current brackish water ecosystem and result in a salinity level of less than 5 ppt (parts per thousand). This major drop in salinity will destroy oyster crops and bottlenose dolphins in the Barataria Basin. Oysters require a water salinity of 15 ppt to thrive. After construction of the MBSD, the 200-year old oyster industry in Plaquemines Parish will be eliminated. Further, recently-developed oyster hatcheries and alternative oyster aquaculture will also be destroyed.

A new study from researchers at the University of St. Andrews, Scotland, found that the MBSD would cause the bottlenose dolphins in the Barataria Basin to become functionally extinct.<sup>9</sup> CPRA falsely estimates that the MBSD would only kill 34% of the bottlenose dolphins in the Barataria Basin. However, other biologists estimate the number is closer to 75%. This will result in the extinction of the bottlenose dolphin in southeast Louisiana. Because of these adverse effects on these animals, CPRA sought exemption from the Marine Mammal Protection Act, which forbids such killings of dolphins.

The Barataria Basin is home to the Delta National Wildlife Refuge and the Pass-a-Loutre Wildlife Management Area. The MBSD is expected to result in the loss of 2,000 to 3,000 acres of wetlands by 2070 in these areas. The EIS does not discuss the expected land loss in these wildlife areas and the effects on the wildlife which rely upon this natural habitat.

In 2019, the Bonnet Carre Spillway was opened for 123 days. This influx of river water into Lake Pontchartrain eventually traveled into the brackish estuaries resulting in the death of over 300 bottlenose dolphins and the loss of massive amounts of Louisiana oyster crops in St. Bernard and Plaquemines Parish. The local oyster industries are still struggling to recover from the 2019 Bonnet Carre Spillway opening.

The MBSD will replicate on a larger scale the harmful effects of the Bonnet Carre Spillway opening. However, the MBSD will dump the freshwater directly into the Barataria Basin, rather than through Lake Pontchartrain. The MBSD will also replicate these damages on an annual basis. This freshwater influx will destroy the ecosystem and wildlife of the Barataria Basin.

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<sup>9</sup> *Bottlenose dolphins might go 'functionally extinct' here due to Mid-Barataria diversion*, May 18, 2021, [https://www.nola.com/news/environment/article\\_6c367c68-b747-11eb-bc8f-0f92f53cc26d.html](https://www.nola.com/news/environment/article_6c367c68-b747-11eb-bc8f-0f92f53cc26d.html).

6. The Environmental Impact Statement Fails to Include Any Dredging Alternatives.

The EIS provides a No Action Alternative and six other Diversion Alternatives (75,000 cfm, 50,000 cfm, and 150 cfm, with and without marsh terracing). The EIS does not contain any study of a dredging alternative. At the same time that CPRA proposes the MBSD, CPRA touts three dredging projects: West Grand Terre, Spanish Pass, and Golden Triangle.<sup>10</sup> These dredging projects are expected to build 2,900 acres of marshland at a cost of \$256.6 million or \$88,500/acre. These dredging projects cost 40% less than the MBSD. Further, unlike the unproven benefits of the MBSD, dredging projects have been undertaken and accomplished by CPRA at almost half the cost.

In addition to the cost savings, the dredging projects do not require fifty years to wait to see if there will be any results. Instead, dredging alternatives provide immediate benefits and marsh creation.

7. The MBSD Will Destroy Local Seafood Industries and Cause Unneeded Property Flooding.

CPRA touts the MBSD as a job creator. Contrary to their economic assertions, the MBSD will only create 12,000 *temporary* construction jobs, which will cease to exist after 3 to 5 years. These temporary jobs will only result in a boost of \$650 million or \$130 million per year.

At the same time, the MBSD will destroy entire industries and the local communities surrounding these industries. The oyster industry accounts for 4,000 direct permanent jobs with economic impact of \$317 million. The MBSD will destroy the most productive area of Louisiana's oyster industry. The MBSD will also destroy shrimp and crab industries in the Barataria Basin.

In addition to the destruction of the local seafood industry, the MBSD will cause additional annual flooding to property owners in Plaquemines Parish. Contrary to its efforts to create land, CPRA acknowledges that the MBSD will cause flooding to occur on an annual basis in the current lower-lying areas in Plaquemines Parish. This submerged land and the erosion caused by the flooding are not accounted for in the EIS.

Additionally, the flooding of existing property will result in a lower tax basis and lower tax revenue for Plaquemines Parish and other local municipalities. These same local municipalities will also lose tax revenue as a result of the lost jobs from the destruction of the local seafood industries.

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10 *Gov. Edwards Announces Three Large-Scale Coastal Restoration Projects in Southeast Louisiana*, May 19, 2021, <https://mailchi.mp/la.gov/large-scale-projects-051921?e=078c947cb3>.

8. CPRA Proposes, but Does Not Guarantee Any Mitigation Damages.

CPRA has only proposed \$305 million towards mitigation damages resulting from the MBSD. However, the damages caused to the seafood industries, property owners, and the aquatic wildlife will far exceed this amount. The \$305 million amount accounts for less than one year of the economic impact on the oyster industry. No mitigation efforts are proposed for local residents who survive off of local seafood.

More importantly, the mitigation proposal is just that, a proposal. The funds have not been allocated or appropriated. Instead, the funds are only proposed. As a result, there is no guarantee that these funds would even be disbursed to those affected by the MBSD. Bren Haase of CPRA indicated that later this summer he would provide additional details on the mitigation payments.<sup>11</sup> This unfortunately is CPRA's standard tactic, providing details after the comment period is over. CPRA should be required to provide the details of its plans before the public comments are solicited.

9. The MBSD is Opposed by All Affected Local Governments.

The local communities most affected by the MBSD diversion have all voted to reject its approval. The local parish councils of the Parishes of Plaquemines and St. Bernard both passed resolutions opposing the MBSD. Further, the Louisiana Lieutenant Governor Billy Nungesser, who oversees the promotion of Louisiana's wildlife and seafood and industries, opposes the MBSD as an improper expenditure with damages exceeding its benefits. Nungesser ultimately agrees there is a need to restore the coast, but says the diversion project is not the way to do it.<sup>12</sup> Nungesser further stated, "We've already spent over \$100 million and we don't have a permit yet? Does that not seem a little odd?"<sup>13</sup>

The MSBD is a \$2 billion unnecessary and overpriced project which will require 50 years to determine whether it is a successful idea. Meanwhile, the MBSD is guaranteed to destroy the heart of Louisiana's seafood industry and sportsman's paradise soon after implementation. CPRA is aware of and able to implement more cost-effective and proven coastal restoration strategies,

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<sup>11</sup> *2 billion project would help save Louisiana coast - and stoke flooding in these hamlets*, May 16, 2021, [https://www.nola.com/news/environment/article\\_0e7ed496-b457-11eb-8491-834489277a3a.html](https://www.nola.com/news/environment/article_0e7ed496-b457-11eb-8491-834489277a3a.html).

<sup>12</sup> *Opposition grows to the state's coastal restoration plan*, April 20, 2021, <https://wgno.com/news/opposition-grows-to-the-states-coastal-restoration-plan>.

<sup>13</sup> *Billy Nungesser emerges as the most prominent opponent of a large coastal project*, May 24, 2021, <https://www.fox8live.com/2021/05/24/billy-nungesser-emerges-most-prominent-opponent-large-coastal-project/>

such as dredging projects. The MBSD EIS fails to consider these dredging alternatives and fails to address the details of the mitigation efforts necessary if the freshwater diversion is constructed. For these reasons, I ask that the U.S.A.C.E. reject the Mid-Barataria Sediment Diversion plan until the Environmental Impact Statement addresses these issues.

Sincerely,

*Mitchell B. Jurisich, Jr.*

Mitchell B. Jurisich, Jr.  
Jurisich Oysters, LLC

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**Concern ID: 61782**

**Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.**

**Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61812**

**Commenters expressed concern that the proposed Project would have adverse water quality impacts in the Barataria Basin due to the introduction of nitrate and phosphate from the Mississippi River. Several commenters questioned whether the proposed Project would create harmful algal blooms and hypoxia in the Barataria Basin similar to the hypoxic "dead zone" in the Gulf of Mexico that exists due to nutrients in Mississippi River waters. One commenter expressed concern that the EIS does not adequately assess the potential for the proposed Project to create algal blooms and hypoxia in the basin, other than acknowledging it.**

**Response ID: 16425**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in the EIS, Chapter 4, Section 4.5 Surface Water and Sediment Quality, while increases in both nitrogen and phosphorus concentrations in the Barataria Basin are projected by the Delft3D Basinwide Model to occur as a result of proposed Project operations, monthly dissolved oxygen concentrations are not projected to fall below the water quality criterion of 5 mg/L at the six stations evaluated in the basin over the 50-year analysis period.

According to USEPA's Mississippi River/Gulf of Mexico Hypoxia Task Force "Hypoxia 101" webpage, hypoxic waters have dissolved oxygen concentrations of less than 2 to 3 mg/L. Hypoxia can be caused by a variety of factors, including excess nutrients and waterbody stratification (layering) due to saline or temperature gradients. The hypoxic zone in the Gulf of Mexico is a result of excess nutrients from the Mississippi/Atchafalaya River and seasonal stratification (layering) of waters in the Gulf. As nutrient-laden water from the Mississippi

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flows into the Gulf, this fresh water is less dense and remains above the denser saline seawater. In addition to the saline gradient caused where the fresh water and saline water meet, the fresh water is warmer than the deeper ocean water, further contributing to the stratification. This stratification prevents the mixing of oxygen-rich surface water with oxygen-poor water on the bottom of the Gulf. Without mixing, oxygen in the bottom water is limited and the hypoxic condition remains. In the Gulf hypoxic zone “water near the bottom of the Gulf contains less than two parts per million of dissolved oxygen” (<https://www.epa.gov/ms-htf/northern-gulf-mexico-hypoxic-zone#:~:text=The%20hypoxic%20zone%20in%20the,condition%20referred%20to%20as%20hypoxia.>)

Dissolved oxygen concentrations associated with the Applicant’s Preferred Alternative are projected to generally increase in the Barataria Basin during the modeled period as compared to the No Action Alternative, which would decrease the potential for hypoxia to occur. Further, vegetative growth projected by the Delft3D Basinwide Model to occur due to Project operations is expected to utilize the nutrients diverted from the Mississippi River, resulting in lower concentrations of nutrients occurring in the Barataria Basin and reaching the Gulf through Barataria Bay than would reach the Gulf through the Mississippi River. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and not typically prone to stratification that promotes hypoxic conditions. The shallow nature of the Barataria Basin allows for full water column mixing by wind and tidal action, reducing the opportunity for algae to establish to the extent that would cause hypoxia. The Delft3D Basinwide Model’s dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below the 5 mg/L water quality criterion in Barataria Basin. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to project implementation has been added to Section 4.5.5.5.2 Applicant’s Preferred Alternative in Surface Water and Sediment Quality of the Final EIS. Furthermore, as explained in Section 4.25.5.2 of the Cumulative Impacts section of the EIS, if the Mid-Breton Sediment Diversion is permitted, the combined impact of Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone.

Aquatic resource impacts associated with algal blooms (caused by excess nutrients such as nitrate and phosphate) are addressed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS. A reference to this section is included in Section 4.5.5.3 in Surface Water and Sediment Quality and has been added to Section 4.5.5.4.2 Applicant’s Preferred Alternative of the Final EIS. Finally, the EIS acknowledges the potential for major adverse Project impacts from harmful algal blooms to occur, and that the formation of these blooms is not well understood by the scientific community (see Section 4.26.4 in Additional Considerations in Planning).

Appendix R2 Monitoring and Adaptive Management (MAM) Plan of the EIS includes monitoring of nutrients, as well as phytoplankton species composition (including harmful cyanobacterial/algal bloom species) if warranted, in the Barataria Basin during Project operations to guide CPRA’s management actions.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61819**

**Commenters expressed concern that the proposed Project would have adverse impacts on Barataria Basin's water quality, wetlands, fisheries, recreational uses, and eroding coastlines due to chemicals, oil and hazardous waste, and/or pollutants in the Mississippi River that would be routed to the Barataria Basin via the proposed diversion.**

**Response ID: 16429**

The impacts raised by the commenters were considered in the Draft EIS. As discussed in Chapter 3, Section 3.5.1.1 in Surface Water and Sediment Quality of the Draft EIS, the segment of the Mississippi River where the proposed diversion river intake structure would be located (subsegment LA070301\_00) fully supports its designated uses. Designated uses for this subsegment include swimming, boating, fishing, and drinking water supply. LDEQ's water quality assessment indicates that regulated substances are not present in concentrations that would cause a water quality impairment at the location of the intake structure. In response to this concern expressed by commenters, a new subsection has been added to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of nearby industrial facilities on river water routed to the basin during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills from Industrial Sites. As described in the EIS, Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed.

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi

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River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of**

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**commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact

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determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRa has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRa has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62079**

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**Commenters are concerned that impacts similar to those caused by the fresh water from Bonnet Carré Spillway openings would affect fisheries in the Barataria Basin with the proposed MBSD Project.**

**Response ID: 16244**

The Project area for the MBSD EIS includes the Barataria Basin and the Mississippi River birdfoot delta. Existing operations and influences of rivers and diversions, including but not limited to the Bonnet Carré Spillway, were incorporated into the baseline conditions of the No Action Alternative and action alternatives assessed in the Draft EIS, Chapter 4 Environmental Consequences, Sections 4.2 through 4.24. Reasonably foreseeable future (but not existing) diversions, such as the Mid-Breton Diversion, were analyzed for impacts in combination with existing diversions and the proposed MBSD diversion in Chapter 4, Section 4.25 Cumulative Impacts.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS. Note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes.

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**Concern ID: 62103**

**The Draft EIS does not fully address the anticipated destruction of multiple components of the commercial oyster fishery, including oyster habitat, off-bottom oyster farms, and the oyster hatchery at Grand Isle resulting from impacts to water quality and changes in salinity.**

**Response ID: 16258**

Impacts of the proposed Project on eastern oysters are discussed in the Aquatic Resources section of the EIS in Chapter 4, Section 4.10.4.5, Key Species. The section identifies that most adverse impacts on oysters are anticipated at mid-basin locations, while some beneficial impacts may occur in the lower basin, including the Grand Isle area. The off-bottom and hatchery components of the oyster fishery would not be affected by the Project, or may benefit from it. Specifically, the only significant off-bottom oyster fisheries in Barataria Basin occurs in the lower basin. As indicated in Chapter 3, Section 3.14.6, Aquaculture, the Mike Voisin Oyster Hatchery in Grand Isle is the only commercially available source of oyster larvae and seed. These areas could benefit from the Project. Final EIS Chapter 4, Section 4.14 Commercial Fishing has been revised to discuss these effects.

CPRA's Mitigation and Stewardship Plan includes measures to increase funding for the development of broodstock reefs, enhancing public and private oyster areas, creating a new public oyster seed ground and to further develop alternative oyster culture methods, including off-bottom oyster culture. See the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62268**

**The Barataria Basin is home to the Delta National Wildlife Refuge and the Pass A Loutre Wildlife Management Area. The proposed MBSD Project is expected to result in the loss of 2,000 to 3,000 acres of wetlands by 2070 in these areas. The EIS should discuss the expected land loss in these wildlife areas and the effects on the wildlife that rely upon this natural habitat.**

**Response ID: 16440**

The projected loss of wetlands in the Delta NWR and the Pass A Loutre WMA is discussed in Chapter 4, Section 4.17.4 Operational Impacts in Public Lands. Information about the effects of this loss on wildlife that rely on the wetland habitat in these public lands has been added to Section 4.17.4.2 in Public Lands in response to this comment. As part of its responsibilities under the Fish and Wildlife Coordination Act and as operator of the Delta NWR, the USFWS recommended the creation of crevasses to build land in the birdfoot delta to offset MBSD Project-induced wetland losses of 926 acres in the Delta NWR and 37 acres in the Pass A Loutre WMA (see Appendix T USFWS Coordination Act Report (CAR) of the Final EIS). In response to USFWS' CAR Recommendation, CPRA agreed that "Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the [Pass A Loutre] PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional funding through the CWPPRA program, through additional restoration work sponsored by the LA TIG (for example, construction of the Engineering and Design work discussed in the DWH LA TIG's Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area" (Final EIS, Appendix R1 Mitigation and Stewardship Plan, Section 4.6 Fish and Wildlife Coordination Act).

This information was updated in the Final EIS, Chapter 4, Section 4.27.1 in Mitigation Summary and in the Final EIS, Section 4.17.4.2.2 Birdfoot Delta in Public Lands.

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**Concern ID: 62639**

**The proposed Project is unlikely to succeed because similar types of projects have failed to build land, and have caused a range of other issues, like destroying habitat, exacerbating flooding, and reducing water quality. Specific examples of similar, problematic projects include the Mississippi River Gulf Outlet, Bonnet Carré Spillway, Caernarvon Freshwater Diversion, Davis Pond, West Bay, Baptiste Collette, Fort St. Philip, and Cubits Gap. In fact, data show that the Caernarvon Diversion in particular was unable to show sustained land gains in the face of Hurricane Katrina-driven losses in wetland habitat (Underwood 1994, Kearney et al. 2011). Davis Pond has seen increased land loss inside the diversion compared to a reference area (Couvillion et al. 2017). Fort St. Philip has lost large areas of wetlands (Suir et al. 2014). While the Atchafalaya River is building land in the Atchafalaya and Wax Lake Deltas, the Atchafalaya River carries more sediment than the Mississippi River does currently (Blum and Roberts 2009), and more of the Atchafalaya River is diverted to each of these deltas and marshes farther south. Additionally, one study identified poor performance of diversions due to many periods of inoperation due to socioeconomic uncertainties (Caffey et al. 2014).**

**Blum, M.D., Roberts, H.H. 2009. Drowning of the Mississippi delta due to insufficient sediment supply and global sea-level rise. *Nature Geoscience* 2, 488-491.**

**Caffey, Rex & Petrolia, Daniel. 2014. Trajectory economics: Assessing the flow of ecosystem services from coastal restoration. *Ecological Economics*. 100. 74-84. 10.1016/j.ecolecon.2014.01.011.**

**Couvillion BR, Beck H, Schoolmaster D, Fischer M. 2017. Land area change in coastal Louisiana (1932 to 2016). Pamphlet to accompany U.S. Geological Survey Scientific Investigations Map 3381.**

**Kearney MS, Riter CA, Turner RE. 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847.**

**Underwood AJ. 1994. On beyond BACI: sampling designs that might readily detect environmental disturbances. *Ecological Appl* 4: 3-15.**

**Suir GM, Jones WR, Garber AL, Barras JA 2014. Pictorial account and landscape evolution of the crevasses near Fort St. Philip, Louisiana. Mississippi River Valley Div., Engineer. Res. Development Center, Mississippi River Geomorphology and Potamology Program. MRG&P Report No. 2. Vicksburg, MS**

**Response ID: 16631**

The issues raised by the commenters were considered in the Draft EIS. The EIS states in Chapter 2, Section 2.1.1 Overview of Sediment Diversions, that CPRA considered information from other diversions in its assessment of the Project alternatives, but because the projects mentioned by the commenters had been designed to discharge primarily water, not sediment, they are not fully comparable to the proposed Project. As explained in the EIS Chapter 4, Section 4.1.3 (Environmental Consequences, Overview of Delft3D Basinwide Model for

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Impact Analysis), Delft3D Basinwide Modeling software was used to assess impacts of the Project on hydrology, land gains and losses, water quality, and vegetation in the Barataria Basin and birdfoot delta. Using standard professional practice, this physics-based model was validated to the West Bay Sediment Diversion. The West Bay Sediment Diversion is useful for validating the physical processes of erosion and deposition of sediment because it, like the proposed MBSD Project, is a sediment diversion that extracts relatively more sediment in the river. The other diversions cited were designed to primarily deliver water, not sediment, and are less useful comparisons.

The West Bay Sediment Diversion has successfully deposited large amounts of sediment in the system and, in concert with beneficial uses of dredged material, built land. Kolker et al. (2012) reported, “A majority of the sediment transported through the West Bay Diversion apparently was deposited in the bay, and contributed to sub-aerial land formation, which contrasts with the view presented by Kearney et al. (2011) and Turner et al. (2007) that diversions do not lead to appreciable sediment accumulation” (Kolker, A. S., Miner, M. D. and Weathers, H. D. 2012. Depositional dynamics in a river diversion receiving basin: The case of the West Bay Mississippi River Diversion, Estuarine, Coastal and Shelf Science, 2012, <http://dx.doi.org/10.1016/j.ecss.2012.04.005> ).

Comparing diversions outside of physics-based numerical modeling has limited value because diversions and receiving environments often exhibit unique behaviors that correlations do not account for. For that reason, the physics-based Delft modeling, even with its limitations and uncertainties, is a better predictor than anecdotal comparisons to Fort St. Phillip or other sites. Uncertainties associated with the validation and application of the Delft3D Basinwide Modeling conducted for the proposed Project were assessed by the West Bay application, sensitivity tests, and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method as described in EIS Appendix E Delft3D Modeling and incorporated into the EIS conclusions throughout Chapter 4 Environmental Consequences. While most citations mentioned by commenters were already included in the Draft EIS, the Final EIS has been edited to include Caffey and Petrola (2014) to Chapter 4, Section 4.6.5.1.2.4 Land Accretion.

The likelihood of success of the Project and information from other freshwater diversions was also considered in the LA TIG’s Draft Restoration Plan, Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. The proposed MBSD Project’s goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the geomorphological features of the Lower Mississippi River as of 2012, including data from the referenced projects. All citations referenced by the commenters were included in the Final EIS and were considered by the LA TIG in the Final Restoration Plan.

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**Concern ID: 62659**

**The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.**

**Response ID: 16632**

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The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62696**

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**Oysters are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.****Response ID: 16075**

The commenter correctly notes the impacts on oysters from low salinity. As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the Draft EIS, operation of the proposed Project would result in a permanent, major adverse impact on oysters, due in large part to decreases in salinity.

To address Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). Mitigation measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture.

Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS (Appendix R) were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

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**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013).**

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**Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the

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proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63015**

**There are misrepresentations in the EIS about how nutrients in the river would spread out far from the sand deposition area to lower plant biomass belowground. Increasing nutrient loads from diversions would weaken soils, not strengthen soils.**

The modern Mississippi River has nutrient concentrations that are much higher than when the mostly organic soils were created centuries ago (Turner et al. 2007) and may weaken soils by 30 percent, resulting in less belowground biomass, and change vegetation from being comprised of perennials to annuals (Turner et al. 2011). Increased flooding inundation, which is a consequence of river diversions, also weakens the belowground biomass of wetland plants (Morris et al. 2017) that may erode during high water events or from hurricanes (Kearney et al. 2011, Howes et al. 2010). Individual roots become weaker when exposed to ambient levels of nutrients found in the river (Hollis and Turner 2019a, b; Hollis and Turner 2021). The soil becomes degraded, accumulates less biomass, and decomposes and erodes faster (Swarzenski et al. 2008, Hebert et al. 2020). The diversion of river water into the nearby marshes would almost certainly weaken soils, making them less resistant to wave energy and hurricanes. A striking example is the net loss of wetlands in the Davis Pond Diversion where increased land loss occurred beginning the year after the diversion opened (Turner et al. 2019). This is an area that has no significant sediment input.

Turner RE, Rabalais NN, Alexander RB, Mclsaac G, Howarth RW 2007. Characterization of nutrient and organic carbon and sediment loads and concentrations from the Mississippi River into the northern Gulf of Mexico. *Estuaries Coasts* 30: 773-790.

Turner RE 2011. Beneath the wetland canopy: loss of soil marsh strength with increasing nutrient load. *Estuaries Coasts* 33 1084-1093.

Morris JT, Barber DC, Callaway JC, Chambers R, Hagen SC, Hopkinson CS, Johnson BJ, Megonigal P, Newbauer SC, Toxler T, Wigand C 2016. Contributions of organic and inorganic matter to sediment volume and accretion in tidal wetlands at steady state. *Earth's Future* 4, doi:10.1002/2015EF000334.

Kearney MS, Riter CA, Turner RE 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847

Hollis LO, Turner RE 2019a. The tensile root strength of *Spartina patens* varies with soil texture and atrazine concentration. *Estuaries and Coasts* 42: 1430-1439. doi: 10.1007/s12237-019- 00591-5



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Hollis LO, Turner RE 2019b. The tensile root strength of *Spartina patens*: response to atrazine exposure and nutrient addition. *Wetlands* 39(4): 759-775. Doi:10.1007/s13157-019-01126-1

Hollis LO, Turner RE 2021. The tensile root strength of *Spartina patens* declines with exposure to multiple stressors. *Wetlands Ecology and Management* 29: 143-153. Doi: 10.1007/s11273-020-09774-5

Howes NC, FitzGerald DM, Hughes ZJ, Georgiou IY, Kulp MA, Miner MD, Smith JM, Barras JA 2010. Hurricane-induced failure of low-salinity wetlands. *Proc Natl Acad Sci USA*; 107: 14014-14019.

Swarzenski CM, Doyle TW, Fry B, Hargis TG 2008. Biogeochemical response of organic-rich freshwater marshes in the Louisiana delta plain to chronic river water influx. *Biogeochem* 90:49-63.

Hebert ER, Schubauer, JP-Berigan, C 2020. Effects of 10 yr of nitrogen and phosphorus fertilization on carbon and nutrient cycling in a tidal freshwater marsh. *Limnology and Oceanography* 65: 1669-1687

Turner RE, Layne M, Mo Y, Swenson EM 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. *Restoration Ecology* 27: 1231-1240. <https://doi.org/10.1111/rec.13024>

Mo Y., Kearney M, Turner RE 2020. Excess nutrient impairs the resilience of coastal ecosystems to hurricanes: a long-term satellite and ground-based study for Louisiana coastal marshes. *Environment International* 138: 105409. <https://doi.org/10.1016/j.envint.2019.105409>

**Response ID: 16028**

The literature cited by the commenters has been reviewed, including Turner et al. 2007, Turner et al. 2011, Morris et al. 2017, Kearney et al. 2011, Howes et al. 2010, Hollis and Turner 2019, Swarzenski et al. 2008, Hebert et al. 2020, Turner et al. 2019, and Mo et al. 2020, and Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS has been revised to include additional analysis regarding the impact of nutrient input from the proposed Project on vegetation communities and soil shear strength.

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**Concern ID: 63070**

A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.

Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.

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**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to

5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 63182**

**Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.**

**Response ID: 16559**

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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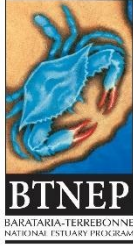
TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID: 40545**

Barataria-Terrebonne National Estuary

T. Bradley Keith



June 3, 2021

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**Mid-Barataria Sediment Diversion Draft Environmental Impact Statement and Draft Restoration Plan and Draft Restoration Plan - Submitted on behalf of the Barataria-Terrebonne National Estuary Program (BTNEP) Management Conference**

**Introduction:**

The Barataria-Terrebonne National Estuary Program (BTNEP) Office appreciates the opportunity to participate in the Draft Mid-Barataria Sediment Diversion Environmental Impact Statement and Draft Restoration Plan public comment process.

BTNEP is part of a network established by Congress in 1987 within the Clean Water Act consisting of 28 individual National Estuary Programs (NEPs). Our mission is to act on behalf of a broad and diverse group of citizens and stakeholders in 14 parishes who call the estuary home. The estuary contains more than 4.2 million acres that are bounded by the Mississippi River to the east and the Atchafalaya River to the west. The estuary extends down across the coast and beyond the barrier islands rimming the bottom of the Terrebonne, Timbalier, and Barataria bays.

For historical reference, our federal, state, and local partnership agreement acknowledged that the Barataria and Terrebonne systems, consisting of the area between the Mississippi and Atchafalaya rivers, were both of national significance and critically threatened. The Environmental Protection Agency (EPA), on behalf of the federal government, has pledged to continue to elevate and maintain the status of this entire region as that of a National Estuary. The State of Louisiana continues to fulfill its



part of this pledge by supporting the program that convenes hundreds of representatives from business and industry, universities and other educational institutions, local governments, federal and state agencies, NGOs, farmers, agriculture, and fisheries. This active group called the BTNEP Management Conference is a deep and diverse group of stakeholders that has been gathering together since 1991 to implement a science-based, consensus-driven comprehensive plan to restore and preserve the federally recognized Barataria-Terrebonne National Estuary.

One of BTNEP's primary goals is to engage the members of the public and multi-constituent user groups in confronting the environmental and sustainability challenges facing the estuary. We seek to reach consensus by providing everyone with an opportunity to participate in environmental decisions as we advance local communities. We compliment the USACE and CPRA for its efforts to make this comment process accessible to many people.

No other geographic region of the State will be more affected by the impacts of the Mid-Barataria Sediment Diversion than the Barataria basin. No other people will be more affected economically in the short-term, at a minimum, by the impacts of the Mid-Barataria Sediment Diversion than those who make their living in the Barataria basin. For many stakeholders in the BTNEP Management Conference, whatever benefits the diversion brings will never outweigh the negative impacts they anticipate.

However, most members of the BTNEP Management Conference recognize and understand the existential threat of unchecked land loss. Most know that 85 percent of all land loss in Louisiana occurs in the Barataria-Terrebonne Estuarine Basins. And the vast majority accept that the CPRA Coastal Master Plan is driven by science and adapted by study, observation and as circumstance demands. We give very high marks to CPRA for their tireless efforts to meet with citizens across the coast and throughout our estuary to hear citizen concerns.

The Barataria-Terrebonne National Estuary Program (BTNEP) has long supported the idea of a sediment diversion into the Barataria basin. Our Comprehensive Conservation and Management Plan (CCMP) contains an "Action Plan" supporting riverine reintroductions to the estuary, and was written over 20 years ago. Over the years, however, the concept of diversions seems to have grown in scope and scale. Generally speaking, the land-building and sustaining effects of a sediment diversion have increased with scale, but so too have the **impacts** to the estuary and its peoples.

It must be acknowledged that besides the benefit this diversion may bring, there are numerous potentially important adverse impacts that must be considered throughout the planning and evaluation process. These impacts generally increase with scale, as do user conflicts and sociopolitical opposition to implementation. The following is a brief discussion of some of these impacts.



## **Fisheries - Impacts to Commercial fisheries**

Implementation of major diversions will involve some adverse impacts to living resources. Shrimpers anticipate having to incur difficulties and expense as their shrimping grounds will be pushed farther away. This could well necessitate assisting commercial shrimpers and fishermen with tools and equipment that will allow them to continue to earn a livelihood.

Another concern are impacts to current oyster growing areas. The duration, seasonal timing, and degree of freshening will affect the breeding, growth, and harvesting of the eastern oyster in some areas. This serious concern must be addressed as this diversion will be constructed in areas where oyster leases will be impacted. In order to diminish the likelihood of litigation, renewed attention to public engagement is necessary. It is important to ensure that these oyster growers – and all other stakeholders – continue to be involved with and informed about the progress and timing of construction and the operation of projects. The preferred path forward is consensus on operational plans whenever possible.

Modeling results suggest that a 75,000 cfs controlled sediment diversion into mid-Barataria Bay would have significant impacts on oysters, finfish, and shellfish (i.e. shrimp). Some of these projected impacts would be negative (i.e. lethally low salinities for oyster beds close to the project), and some positive. Many of the modeled resources show negative trends early in the 50-year project life but a positive trend later. Models of various seasonal operational regimes show a potential to mitigate some of these impacts to resources. For example, diversions limited to winter and early spring operations could potentially diminish spring spawning and spat and favor a more successful fall oyster spat set, and would more closely mimic historical freshwater introductions in the basin.

We want vigilant monitoring of conditions and believe we must be willing to adjust as needed if impacts overwhelm ecological transition.

## **Impacts to other living resources – Possible Increase in Invasive Species**

Another potential biotic impact important to the health of our estuaries is the introduction of invasive species, or the facilitation of their spread. The majority of Louisiana's most troublesome invasive species are freshwater-dependent aquatic organisms. These species may expand their range as new diversions come online and create new freshwater habitat. These include the floating and submerged aquatic plants giant salvinia, water hyacinth, and hydrilla; mollusks such as apple snails, zebra mussels, and Asian clams; several species of Asian carp; and even the marsh-destroying nutria. Diversions could potentially be vectors for the introduction of new invaders to the



estuary such as the Northern snakehead, an Asian fish currently found in tributaries of the Mississippi River in Arkansas.

These invasive species could be an impediment to navigation, impact boat launches, displace native species, and have a general negative change on other living resources. Significant attention and resources must be invested in monitoring these changes in the near and long-term.

### **Wetland Impacts Caused by Nutrients and Contaminants**

Other issues to be addressed during the planning and subsequent monitoring of freshwater and sediment diversions include the impact of increased nutrient levels and the potential for increased eutrophication in coastal bays. There is some debate as to the potential effects of increased nutrients on wetland plants and algae growth along the effects of the introduction of other contaminants. Contaminants are always of concern when diverting waters. Even micro-plastics may become a greater concern with such large volumes of water shunted into the wetlands. The MBSD should be operated in a way to minimize unacceptable levels of eutrophication and contaminant introduction. Water quality must be monitored throughout construction, implementation, and beyond in as near to real time as possible.

### **Possible Impacts to Navigation**

Another diversion impact is siltation of navigable waterways generating a need for increased maintenance dredging in channels near diversion structures. Waterways affected could be federally maintained navigation channels, oil field access channels, and/or natural streams. Anticipated increases in the cost of maintenance dredging induced by diversion operations must be accounted for in the early stages of diversion planning so that accurate cost-benefit ratios can be considered. Additionally, in order to reduce the likelihood of litigation, full disclosure of anticipated effects to the navigation community is required. Consensus on the question of who is responsible for induced dredging costs must be reached ahead of implementation.

- **Shipping**  
Water level in the Mississippi River is recognized as another critical issue that must be addressed. If multiple diversions are to be operated simultaneously, or if the river experiences a period of very low stages, sufficient draft for shipping could be threatened. The Port of Baton Rouge, Port of New Orleans, and the Port of South Louisiana are three of the ten largest shipping ports in the nation. These shipping and associated transportation industries could be impacted unless careful planning assures that critical water volumes and navigation channels are maintained.





## Possible Flooding

In recent years, computer modeling from various studies looking at predicted increases in water levels caused by diversion operations have shown wildly varying results. Some models indicate that the increase in flood risk to nearby communities should be minimal with a moderately-sized diversion. Other models show significant increases in water levels that would increase flood risk in populated areas. Models have not yet examined the cumulative impacts of multiple proposed diversions operating simultaneously.

Models also have not taken into account the influence of wind, which is a significant driver of water levels in the estuary. In winter, storm fronts generally move north to south and water levels in the basins are typically lower, providing an opportunity for seasonal diversion operations. This is particularly true in the Barataria Basin, where backwater flooding from a high river has not been a significant concern. However, in the Terrebonne Basin, backwater flooding from a high Atchafalaya River has historically been a major concern. It is plausible that higher water levels in Barataria could translate to higher water levels in Terrebonne via the GIWW, diversion operations timed to “optimize” sediment capture would conflict directly with flood fighting efforts there, i.e. operating diversions in the spring. Furthermore, southerly winds begin in spring and often last through fall, causing higher water levels and coastal flooding issues regardless of river stage. It will be difficult, from both a physical standpoint of high basin-side water levels as well as a sociopolitical standpoint of the perception of flood risk, to operate large-scale diversions during these months. Real-time monitoring will be a necessity.

The threat of community flooding obviously increases with diversion discharge and proximity to the area of outfall. Additionally, some models suggest that outfall areas will be more prone to flooding in the early years of operations, and will need time for channels to evolve in order to expand capacity. If projects are properly designed and appropriately scaled, it is unlikely that water elevations will increase significantly as a result of freshwater and sediment diversions. However, this critical issue of flood risk must be addressed throughout the process from the project's conceptual phase through to its operation.

## Environmental Justice

Executive Order 12898 (1994) addresses environmental justice in minority and low-income populations. The order acknowledges the disproportionate adverse impacts that federal actions have historically had on certain communities. It also commits the federal government to promoting nondiscrimination in future federal actions that may impact environmental quality.

As most of the funds that are suggested for this project would come from the federal funding streams this issue should be addressed. Attention must be paid to communities such as the Native Americans in Grand Bayou, Vietnamese fishermen, and low-income



resident fishers of Plaquemines, Jefferson, and Lafourche who may be negatively impacted by this project.

In conclusion, most people know that inaction is unacceptable. The MBSD has been studied, planned and reviewed for years. Implementation is imminent. Our prime concern at BTNEP is the realization that we are delving into the unknown with this project of unprecedented scope. We must admit that we cannot anticipate all the impacts - both positive and negative - that may result. We must fully develop protocols for real time monitoring, and ever adapting mitigation strategies that match the ambition of this effort.

Our estuary is both fragile and resilient. It has adapted to change for millennia and can adapt again. It has provided a bounty to our state and nation since this land was first inhabited. But we must be prepared to mitigate those negative impacts to our greatest ability as they arise.

Thank you for the opportunity to comment and express views shared by members of the BTNEP Management Conference.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Bradley Keith". The signature is fluid and cursive, with a prominent loop at the end of the last name.

T. Bradley Keith  
Director, Barataria-Terrebonne National Estuary



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**Concern ID: 61906**

**The MBSD Project would cause loss and detrimental impacts on the recreational and sport fishing industry in the Barataria Basin.**

**Response ID: 16236**

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism acknowledges that the proposed Project would impact recreational and sport fishing in the Barataria Basin. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips.

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the

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river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61936**

**Environmental Justice Executive Order 12898 (1994) addresses environmental justice in minority and low-income populations. The order acknowledges the disproportionate adverse impacts that federal actions have historically had on certain communities. It also commits the federal government to promoting nondiscrimination in future federal**

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**actions that may impact environmental quality. As most of the funds that are suggested for this Project would come from the federal funding streams this issue should be addressed. The Draft EIS cites federal policies mandating that issues of environmental justice be given full consideration, in particular the long standing Executive Order (12898) on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and comparable Department of Defense directives. Attention must be paid to communities such as the Native Americans in Grand Bayou, Vietnamese fishermen, and low-income resident fishers of Plaquemines, Jefferson, and Lafourche who may be negatively impacted by this Project. In the parishes closest to the Project site, Plaquemines and Jefferson, minority populations respectively constitute 36 and 60 percent of the overall population.**

**Response ID: 16293**

The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that disproportionately high and adverse impacts on low-income and minority populations could occur in some communities where reductions in abundance of oysters, brown shrimp, and certain fish species are anticipated as a result of the proposed Project. These impacts would depend in part on the extent to which affected populations engage in or are heavily reliant on commercial and subsistence fishing for these species. The EIS Chapter 4, Section 4.15, Environmental Justice recognizes the presence of low-income and minority populations in communities that depend on shrimp and oyster fishing in Barataria Bay, including Grand Isle, Galliano, the Lafitte area, Barataria, Belle Chasse, Live Oak, West Pointe à la Hache, Ironton, Grand Bayou, and Port Sulphur. However, as discussed in the EIS, there are insufficient data to correlate fisheries harvests with specific low-income and minority populations. Consequently, the precise extent to which impacts on shrimp and oyster fisheries would affect specific low-income and minority populations cannot be determined.

CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. CPRA's mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not

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be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61962**

**The commenters commend the USACE and LA TIG for their efforts to ensure robust awareness and input into this process. Such engagement is critical to a successful restoration effort, and the commenters recognize the difficulty of designing an engagement process around a project of this scale and scope. The more than 200 public outreach and engagement events referenced in the Draft EIS and NRDA plan demonstrate a notable effort made by CPRA. It is essential that CPRA continue to maintain strong levels of engagement and transparent communication with affected stakeholders as this process progresses. The Final EIS should include a summary of comments and responses and should uphold and further elaborate upon the commitment stated in the Draft EIS (Appendix R2 Monitoring and Adaptive Management Plan, Section 2) for regular stakeholder engagement through the adaptive management program.**

**Response ID: 15907**

USACE and LA TIG acknowledge the comment. Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and LA TIG conducted public outreach and provided public comment opportunities throughout the development of the EIS and the LA TIG's Restoration Plan. Details on USACE's and the LA TIG's outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS. The Final EIS includes a Public Meeting Report which includes all comments submitted and the responses to those comments.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and provision of

hard copies of the Executive Summary and other materials to local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

Throughout the public comment period and concurrent with the preparation of the Final EIS and the LA TIG's Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward.

In addition, the Programmatic Agreement developed for the proposed Project through the NHPA 106 consultation sets forth the alternative mitigation to be implemented by CPRA as part of implementing the Project. A website and public education materials are included as products to be developed through the alternative mitigation. See Section 4.9 of the Final Mitigation and Stewardship Plan for the proposed Project (in Appendix R1 to the Final EIS).

Refer to Appendix R1 for the Final Mitigation and Stewardship Plan which describes mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts. Also refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 for a description of the adaptive management, governance, and monitoring that CPRA has committed to along with stakeholder engagement during the adaptive management process if the proposed MBSD Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of

publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62263**

**Commenters expressed concern that plastics and microplastics (including but not limited to PFAS) in the Mississippi River would be introduced into the basin through the proposed MBSD diversion, causing adverse impacts on wildlife and humans. Commenters stated that plastics never fully disintegrate, are poorly regulated, and have made their way into every part of the food chain. One commenter witnessed a major spill in the river of plastic pellets called “nurdles” that was never fully cleaned up.**

**Response ID: 16435**

The USACE acknowledges that microplastics and PFAS in surface water are currently not regulated. There are currently no data to determine whether PFAS concentrations in the Mississippi River are significantly different from concentrations in the Barataria Basin. There are no standards to evaluate whether PFAS concentrations are unacceptably elevated in the river or the basin.

The Draft EIS acknowledges that accidents and spills can occur unexpectedly in the river or in the basin. Public and private emergency response teams are available to minimize damage from such accidental releases. As described in Chapter 2, Section 2.8.1.4 in Action Alternatives Carried Forward for Detailed Analysis and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. Also in response to this concern, the USACE has added a new subsection to Chapter 4, Section 4.5 Surface Water and Sediment Quality clarifying the potential impacts of accidental

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spills of hazardous substances in the river during proposed Project operations. The new section is called 4.5.5.11 Hazardous Spills in the Mississippi River.

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**Concern ID: 62278**

**Models have not taken into account the influence of wind, which is a significant driver of water levels in the estuary. In winter, storm fronts generally move north to south and water levels in the basins are typically lower, providing an opportunity for seasonal diversion operations. This is particularly true in the Barataria Basin, where backwater flooding from a high river has not been a significant concern.**

**Response ID: 16485**

Wind is an important factor in the estuary. The Delft3D Basinwide Model simulations included wind as described in the Draft EIS Appendix E (Delft3D Basinwide Model, Section 3.2.2 Atmospheric Forcing) and summarized in Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis. Meteorological data recorded throughout 2014, including wind speed and direction recorded at 6-hour intervals in the basin over the course of the year, was used in the model. That data reflects the seasonal variation in wind speed and direction that occurred in the basin in 2014 and was factored into model outputs with respect to water levels. Appendix E, Section 3.2.2 Atmospheric Forcing has been edited in the Final EIS to clarify this.

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 62290**

**The commenter expressed concern that if multiple diversions are to be operated simultaneously, or if the river experiences a period of very low stages, sufficient draft for shipping could be threatened. The Port of Baton Rouge, Port of New Orleans, and the Port of South Louisiana are three of the ten largest shipping ports in the nation. These shipping and associated transportation industries could be impacted unless careful planning assures that critical water volumes and navigation channels are maintained.**

**Response ID: 16447**

The Draft EIS considered the commenter's concern about the importance of the safety and efficiency of vessel traffic. Operation of the proposed diversion above 5,000 cfs would be limited to periods of higher flows in the river, as stated in Draft EIS Chapter 2, Section 2.8.1.4 Project Operations, when water levels, water depth, and vessel clearance are less of an issue. However, the EIS recognizes that changes to sedimentation rates might persist into the low-water season, as the commenter correctly notes. The several modeling efforts described in the EIS Chapter 4, Section 4.4 Surface Water and Coastal Processes and 4.21 Navigation, as well as in Appendix E Delft3D Basinwide Modeling and Appendix Q Navigation/Dredging analysis, include projections of water levels, adequate navigation draft, and channel sedimentation impacts resulting from operation of the proposed diversion. The models showed no navigation draft impacts from Venice to New Orleans and above, including at the Port of Baton Rouge, the Port of South Louisiana, and the Port of New Orleans. The

conclusion stated in those sections is that operation of the Applicant's Preferred Alternative is projected to cause "moderate, permanent, adverse impacts on dredging operations from Venice to the Gulf of Mexico."

Potential future projects, including the Mid-Breton Sediment Diversion and other diversions, considered for Cumulative Impacts, were modeled and are listed in the Draft EIS Table 4.25.1-1. Cumulative effects on navigation are discussed in Section 4.25.21 Cumulative Impacts - Navigation. The conclusion is that there will be no navigation draft impacts from Venice to New Orleans and above, but "The combined cumulative impacts on dredging ... in the Mississippi River from Venice to the Gulf will be moderate to major, adverse and permanent."

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**Concern ID: 62304**

**Computer modeling from various studies looking at predicted increases in water levels caused by diversion operations have shown wildly varying results.**

**Response ID: 15802**

USACE and the LA TIG acknowledge that various modeling efforts may produce different water level projections in the Barataria Basin depending on the model boundary conditions (for example, diversion discharge, tide and sea level) and geometric data (bathymetry/topography and boundaries); however, we are not aware of any unexplainable large differences in water level predictions among the other various models used. Production-level models, such as the Delft3D used for the Draft EIS, produce very similar projections when using the same boundary conditions and geometric data.

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**Concern ID: 62305**

**The threat of community flooding obviously increases with diversion discharge and proximity to the area of outfall. Additionally, some models suggest that outfall areas would be more prone to flooding in the early years of operations, and would need time for channels to evolve in order to expand capacity.**

**Response ID: 15824**

Water level impacts in the basin were projected by the Delft3D Basinwide Model, as explained in Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis and Section 4.4.4.2 Surface Water and Coastal Processes, Operational Impacts, Water Levels of the Draft EIS. Draft EIS Sections 4.4.4.2 Surface Water and Coastal Processes and Section 4.20.4.2 Public Health and Safety, Operational Impacts, Floodplains and Tidal Flooding both acknowledged that higher water levels and the risk of community flooding increase with proximity to the diversion outfall. As stated in Section 4.4.4.2, maximum monthly average water levels nearest to the diversion outfall are projected to be highest in the first three modeled decades as compared to the No Action Alternative in the first three modeled decades. Additionally, in Section 4.2.3.2 Geomorphology in Geology and Soils, the Draft EIS discussed previous studies and modeling which indicate development of channel networks early (within 5 to 10 years) have occurred for other diversions in south Louisiana. These other diversions have both similarities and differences with the proposed MBSD Project but help inform potential impacts of the Project on geomorphology. MBSD Project diversion operations may result in a different land building and morphologic evolution than these examples.

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**Concern ID: 62307**

**Operating the diversion in the spring could cause increased water levels in the Terrebonne Basin through the GIWW, directly conflicting with flood fight efforts in Terrebonne. Real-time monitoring would be necessary.**

**Response ID: 15808**

The Terrebonne Basin was not included in the Project area because no impacts are anticipated in that basin from the Project operations. As a result, Delft3D Basinwide Model water level projections were not modeled for this area. However, as shown in Figure 4.4-11 in Section 4.4 Surface Water and Coastal Processes of the Draft EIS, water levels were projected to increase less than one foot in the GIWW during spring operation of the proposed Project. As part of CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS), the existing USGS water level gage near Larose would be used for monitoring of water levels during diversion operation. However, the MAM Plan explains that this monitoring data would be used to inform Project partners as to whether, and to what extent, Project operations result in marsh inundation patterns that could potentially cause inundation stress on wetland vegetation. The MAM Plan does not include real-time monitoring for water levels within the GIWW for the purpose of diversion operational adjustments.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62464**

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**The commenter expressed concern that models have not yet examined the cumulative impacts on flooding from multiple proposed diversions operating simultaneously.**

**Response ID: 16473**

The Draft EIS considered the potential flooding impacts of multiple proposed diversions operating simultaneously. Potential flooding impacts of the proposed MBSD Project combined with impacts of *existing* Mississippi River diversions on the west bank including the Davis Pond Freshwater Diversion, and the West Pointe A La Hache Siphon and on the east bank (Bonnet Carré Spillway, Caernarvon Freshwater Diversion, and Mardi Gras Pass) were projected by the Delft3D Basinwide Model baseline conditions and 50-year projections for the MBSD No Action and action alternatives for hydrology, flooding, hydrodynamics, water quality, vegetation/wetlands, and other resources in the Project area. The added impacts of the MBSD Project action alternatives in combination with these existing freshwater influences are discussed by resource topic in Chapter 4, Sections 4.2 through 4.24.

The added flooding impacts of the proposed MBSD Project action alternatives on existing diversion operations were qualitatively or quantitatively analyzed and discussed in the Draft EIS in Chapter 4, Section 4.4.3 in Surface Water and Coastal Processes, Section 4.13 Socioeconomics, and Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction. The Draft EIS Section 4.20.4 Storm Surge and Flooding concluded that in conjunction with the operation of existing diversions, the proposed Project would have negligible impacts on flooding in Project area communities within federal levee systems and minor to major, adverse, long-term impacts on flooding in Barataria Basin communities not protected by federal levees (for example, Lafitte, Myrtle Grove, and Grand Bayou).

Operational impacts, including risk for increased flooding, of reasonably foreseeable future projects including diversions such as the Mid-Breton Sediment Diversion combined with proposed MBSD Project operations were assessed by the Delft3D Basinwide Model and discussed in Section 4.25.1 Methodology for Assessing Cumulative Impacts and in Section 4.25.20 Cumulative Impacts - Public Health and Safety, Including Flood and Storm Hazard Risk Reduction. As described in Section 4.25.20, Delft 3D Basinwide modeling projected that the reasonable foreseeable projects modeled would have a negligible impact on water levels during non-storm conditions in the birdfoot delta and Barataria Basin. Also see EIS, Appendix E Delft3D Modeling for information on the setup of the Delft 3D Basinwide Modeling for the impact analysis of the EIS alternatives. No related edits have been made to the Final EIS.

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**Concern ID: 62692**

**The proposed Project would introduce or facilitate the spread of invasive species (for example, carp, zebra mollusks, apple snails, Asian clams, water hyacinth, giant salvinia, hydrilla, nutria, northern snakehead) and freshwater pathogens to the basin, which could affect other living resources and impede navigation.**

**Response ID: 16074**

The commenter correctly notes the potential for the proposed Project to introduce or facilitate the spread of invasive species from the Mississippi River into the Barataria Basin and resulting from the alteration of existing habitat characteristics, which is consistent with discussions in the EIS in Chapter 3, Section 3.10.6 and Chapter 4, Section 4.10.4.6 in Aquatic Resources; Sections 3.6.3 and 4.6.5.2 in Wetland Resources and Waters of the U.S.; and Sections 3.9.4 and 4.9.4.2 in Terrestrial Wildlife and Habitat. The sections in Chapter 4 also

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identify how the introduction or spread of invasive species may negatively impact other living resources. The northern snakehead is not currently known to occur in Louisiana; however, if its presence is later identified in the Mississippi River, its introduction or spread via the proposed Project would result in similar impacts on the environment as those described in Section 4.10.4.6 Aquatic Invasive Species of the EIS. The potential introduction of pathogens (specifically, fecal coliform [not typically pathogenic, but an indicator for other pathogenic bacteria] and Enterocci) is discussed in Section 4.5.5.8 Fecal Coliform; a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS. Section 4.10.4.6.2.1 Aquatic Invasive Species has also been supplemented to discuss potential threats to navigation in the Final EIS.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62816**

**BTNEP has long supported the idea of sediment diversion, but the scale of the diversions continues to grow and correspondingly, the scale of adverse impacts grows with it; it must be acknowledged that besides the benefit this diversion may bring, there are numerous potentially important adverse impacts that must be considered throughout the planning and evaluation process.**

**Response ID: 16389**

The commenter's input is noted. As discussed throughout Chapter 4 Environmental Consequences, there are both beneficial and adverse effects of each of the alternatives carried forward, which include 50,000, 75,000, and 150,000 cfs alternatives (with and without terraces). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62836**

**What are the conditions for closure of the diversion? For example, would the diversion be shut down if there is community flooding or a large amount of wetland loss in the first 5 years? CPRA's stated commitment to adaptive management may eventually result in the agency making substantial adjustments to the operational regime of the proposed Project without providing recourse for affected stakeholder groups.**

**Response ID: 16663**

Information regarding Project operations, including the plan for when the diversion would be shut down for emergencies and storm events, is set forth in CPRA's Operations (Water Control) Plan issued with the Draft EIS (Appendix F2).

With regard to community flooding, the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) details mitigation strategies that would address increased water levels in impacted communities. With regard to ensuring Project performance, in accordance with the Monitoring and Adaptive Management (MAM) Plan, CPRA would monitor Project performance over the life of the Project and adaptively manage the Project to ensure Project success (for examples of potential adaptive management actions, see Tables 4.1-1 through 4.1-3 in the MAM Plan in Appendix R2 to the Final EIS). If the Project is implemented, CPRA would continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of

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publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62838**

**Near-term, long term, and real-time monitoring in the Barataria Basin will be essential to the operation of the diversion as well as to public communication about the performance, over space and time, of the diversion and its area of influence. Governance and decision making for the Project should be a science-based, inclusive, and transparent process with genuine engagement and input from external experts and community stakeholders.**

**Response ID: 16665**

According to the LA TIG, the monitoring issues raised by the commenter were considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS), which was jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan included input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]). In response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

With specific regard to the inclusion of scientific expertise, in addition to the expertise within CPRA, the governance provisions of the MAM Plan call for establishing a Technical Focus Group/Peer Review Group with subject matter expertise to provide technical support on long-term Project planning, assist in the evaluation and interpretation of monitoring data, and

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evaluate the state of the science concerning adaptive management. See Section 2.2.2.3 (Technical Focus Group(s)/Peer Review) of the MAM Plan (Appendix R2 to the Final EIS). The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62857**

**The complexity of the proposed Project, and the multitude of uncertainties that have been identified while estimating its benefits and impacts, demonstrates the importance for real-time monitoring protocols in the adaptive management program to reduce uncertainties over time.**

**Response ID: 16667**

According to the LA TIG, the monitoring measures raised by the commenters were considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). Monitoring, including collection of real-time data, is essential for increasing the likelihood of achieving desired Project outcomes given the uncertainties inherent to predicting the Project's effects. For example, post-construction, hydrographic station readings in the Mississippi River would be posted in real time and accessible from remote networks to enable forecasting water and sediment arrival. Along the gradient from the Mississippi River through the diversion and into the basin, CPRA is planning for the use of real-time data for key hydrographic variables (turbidity, stage, velocity, and water quality). As CPRA's plan to perform real-time monitoring was included in the Draft EIS, no changes have been made in the Final EIS in response to this comment. See CPRA's MAM Plan (Appendix R2 to the EIS)

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for additional details regarding the monitoring efforts planned in anticipation of and during Project operations.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A

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summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some

property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again, community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their**

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**boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62976**

**Oyster growers and other stakeholders must be involved and informed about Project progress, construction timing, and operation.**

**Response ID: 16538**

CPRA has engaged numerous stakeholders, including oyster growers, throughout the development of the Project. USACE has ensured public participation during its permitting and

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environmental review. The LA TIG has invited public participation in its OPA Restoration Plan process. Chapter 7 Public Involvement of the Final EIS contains a summary of the various engagement efforts by CPRA, the LA TIG and USACE regarding the Project. In response to comments, CPRA has added a dashboard website (<https://cims.coastal.louisiana.gov/default.aspx>) to the measures included in CPRA's final Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS). The dashboard would allow CPRA to keep those interested informed about Project construction, operation, and monitoring.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62982**

**Anticipated increases in the cost of maintenance dredging induced by diversion operations and anticipated effects on the navigation community must be accounted for in the early stages of diversion planning so that accurate cost-benefit ratios can be considered.**

**Response ID: 16620**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its

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permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

The impacts of the Project on maintenance dredging requirements and on the navigation community were addressed and considered in the Draft EIS, in Chapter 4, in the Mississippi River and Barataria Basin “Maintenance Dredging” subsections of Section 4.21 Navigation. USACE has engaged the navigation industry to get its input on the proposed Project’s anticipated effects on navigation, including increased sedimentation in the Mississippi River, as part of the EIS process.

In the LA TIG’s Restoration Plan, the LA TIG considers the cost to carry out the Project consistent with the Restoration Plan alternatives evaluation criteria, 15 CFR §990.54. The Project budget in the Draft Restoration Plan (see Section 3.2.1.2 Cost to Carry Out the Alternative) included the cost of additional maintenance dredging that would be induced by the Project. Also, monitoring to identify the need for additional maintenance dredging induced by the Project is addressed in the Restoration Plan Appendix R2: Monitoring and Adaptive Management Plan for the proposed MBSD Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63006**

**The commenter suggests that southerly winds begin in spring and often last through fall, causing higher water levels and coastal flooding issues regardless of river stage. The commenter asserts that it will be difficult, from both a physical standpoint of high basin-side water levels as well as a sociopolitical standpoint of the perception of flood**

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**risk, to operate large-scale diversions during these months, noting that real-time monitoring will be a necessity.**

**Response ID: 15763**

The Delft3D Basinwide Model simulations, which were used in the Draft EIS to project flood risk, included wind as one input as described in the EIS Appendix E Delft3D Modeling, Section 3.2.2 Atmospheric Forcing and summarized in Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis. Meteorological data recorded throughout 2014, including windspeed and direction recorded at 6-hour intervals in the basin over the course of the year, was used in the model. That data reflects the seasonal variation in wind speed and direction that occurred in the basin in 2014 and was factored into model outputs with respect to water levels. Appendix E Delft3D Modeling, Section 3.2.2 Atmospheric Forcing has been edited in the Final EIS to clarify this. Further, as part of CPRA's proposed Monitoring and Adaptive Management (MAM) Plan, Appendix R2 to the Final EIS, real-time monitoring of water levels during diversion operation would be collected at stations in the Mississippi River and Barataria Basin. However, the MAM Plan explains that this monitoring data would be used to inform Project partners as to whether, and to what extent, Project operations result in marsh inundation patterns that could potentially cause inundation stress on wetland vegetation. The MAM Plan does not include real-time monitoring for water levels for the purpose of diversion operational adjustments. CPRA's operation of the diversion based on Mississippi River flows is described in Chapter 2, Section 2.8.1.4 Project Operations of the EIS.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. The USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63024**

**The Draft EIS failed to properly capture the state of the science on the effects of nutrient inputs on wetlands. While the views indicating the detrimental effects of nutrient input are included, few opposing views are described, and the science is not settled on this issue.**

**Response ID: 16034**

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. of the EIS acknowledges uncertainty regarding the effects of nutrient inputs on wetlands. Additional analysis regarding the impact of nutrients that would be transported by the proposed Project on vegetation communities and soil shear strength has been incorporated into Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)



- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63185**

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**Additional development of mitigation plans and accountability for mitigation commitments is needed.****Response ID: 16562**

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63805****Water quality must be monitored throughout construction, implementation, and beyond in as near to real-time as possible.****Response ID: 16689**

The pre- and post-operations water quality monitoring noted by the commenter was considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). CPRA would collect water quality data in real time from existing Coastwide Reference Monitoring System (CRMS), Louisiana Department of Environmental Quality (LDEQ), and United States Geological Survey (USGS) stations in the Barataria Basin (see Figures 3.7-5 and 3.7-6 in the MAM Plan for water quality sampling locations). The MAM Plan states that collected data will inform future Project management decisions aimed at improving Project effectiveness and limiting ecological and/or human impacts when possible. Therefore, no changes were made in the Final EIS on water quality monitoring.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

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monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63844**

**The MAM Plan should address increased nutrient levels and the potential for increased eutrophication in coastal bays.**

**Response ID: 16693**

Monitoring nutrients in diverted water was considered in CPRA's Monitoring and Adaptive Management (MAM) Plan included with the Draft EIS (Appendix R2).

Chapter 4, Sections 4.5.5.3 Nitrogen and 4.5.5.4 Phosphorus in Section 4.5 Surface Water and Sediment Quality of the Draft EIS discussed how wetlands created by the Project could absorb the additional nutrients diverted to the basin, thereby reducing the potential negative impacts within the Barataria Basin from nutrients introduced into the basin from Mississippi River water. Section 4.10.4.4 General Impacts on Habitat and the Environment, Applicant's Preferred Alternative, Nutrient Loading and Dissolved Oxygen of the Draft EIS discussed the potential for algal blooms and resulting dissolved oxygen levels due to nutrient loading in Barataria Basin waters and bays.

In response to commenters' concerns, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS. This discussion includes the Nutrient Reduction Strategies developed by the 12 member states of the Hypoxia Task Force. Louisiana's Nutrient Reduction and Management Strategy has highlighted the important role that river diversions could play in reducing nutrient loads. The wetlands created by the diversion would take up nutrients, thus assisting in the reduction of impacts in the Gulf of Mexico from excess nutrients introduced through the Mississippi River water.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40546**

Joni Tuck

To Whom It May Concern:

I am writing in strong support of the Louisiana Coastal Protection and Restoration Authority's (CPRA) Mid-Barataria Sediment Diversion project proposed for Plaquemines Parish on the Louisiana coast.

As a native and resident of Louisiana and someone who has worked as an advocate and practitioner of coastal restoration and protection for over 20 years, I have seen the unravelling of our Working Coast here in Louisiana for decades.

That unravelling threatens far more than the few populated areas immediately in the footprint of the proposed Diversion structure and outfall area - it threatens all of Louisiana, our people, our culture, our infrastructure, and our economy. As such, the need to address this existential threat to our continued existence in Louisiana has to be tailored to the benefit of the most people and systems, not one or two narrow bands of people or industries.

Of the project alternatives explored in the Draft Environmental Impact Statement (DEIS), the preferred alternative provides the most appropriate, balanced, and valuable opportunity to set Louisiana's most consequential basin on a course of sustainability in the face of subsidence, sediment starvation, sea level rise and climate change for decades beyond when the funding runs out.

Louisiana's land loss crisis is fundamentally driven by the disconnection of the Mississippi River from the delta through the construction of the Federal river levee system greatly accelerating the subsidence and degradation of the Delta and exacerbated by other human interventions over centuries. The Mid Barataria Sediment Diversion affords us the opportunity to make the necessary intervention to preserve and protect this Delta in a way that works with and mimics nature as well as the natural environmental and fisheries conditions which were present in these communities just a few short generations ago.

This project has been conceived, studied, and carefully considered for three decades. In that time, the Barataria Basin has lost square miles of land, been deeply impacted by the Deepwater Horizon oil spill, and seen population migrations and vital economic infrastructure continue to be built in the communities along and protected by this Basin. The DEIS provides yet another robust accounting of the potential impacts of this proposed project, and it is clear that the benefits far outweigh the potential negative impacts - even without the robust suite of mitigation measures proposed in the mitigation measures proposed.

With respect to the mitigation measures proposed, up-front monetary allocations to commercial fishermen for offsetting increased fuel costs and gear should be implemented in addition to lifetime gear licenses granted to commercial and recreational fishermen whose business or residential address is within the outfall of the proposed diversion once a favorable Record of Decision is approved. Similarly, up front allocations for offsetting increased fuel costs as well as any additional gear upgrades, surface right leasing, marketing/promotions etc for charter fishermen should also be made on a similar timeframe as well as marketing funds directed through both the regional Convention Center and Visitors Bureaus and the Louisiana Seafood Marketing and Promotions Board to maintain and increase tourism, recreation and the charter fishing trade across the Barataria Basin. Additional mapping and residential

nonstructural flood risk mitigation measures specific to individual properties should similarly be developed to best inform potentially impacted residents on a similar timetable.

The Barataria Basin is essential to the culture, communities, economy and character of Louisiana and the American South, which is why billions of dollars have already been spent from a variety of sources including oil and gas and mineral revenues, local, state and federal general fund dollars, Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) dollars, private industry and landowners, and Deepwater Horizon fines and settlement dollars to engineer, design and construct scores of projects utilizing alternative methods such as dredging, pumping, rock placement, terracing, siphons, small scale sediment diversions, Christmas tree cribs, etc.

One could say that the Barataria Basin and Plaquemines Parish in particular are at the heart of innovation in coastal restoration and the sandbox in which we learn how best to manage both the threats we face and the resources we have been blessed with. What we have learned through that long history of learning at both large and small scales is that funding sources will deplete, dredged sediments pumped and shaped into land subside often within a few decades, but the River will continue to flow for generations and the sediments, nutrients and fresh water continue to build land as long as we allow it to flow.

Similarly, Plaquemines Parish and the surrounding communities are also being afforded the opportunity with this project to further capitalize on well over \$1 billion in economic impact through the construction of the project, adding hundreds of higher than average wage jobs to their communities. These jobs also will allow these communities to build a workforce pipeline of talent to continue to perform civil construction, earthworks, environmental restoration and surveying work in complex and challenging environments - all disciplines and skill sets which provide stable, lucrative incomes for workers and their families and flow on benefits of vibrant communities and a stable tax base for local governments.

In short - the time for studies and delaying decisions should come to an end. The time for doing is now. Safely reconnecting the River in a manner which is carefully monitored and managed while still mimicking the natural processes which built the Delta will free the rest of our Working Coast from our dim, sediment and nutrient starved future - and will allow us all to continue to flourish for generations to come. I strongly urge you to approve the implementation of this project without delay, and to continue to encourage the CPRA to work in collaboration with communities, residents and impacted commercial and charter fishermen to develop additional granularity around mitigation measures proposed.

If you have questions or need clarification on any of the points raised in this correspondence, please feel free to contact me via email at: [REDACTED]

Sincerely,

Joni Tuck

[REDACTED]

Metairie, LA 70001

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial**

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**and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

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The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63345**

**Local communities are being afforded the opportunity to capitalize on well over \$1 billion in economic impact through the construction of the proposed Project, adding hundreds of higher wage jobs to their communities. These jobs also would allow these communities to build a workforce pipeline of talent to continue to perform civil construction, earthworks, environmental restoration, and surveying work in complex and challenging environments, each of which would provide stable, lucrative incomes for workers and their families and that benefit would flow to the vibrant communities and add a stable tax base for local governments.**

**Response ID: 16306**

The commenter's support for the proposed Project is noted. The comment is consistent with the content of Chapter 4, Section 4.13.4.2 in Socioeconomics of the Draft EIS, which identified up to major economic benefits within the proposed Project area during construction of the proposed Project.

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**Concern ID: 63346**

**Through a long history of coastal restoration, it has become clear that funding sources will deplete, and dredged sediments pumped and shaped into land subside often within a few decades; however, the river will continue to flow for generations and the sediments, nutrients, and fresh water will continue to build land as long as it is allowed it to flow.**

**Response ID: 16307**

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The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils of the Draft EIS discussed the long-term and sustained source of sediment that would be provided by the proposed Project for the replenishment and restoration of lands (including wetlands) within the outfall area.

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**Concern ID: 63347**

**The commenter strongly urges that the proposed Project be approved without delay, and that CPRA continue to work in collaboration with communities, residents, and impacted commercial and charter fishermen to develop additional granularity around mitigation measures proposed.**

**Response ID: 16309**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. In response to comments, CPRA has expanded and refined the Final Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated proposed Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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Correspondence ID: 40547  
Apache Louisiana Minerals LLC  
Timothy Allen



APACHE LOUISIANA MINERALS LLC

Mailing Address:

Deliveries Only:

June 1, 2021

U.S. Army Corps of Engineers  
New Orleans District  
Attn: **CEMVN-ODR-E; MVN-2012-2806-EOO**  
7400 Leake Avenue  
New Orleans, LA 70118

Louisiana Trustee Implementation Group (LA TIG) c/o of NOAA  
CEMVN-Midbarataria@usace.army.mil

**Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)**

Gentlemen:

By way of background, Apache Louisiana Minerals LLC (ALM) is a large corporate landowner in coastal Louisiana, holding title to approximately 270,000 acres of land within Cameron, Vermilion, Iberia, Terrebonne, Lafourche and Plaquemines parishes. These properties are predominately wetlands. ALM takes stewardship of these lands very seriously and the entire staff of our Houma, LA office is and has always been dedicated to the preservation and conservation of these properties. We recognize that a prudent landowner has an obligation to the next generation of Louisianians to conserve and protect these fragile wetlands as well as the flora and fauna which inhabit it. This wetland preservation and protection provides the citizens of Louisiana with enhanced storm surge protection along with viable nurseries for recreational and commercial fisheries.

Apache Louisiana Minerals owns title to 52,000 acres of property in Plaquemines Parish on the west side of the MS river just downstream of the contemplated diversion. Approximately half of the wetlands on that property has been lost to the approaching Gulf. Although these lands are located further downstream than the planned diversion, we know from experience that the plume of freshwater and sediment which this project will provide is the only viable tool available for any hope of preserving the remaining lands on a large scale.

Some portions of the Louisiana coast are harder to protect than others. As managers of these wetland properties for decades, we know that lands located close to a sediment and freshwater source are more sustainable than any other. That's why we offer this letter of SUPPORT for the U.S. Army Corps of Engineers' *Draft Environmental Impact Statement for the Proposed Mid-Barataria Sediment Diversion Project*, as well as the Louisiana Trustee Implementation Group's (LA TIG) *Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment*

*Diversion.* The wetlands of southeast Louisiana were built by the Mississippi River. There is no excuse for NOT harnessing the river to again rebuild the wetlands it once created.

The *Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion* is a project which will provide ecosystem-wide benefits which far outweigh the short-term impacts. We know without this project our property is destined to continue its current rapid land-loss trajectory. A course that will end in complete conversion of these wetlands to open water, which would be an avoidable travesty to the citizens of Louisiana.

In conclusion, we respectfully request the selection of the preferred alternative in the Draft EIS and ask that this plan be implemented with the greatest sense of urgency allowable by the public process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy J. Allen', written in a cursive style.

**Timothy J. Allen, PLS**  
General Manager  
Apache Louisiana Minerals LLC

**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40548**

Jakov Jurisic

To whom it may concern, RE: Comments to Mid Barataria Sediment Diversion Draft EIS, I am writing regarding the Mid-Barataria Sediment Diversion Project. As a commercial oyster fisherman, I have grave concerns about this diversion. The diversion should be redesigned to achieve two objectives: build storm surge protection, as well as create the environmental conditions for the expansion of the oyster industry. The current design of the diversion will not be as effective as possible at building storm surge protection and will destroy much of the oyster industry. The reasons for my saying such are as follows:

1. There is not enough sediment (mg/ft) in the Mississippi River water to build more than a small portion of the coastal zone being lost over the SO-year life of the project;
2. The amount of water required to transport the desired amount of sediment will change salinity regimes and destroy existing fisheries;
3. The current design does not protect the delivered sediment from the erosion by wind and waves, thus only 5% to 35% of the delivered sediment will form storm surge protection structures.

This diversion project will cause more harm than good because the impact zone has been underestimated. The permit application notes the project will destroy or alter 7,530 acres of essential fish habitat. What is not addressed is the expected destruction of oyster habitat alongside associated crab, shrimp, and sports fishing habitats which, total, is several times larger than 7,530 acres.

I believe the diversion, as currently designed, is a misuse of public resources since it does not maximize the benefits expected from the investment and assumes the destruction of a major portion of the oyster industry. The loss in total seafood production is not justified by the increased value of storm protection created. I also believe sediment placement or dredging would build storm protection immediately and would create the conditions favorable to the expansion of the oyster industry.

Also, the Deepwater Horizon agreement states that the monies are to be used for fisheries restoration and to not further injure the fisheries resources in Barataria Bay, therefore this would be a misuse of public funds.

I have faith we can combine coastal zone protection and restoration with the protection, restoration, and expansion of the seafood industries for an optimized end result.

Sincerely,

Jakov Jurisic

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**Concern ID: 61782**

**Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.**

**Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation

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were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61923**

**The proposed MBSD Project should be redesigned to achieve two objectives: build storm surge protection as well as create the environmental conditions for the expansion of the oyster industry.**

**Response ID: 16010**

Storm surge protection is not a purpose of the proposed Project but it is a projected benefit for some areas, while it will increase storm surge and flooding risk for other areas (see EIS Chapter 4, Section 4.20.4.2, Operational Impacts, Storm Hazards in Public Health and Safety, including Flood and Storm Hazard Risk Reduction). Restoring for oysters does not meet the intent of the proposed Project, which is to reestablish sustainable deltaic processes and help restore habitat and ecosystem services injured by the DWH oil spill. The Project is projected to help positively impact habitat for numerous species impacted by the spill and to negatively impact habitat for other species impacted by the spill.

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public



Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats. The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all

large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62702**

**The movement from an estuary to a delta-building system would adversely impact commercially-harvested species.**

**Response ID: 16080**

The movement from an estuary to a delta-building system would result in either adverse or beneficial impacts on commercially-harvested species, based on habitat preferences and life histories, as summarized in Chapter 4, Section 4.10 Aquatic Resources, Table 4.10-6 of the Draft EIS. In the LA TIG's Draft Restoration Plan, commercially-harvested species that could

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experience collateral injury from the proposed Project were also described in Chapter 3, Section 3.2.1.5 in OPA Evaluation of the Alternatives, and species that could benefit from the proposed Project were discussed in Section 3.2.1.6 Benefits Multiple Resources.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

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**A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62812**

**The permit application notes the proposed Project would destroy or alter 7,530 acres of essential fish habitat. The commenter expressed concern that this acreage excludes oyster habitat, as well as crab, shrimp, and sport fishing habitats which, in total, is several times larger than 7,530 acres.**

**Response ID: 16385**

As discussed in Appendix N2 Essential Fish Habitat Assessment of the EIS, operation of the proposed Project is projected to convert EFH from one EFH habitat type to another, rather than result in habitat loss of EFH. The habitat conversion generally would result in a conversion of the more ubiquitous soft bottom habitats (19,545 acres) to more structured habitats (see the Executive Summary, Table ES-1). The adverse (and beneficial, as applicable) impacts on the habitats for specific species, including blue crab, brown and white shrimp, oysters, and select sport fish, are discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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Correspondence ID: 40549

Animal Welfare Institute et al

Georgia Hancock



**THE HUMANE SOCIETY  
OF THE UNITED STATES**



**HUMANE SOCIETY  
LEGISLATIVE FUND™**



June 3, 2021

US Army Corps of Engineers  
New Orleans District  
Attn: CEMVN-OD-SE, MVN-2012-2806-EOO  
7400 Leake Avenue  
New Orleans, LA 70118

*Submitted via email to: CEMVN-Midbarataria@usace.army.mil*

To whom it may concern:

On behalf of the Animal Welfare Institute, the Center for Biological Diversity, Cetacean Society International, the International Marine Mammal Project of the Earth Island Institute, the Humane Society of the United States, the Humane Society Legislative Fund, NY4Whales, Ocean Conservation Research, and the Oceanic Preservation Society, we submit these comments to the Louisiana Trustee Implementation Group (TIG) and the US Army Corps of Engineers, New Orleans District (Corps) on the Draft Restoration Plan and Environmental Impact Statement: Mid-Barataria Sediment Diversion. 86 FR 12915 (Mar. 5, 2021), 86 FR 22397 (Apr. 28, 2021). We thank the Corps and the TIG for this opportunity to comment. We note that before preparing these comments, we reviewed the Draft Environmental Impact Statement (DEIS) and associated documents and attended the online presentation, "Effects of Low Salinity Exposure on Bottlenose Dolphins," hosted by the Marine Mammal Commission (MMC) on March 23, 2021.<sup>1</sup>

In the context of the Mid-Barataria Sediment Diversion, our organizations have worked together in the past to advocate for protections of the marine mammals affected by this project, particularly the Barataria Bay Estuarine System (BBES) Stock of dolphins. This project's significant impact on this stock are the reason for, and will be the focus of, this letter. In submitting these comments, we also aim to dispel prior media mischaracterizations indicating that "the NGO community" is fully supportive of this project.<sup>2</sup> We support Gulf of Mexico restoration, but in light of the information presented in the DEIS, we cannot support the proposed sediment diversion.

As a technical matter, we note that the National Park Service website provided for online public comment is less than straightforward and does not allow for the uploading of documents. In order to receive a broad range of stakeholder comments while also making the process seamless, it would have been ideal for the Corps and the Louisiana TIG to host this comment collection through a more user-friendly federal website such as *regulations.gov*. We thank the TIG for adding an email option for transmission of comments when it extended the comment period deadline.

## I. Introduction

At the outset, we acknowledge the great need for restoration of the Mississippi River Delta (MRD) ecosystem, and within that, the Barataria Bay Estuary. The Barataria Basin has lost more than 276,000 acres of land since the 1930s, and the Basin's wetlands were the most heavily affected by the Deepwater Horizon (DWH) oil spill, which hastened the severe land loss trend threatening Louisiana's estuaries. The oil spill and response activities also accelerated the rate of wetland loss in the area.<sup>3</sup>

The purpose of this project is "to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin that would reconnect and re-establish sustainable deltaic processes between the Mississippi River (MR) and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts." DEIS Abstract. See also, DEIS at 1.3–1.4; DEIS Appendix R at 1-2.

Yet the DWH oil spill is one of multiple events caused by humans that have damaged the MRD. Over time, humans have altered and damaged this environment in numerous substantial ways. As the Corps and TIG have acknowledged, the Barataria Basin has been altered by: storm and hurricane events; erosion, subsidence and sea-level rise (all exacerbated by global climate change); industrial, commercial and residential development; as well as flood risk management and drainage efforts. Then in 2019, just one year after a Congressionally-mandated waiver of the Marine Mammal Protection Act (MMPA) was issued for this project (see below), a significant amount of melted snow pack, combined with excessive precipitation within the MR watershed and increased runoff from levee systems and spillways, created such an influx of freshwater runoff into the Gulf of Mexico that an unusual mortality event (UME) of dolphins occurred, in record numbers from Louisiana to Florida. Unfortunately, the State of Louisiana was in the process of leaving the marine mammal stranding response network at this time, leading to a loss in critical data during the UME that would have better illuminated the impacts to this population.

At a cost of up to \$2 billion, the Draft Restoration Plan would implement the Mid-Barataria Sediment Diversion project, which would reconnect the MR to Louisiana's Barataria Basin. The project would restore and sustain a significant amount of wetland habitat—tens of thousands of acres—and the resources that depend on them, over the next several decades. At peak capacity, the proposed preferred alternative would transport up to 75,000 cubic feet per second of freshwater and its sediment and

nutrients—harnessing nature through engineering to re-establish the natural process that originally built Louisiana’s coastal wetlands.<sup>4</sup>

It is a worthy endeavor for the Trustees to attempt to restore the Barataria Basin. Nevertheless, we oppose the project, given the inevitable and devastating impact of the project on the BBES Stock. They will not only be decimated in number through mortality, but their deaths will be agonizing and slow, given how chronic exposure to low salinity affects dolphins and the high likelihood that they will continue to exhibit strong site fidelity throughout the lifetime of the project. This strategic stock’s already poor state and cumulative impacts beyond this project will compound this project’s negative effects. It is extraordinarily unfortunate that should this sediment diversion proceed, the BBES dolphins will pay the price for the past mistakes of humans.

Furthermore, we are deeply disturbed by the fact that in 2018, federal legislation was used to circumvent the standard process required to obtain a waiver of the MMPA, in order to allow this project to move forward despite the major impacts it will have on the BBES Stock. As we further explain below, the Bipartisan Budget Act of 2018, Public Law 115-123 at Title II, Sec. 20201 (hereinafter BBA-18) directed the National Oceanic and Atmospheric Administration (NOAA) to issue a waiver for this project without on-the-record rulemaking before an administrative law judge, and without consideration of the conservation-based factors that the MMPA would have otherwise required. The proposed mitigation and monitoring measures, although required under BBA-18, will do little to offset the harm that awaits the BBES dolphins should this project move forward. We believe this was a powerfully damaging precedent for Congress and the State of Louisiana to set; we strongly urge Congress to never again allow such a waiver.

## II. Background on the Barataria Bay Estuarine System Stock of Dolphins

The Northern Gulf of Mexico is home to 21 cetacean species managed as 59 discrete stocks, as well as one sirenian species, the West Indian manatee. DEIS at 3.11. All of these species and stocks are protected under the MMPA. Bottlenose dolphins are currently managed as 37 distinct stocks within the Gulf, most of which are found only in shallower coastal waters. DEIS at 3-141–3-142. Of these 37 stocks, five were considered for potential impact by the proposed project: three bay, sound, and estuary (BSE) stocks: the MRD Stock, the Terrebonne Bay/Timbalier Bay Stock, the BBES Stock, and two coastal stocks, the Northern and Western Coastal Stocks. *Id.*

NMFS manages the BBES dolphins as a strategic stock, meaning a marine mammal stock for which the level of direct human-caused mortality exceeds the Potential Biological Removal level (PBR) and which, based on the best available scientific information, is declining and is either already listed under the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.] (ESA), is likely to be listed as a threatened species under the ESA within the foreseeable future, or is designated as depleted under the MMPA. 16 U.S.C. 1362(19). As the DEIS states, “Strategic stocks are those with declining populations for which the level of direct human-caused mortality exceeds the Potential Biological Removal level (PBR, the maximum number of animals that may be removed from a stock, excluding natural mortality, which allows it to reach or maintain its optimum sustainable population).” DEIS at 3-143. The BBES Stock has an estimated population of 2,071 and is considered strategic. *Id.* at 3-144. They are generally year-round residents, with localized, small usage areas of less than 43.5 square miles, although some individuals’ ranges extend throughout the middle/lower parts of the basin. *Id.* Some BBES dolphins live near the barrier islands and into Gulf of Mexico waters and may overlap with dolphins from the Western Coastal Stock, but the BBES Stock is demographically independent. *Id.* In its 2018 Stock Assessment Report,

NOAA stated “it is plausible” that there are multiple demographically independent populations within the BBES Stock, but further studies are needed to understand habitat partitioning within the bay. *Id.*

The BBES dolphins are known to exhibit high site fidelity, despite periodic or even long-term negative environmental factors. For example, following the DWH oil spill in 2010, the BBES dolphins remained in Barataria Bay despite heavy oiling of their habitat. *Id.* at 4-437. The DWH oil spill caused a minimum of 850 miles of shoreline oiling in coastal Louisiana, with the most widespread oiling occurring in Barataria Bay salt marshes and resulting in adverse impacts on aquatic resources such as marsh vegetation, intertidal biota, and shoreline erosion. *Id.* at 3-74. The BBES dolphins were the hardest hit amongst the Gulf of Mexico dolphins following the DWH spill, having exhibited an increased rate of lung disease and other illnesses over the past decade.<sup>5</sup> Therefore, it is a near certainty that the BBES dolphins will not leave Barataria Bay to escape the low salinity facing them once the project becomes operational.

Environmental factors such as salinity and temperature influence bottlenose dolphin habitat, with one model indicating an optimum foraging suitability is water temperatures in the 68 to 75 degree Fahrenheit (20 to 24 degree Celsius) range, about 6/mg/L dissolved oxygen, turbidity in the 20 to 28 NTU range, salinity of about 20 ppt, distance from shore in the 656–1,650-foot (200–500 meter) range, and water depths between 13 and 20 feet (4 to 6 meters). *Id.* at 3-148.

### III. Impacts on BBES Stock of Dolphins from Construction and Operation

Table 2.9-1 summarizes the project’s impacts by alternative. For marine mammals, the construction of this project is going to cause “negligible to minor, temporary, indirect, and adverse impacts on bottlenose dolphins from construction noise and dredging.” DEIS at 2-75, Section 4.11. The operation of this project, however, is going to cause “major adverse impacts on BBES dolphins and dolphin habitat (due mostly to salinity) that would continue throughout the lifetime of the Project. Immediate decreases in salinity levels within the BBES Stock area, which would persist throughout the analysis period, would cause permanent, major adverse impacts on BBES dolphin health, survival and reproduction. Dolphins north of the Barrier Islands would be especially adversely impacted, while Barrier Island-associated dolphins would be less-adversely impacted; however, all groups would be more adversely impacted than compared to conditions under the No Action Alternative. Based on the projected decreases in survival rates due to prolonged low-salinity exposure, there would be a substantial reduction in population numbers.” DEIS at 2-75–2-76, Section 4.11. With the exception of the No Action Alternative, the provided alternatives “would have substantially similar impacts.” *Id.*

#### a. Construction Impacts from Applicant’s Preferred Alternative

Although the primary mode of take will be from the decreased salinity once the diversion is operational, auditory impacts will be ongoing for approximately 3.5 years during the project’s construction. “Pile driving, dredging and vessel noise calculations identify adverse behavioral effects on marine mammals within a large [zone of influence] during construction.” DEIS at 4-436. Given the land masses present in the vicinity of the construction areas, pile driving and dredging sounds are not anticipated to propagate beyond about 2 miles. Increased noise from these sources is therefore not likely to affect areas that are highly used by dolphins. Consequently, the DEIS states that “based on the limited PTS [zone of influence], no noise-related injury on dolphins would be anticipated from construction.” *Id.*



However, noise impacts from construction are in fact possible, due to increased vessel traffic transiting throughout the project area. We therefore question the DEIS claims that noise-producing construction activities have minimal overlap with the BBES dolphins' range and thus are anticipated to have negligible to minor, temporary, indirect and adverse impacts on bottlenose dolphins. DEIS at 4.11.4. We want to take this opportunity to note the possibility that the increased exposure to underwater noise due to increased vessel traffic in Baratara Bay during the construction period will in all likelihood exacerbate the dolphins' stress and health problems, setting them up for a harder fall once the diversion is operational. The increased vessel traffic also, of course, introduces an increased risk of collision.

b. Operational Impacts of Applicant's Preferred Alternative

Based on literature and case study review; the Delft3D Basinwide Model; the BBES Stock survey and existing data from previous BBES Stock surveys; and a number of other sources of data, the DEIS analyzed the expected impact on the BBES dolphins. DEIS at 4.11.3. The analysis period spans from 2020 to 2070, with the expectation that by 2070, approximately 12,700 acres of wetlands will be created and sustained. *Id.* at 4-446. "Overall, the Applicant's Preferred Alternative would have immediate, major adverse effects on BBES dolphin habitat (due mostly to low salinity) that would continue throughout the lifetime of the proposed Project." *Id.*

While bottlenose dolphins can tolerate some level of exposure to lower-than-optimal salinity, large scale changes in salinity, including longer-term exposure, lead to physiological effects and survival impacts. "The barrier island dolphin usage pattern would see an 8 ppt reduction in salinity from March to May, and the model projected that they would experience between 0 to 5 ppt waters from April to June." *Id.* at 4-447. "The following decades show a similar trend, but the length of time dolphins would be exposed to low salinity would increase and salinity values would get even closer to 0 ppt compared to the No Action Alternative." *Id.* Thus, under the Preferred Alternative, "immediate and permanent major adverse impacts on BBES dolphin habitat and environment" can be expected. *Id.* at 4-466.

Prolonged exposure to low salinity without breaks can rapidly (within 24 to 72 hours) lead to the formation of skin lesions, sores, and sloughing. The compromised skin barrier can in turn lead to overgrowth of external mats comprised of fungi, algae, and/or bacteria. This deterioration may cause secondary infections and extracellular uptake of water. "Recovery may require extended periods of time depending on the nature of the lesion and whether the animal is subject to other stressors," which we know these dolphins are. *Id.* DEIS at 4-429, *see also Id.* at 4-466.

Ingestion of low-salinity water may also alter intracellular and extracellular water absorption in the gut, contributing to osmotic imbalance, cellular damage and susceptibility for localized and/or systemic infections. *Id.* at 4-466–4-467. Physiological and pathological changes such as electrolyte or hormone imbalances, decreased osmolality, over-hydration, and cellular hemolysis/anemia may occur after freshwater uptake by the skin or gut lining. Osmotic imbalance, cellular damage, and/or secondary infection can change from mild to severe, leading to systemic impacts such as hemolysis, anemia, septicemia/toxemia, and cerebral or pulmonary edema, which may lead to death. *Id.* at 4-467. After about 10–15 days of exposure to low-saline waters, dolphins' survival starts to be affected. The time to death has been calculated at a mean of 62 days for a relatively poor environment and 75 days for a good environment.<sup>6</sup> As noted above, this manner of death is prolonged and agonizing, the epitome of inhumane.

These dolphins exhibit high site fidelity, continuously, even after prior periods of lower salinity. Therefore, as we noted above, we cannot expect BBES dolphins to move out of the Barataria Basin or otherwise shift their range following purposeful introduction of freshwater into their environment. DEIS at 4-430. In addition to the DWH oil spill, other incidents have shown this strong site fidelity. *Id.* at 4-468–4-475.

The models used show that while under the No Action Alternative, simulated BBES dolphins have an 89 percent likelihood of surviving in any given year from 2020 to 2030, under the Applicant’s Preferred Alternative, simulated BBES dolphins have only a 59 percent likelihood of surviving any given year from 2020 to 2030 based on the projected decreased salinity levels from the proposed project. *Id.* at 4-475. See also Table 4.11-5, Projected Mean Annual Survival Rates Due to Low-salinity Exposure for a Simulated BBES Dolphin Population under the No Action Alternative and Applicant’s Preferred Alternative. Under no circumstances is such a shift in survivorship sustainable and indeed merely the first year of operation of the diversion is likely to almost halve the BBES dolphin population size, given the other stressors they face and the additional possibility of impacts such as prey shifts from the freshwater influx. Clearly the projected increased mortality from the project far exceeds PBR for this impaired stock, but even a robust stock of dolphins could not sustain such mortality.

Further, a recent analysis from the University of St. Andrews shows that after 50 years of sediment diversion as proposed, three of the four Barataria Bay dolphin population strata will be functionally extinct.<sup>7</sup> The only remaining dolphins will be along the barrier islands and even they will be severely reduced. The model predicts a total of 143 dolphins remaining after 50 years of sediment diversion operation as outlined in the preferred alternative. By comparison, given the potential rate of recovery, there would be approximately 3300 dolphins at the end of the same time period under the no action alternative.<sup>8</sup>

#### c. The 2019 Unusual Mortality Event

In 2019, just one year after the passage of BBA-18, the MR watershed experienced its wettest spring in 126 years. A significant amount of melted snow pack, combined with precipitation within the watershed and increased water flow from the levee systems and spillways, created such an influx of freshwater runoff into the Gulf of Mexico that a die-off ensued. A reported 337 dolphins stranded and died from Louisiana to Florida, and the National Marine Fisheries Service (NMFS) declared a UME. DEIS at 4-470. Six different stranding networks covered the region of the UME. Unfortunately, at the same time dolphins were washing up on the beach, the Louisiana Department of Fish and Wildlife was winding down its involvement in the marine mammal stranding network. While a group called Audubon Coastal Wildlife Network attempted to fill the void, by the time transition was occurring, critical data were missed. It is estimated that only 33% of stranded animals were reported for Louisiana during the whole of the 2019 UME.<sup>9</sup>

#### d. Multiple Threats Mean More Dolphins Will Die Than Anticipated

In its discussion of multiple stressors on marine mammals, the DEIS states, “Given the number of and various types of threats marine mammals face in the northern Gulf of Mexico, and the potential for interactive effects of these threats, it can be even more difficult to determine impacts from multiple stressors.” DEIS at 4-428. The document goes on to explain that while the DEIS looked at how “multiple stressors may affect impact assessments at a qualitative level,” “a quantitative assessment of effects or

potential synergistic or antagonistic interactions in a multiple stressor scenario was not undertaken.” *Id.* Models only looked at single years and did not analyze repeated annual exposure to low-salinity water over many years. DEIS at 4-429.

All of these elements, including the possibility that another “wet year” such as 2019 may recur, strongly suggest that there will be a substantially higher individual mortality risk to the BBES dolphins each year than what they will clearly face in just the first year from the initial exposure to freshwater influx. In short, this already unhealthy stock is likely to be even harder hit than the DEIS’s analysis determined, which was devastating even so.

#### IV. The Marine Mammal Protection Act (MMPA) and Bipartisan Budget Act of 2018 (BBA-18), Public Law 115-123, Title II, Sec. 20201

Section 101(a) of the MMPA establishes a moratorium on the taking and importation of marine mammals and marine mammal products, subject to certain limited exceptions. 16 U.S.C. § 1371(a). However, under Section 101(a)(3), the Secretary “is authorized and directed, from time to time, to determine when, to what extent, if at all, and by what means it is compatible with [the MMPA] to waive the requirements of section 101 [the moratorium] so as to allow taking, or importing of any marine mammal, or any marine mammal product ...” 16 U.S.C. § 1371(a)(3).

Section 101(a)(3)(A) sets the standards for a waiver, including a decision made upon the best available science, in consultation with the MMC, with “due regard” to marine mammal biological factors. The decision must be compatible with the MMPA and must be “assured that the taking of such marine mammal is in accord with sound principles of resource protection and conservation as provided in the purposes and policies of [the MMPA].” In issuing a waiver, the Secretary also must make determinations under sections 102, 103, 104 and 111 of the Act. 16 U.S.C. § 1371(a)(3)(A). Pursuant to Section 103(d), the Secretary shall issue regulations for the take of marine mammals to implement the waiver, based upon the best available scientific evidence and in consultation with the MMC. The take shall not be to the disadvantage of the species or stock, meaning that the take cannot cause a species to fall below its optimum sustainable population, or OSP. It also must be consistent with the purpose of the MMPA. The Secretary is to develop regulations on the record after a hearing before an administrative law judge, also known as formal rulemaking, and make available to the public: a statement of estimated levels of the species and population stocks, a statement of expected impact of the proposed regulations on the OSP of such species or population stock, a statement describing evidence used as the basis for proposing the regulation, and any studies or recommendations related to the establishment of such regulations. These findings are subject to periodic review. 16 U.S.C. § 1373(d).

Waivers of the MMPA are exceedingly rare, and Congressionally-mandated waivers are even rarer. On just two occasions since the MMPA was passed, Congress called for such waivers, in the form of permits, to address bycatch of marine mammals in foreign fisheries.<sup>10</sup> These legislative permits proved to be utter failures of the MMPA’s core principles, as they halted the progress that was being made up to that point under the MMPA’s then-existing fisheries scheme. They cut off the ability of the administrative process to establish science-based limits on marine mammal take in fisheries by applying a burden of proof that the fishers had to meet. The MMPA was later amended substantially to address these problems by creating a new management scheme for marine mammal take by commercial fisheries.

Due to the science-based requirements inherent in the MMPA, at some point in the planning process of the Barataria Bay diversion project, it became apparent that the project would not be able to move forward without a waiver of the MMPA. The waiver process is known for being challenging, time-consuming, and adversarial,<sup>11</sup> and the MMPA's conservation bias applies throughout. We presume that the proponents of this project did not feel that this project's timeline could afford a substantial delay, particularly when a waiver at the end of that delay was far from guaranteed. The State of Louisiana therefore set about obtaining a legislative fix, pursuant to BBA-18, which states:

*(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S.C. 1361 et seq., as amended) regarding maintaining the health and stability of the marine ecosystem, within 120 days of the enactment of this section, the Secretary of Commerce shall issue a waiver pursuant to section 101(a)(3)(A) and this section to section 101(a) and section 102(a) of the Act, for such projects that will remain in effect for the duration of the construction, operations and maintenance of the projects. No rulemaking, permit, determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.*

See also DEIS at Appendix S, Compliance Documentation. In simple terms, BBA-18 directed NOAA to issue an MMPA waiver for this project without the relevant parties having to go through the standard administrative process that obtaining a waiver entails. *Id.* As a result, on March 15, 2018, the Director of the Office of Protected Resources issued a decision memorandum for the "Waiver of Requirements Under Section 101(a) and 102(a) of the [MMPA] for the Mid-Barataria Bay Sediment Diversion, the Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures Projects." *Id.* The decision memorandum notes that "[t]hrough section 20201, Congress removed NMFS's discretion and the requirements to consider the statutory factors, provide the required statements, make the required findings, and determine whether issuance of a waiver meets the statutory standards under sections 101(a)(3)(A) and 103," and "eliminated the agency's discretion to consider the best available scientific evidence, factors relevant to determining impacts on affected species or stocks, and whether issuance of a waiver and associated takings would be compatible with the MMPA, not to the disadvantage of the affected species and stocks, and consistent with the purposes and policies of the Act." *Id.*

We appreciate that NMFS consulted with the MMC prior to issuing the waiver as directed by BBA-18. During that consultation, the MMC properly noted that "Although not an obstacle to issuance of this waiver, it remains unclear whether those projects are consistent with other stated purposes and policies of the MMPA, including maintaining marine mammal species and stocks at optimum sustainable population levels and ensuring that species and stocks do not diminish to the point where they cease to be significant functioning elements in the ecosystems of which they are a part."<sup>12</sup>

In its simplest characterization, the proposed sediment diversion is an ecosystem restoration project.

*[T]he Project is anticipated to have major, permanent benefits on wetlands and other U.S. jurisdictional waters in the Barataria Basin. The purpose of the diversion of fresh water, sediments and nutrients into the Barataria Basin is to build, sustain and maintain wetlands and riverine deltaic processes in an area that has been isolated from natural flooding inputs from the Mississippi River. A consistent and large magnitude input of sediment will lead to accumulation of diverted sediments and formation of new sub-areal features available for plant colonization. Direct deposition within existing wetlands contributes to surface accretion helping to offset the effects of sea level rise and subsidence.*

DEIS Appendix R at 2. However, as stated above, the nature of the project does not mean it is compatible with all aspects of the MMPA. At the same time, in the sense that this project would be ecologically beneficial, the waiver obtained here is distinguishable from the other legislative waivers of the MMPA that have involved commercial fishing, and thus, ecological exploitation. Nonetheless, BBA-18, the legislative fix utilized to make this diversion project possible, has created a situation where the Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems. This waiver does not even establish a quota for how many dolphin can be taken, including killed, by this project, and yet it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, was Congressional permission to break the law. While this comment is directed as much to Congress as it is to the TIG and the Corps, we want to take this opportunity once again (see above) to insist that this legislative waiver be a one-off occurrence.

#### V. Mitigation

At the outset, we wish to state that there is no effective mitigation for this project. It will kill and negatively affect the health of BBES dolphins and the applicants and all involved in promoting this project should simply acknowledge this upfront, without equivocation. Any “mitigation” will in reality be monitoring only—monitoring the health impacts and the mortality caused by the low salinity resulting from the project.

We do note, however, that at Sec. 20201(b), BBA-18 requires both minimization of impacts, and monitoring and evaluation of the impacts of the projects, on marine mammal species and population stocks. Whether or not all proponents of this project completely understood this in 2018 is unclear, but the reality that is evident now is that each of the proposed action alternatives is likely to similarly and significantly harm the BBES dolphins, and there is little that the proposed mitigation can actually do to prevent or even minimize this harm.

The Mitigation and Stewardship Plan (Appendix R-1) calls for examination of “operational strategies to minimize (to the extent practicable consistent with the purposes and performance of the project) the Project’s impact on bottlenose [sic]. Given the dynamic conditions of any estuarine system, and the uncertainty around future conditions, the minimization measures will rely on the MBSD Monitoring and Adaptive Management Plan to inform future implementation.” DEIS Appendix R-1 at 6.3.6 (p. 31–32). This plan also calls for statewide stewardship measures, supported by the Louisiana Coastal Protection and Restoration Authority (CPRA), in order to “reduce existing and future threats to BSE and coastal dolphins throughout Louisiana. While these measures may not minimize impacts from the Project on BBES dolphins, they could enhance individual dolphin survival from other anthropogenic stressors.” *Id.* These measures include funding of the statewide stranding program, human interaction/anthropogenic stressor reduction, and contingency funding for UMEs. With respect to anthropogenic threats, the plan

aims to reduce bottlenose dolphin mortalities from rod and reel fishing gear, reduce intentional injury and mortality (e.g. shooting) to bottlenose dolphins, reduce illegal feeding of bottlenose dolphins, and evaluate the potential impacts of noise, vessels, and other direct threats to identify and implement stewardship measures designed to address these threats. *Id.* While laudable goals, there is no explanation in the plan for how they will be achieved, or whether they can even feasibly be achieved (e.g., very few perpetrators of shootings and other targeted vandalism of dolphins in the Gulf of Mexico have been brought to justice<sup>13</sup>).

These and other interactions with humans have affected dolphins and other marine mammals for decades. While some strides have been made by involved industries, governmental bodies, and NGOs, many anthropogenic threats have proven resistant to existing mitigation. Therefore, the Mitigation and Stewardship Plan should provide specifics as to how each goal will be achieved. For example, if the idea behind reducing intentional injury to and mortality of, as well as illegal feeding of, bottlenose dolphins is that with more monitoring teams in place, there will be less opportunity for people to harass dolphins, and if monitors witness such activity then they will be empowered to intervene, the plan should say so.

With respect to mitigation from fishing impacts, it is primarily *commercial* fishing that tends to lead to bycatch of marine mammals. In the Gulf of Mexico, shrimp trawlers would be the primary source of concern for marine mammal bycatch.<sup>14</sup> While rod and reel fishing—often characterized as recreational fishing—can pose a threat,<sup>15</sup> the threat is less significant than that posed by commercial fishing primarily because it is conducted on a smaller scale than commercial fishing.<sup>16</sup> With regard to *evaluation* of potential effects of noise, vessels, and other direct threats, it is unclear what will be *done* with that information. If this plan actually inspires better efforts to protect Gulf dolphins from the multitude of anthropogenic threats they face, it would be a thin silver lining to this proposal that is otherwise exceedingly grim for BBES dolphins.

With respect to Atlantic bottlenose dolphins generally, the Monitoring and Adaptive Management Plan (MAMP) exists to “document changes to the abundance, distribution, population demography, density, survival, health and reproduction of the” BBES dolphins, as well as “their prey, and their habitat that may result from the operation of the Project and resulting low salinity.” DEIS Appendix R-2 at 3.7.3.19 (p. 61–63). The MAMP calls for use of adaptive management strategies, including “a framework for coordinating during operations, and a post-operational commitment to evaluate the ability of diversion operations to be modified to meet project goals while reducing impacts to marine mammals.” *Id.* Monitoring and evaluation under the MAMP will take place for five years pre-operation, followed by ten years during the post-construction period. During the first five years, this framework will involve enhanced stranding response and investigations, capture-mark-recapture surveys, visual assessment surveys, capture release health assessment sessions, tagging, biopsies, prey data, pairing of sensors with eDNA continuous sensors, and baseline dolphin prey and habitat (water quality) monitoring. During the ten year post-construction period, additional measures such as CMR surveys bay-wide will be added to the list. *Id.* Federal and State agencies, NGOs, and academic institutions will be among the parties responsible for the core monitoring team handling data collection for 15 years.

For both of these plans, it is striking that, just when it was about to embark on a series of sediment diversions that will result in significant dolphins deaths, the State of Louisiana pulled itself out of the stranding response business. As Dr. Deming pointed out in her presentation to the MMC, during the transitional period in stranding response monitoring of the UME in 2019, only an estimated 33% of Louisiana dolphin strandings were recorded.<sup>17</sup> Yet in his presentation to the MMC, Mr. Brian Lezina, Chief of Planning for the CPRA, gave the impression that the monitoring program is robust. While we recognize that increased stranding response funding will be available, it is not clear to whom this funding

will be given and thus how effectively the funding will be utilized. What is apparent is that most stranded dolphins in Barataria Bay will already be dead.

Finally, Section 7 of the Mitigation Measures Environmental Analysis covers mitigation measures for unavoidable impacts on bottlenose dolphins, reiterating various mitigation measures and the enhanced stranding response, but also discussing how the enhanced monitoring will sometimes involve direct contact with distressed animals, in consideration of how marine mammals are directly affected by “close vessel approach, tagging, marking, restraint, handling, capture, transport and relocation, tissue sampling, and other activities associated with monitoring and stranding response.” Appendix R-4 (p. 14–16). This analysis considers the potential effects of this heightened stress “relative to the broader intent of animal rescue measures.” *Id.* We appreciate this analysis of the affects that mitigation and monitoring may have on the dolphins and agree with the overall assessment that in consideration of the broader impact this project will have on the BBES dolphins, as long as conducted with due care, any effects that flow from the enhanced monitoring would be warranted.

#### VI. The DEIS Provides a Lack of Reasonable Alternatives Under the National Environmental Policy Act (NEPA)

We appreciate that the planning for this project thus far has been a massive undertaking. In his presentation to the MMC, Mr. Lezina stated that “a lot of work and over 30 years of [both state and federal] planning led to this project in this location.” The National Environmental Policy Act (NEPA) process for this project officially began in 2013 with the Notice of Intent to Prepare an EIS. See e.g., DEIS at 1.2.2. However, the most significant decision with respect to which project would be implemented was made via the publication of SRP/EA #3, where the “LA TIG Trustees selected the proposed project as part of a suite of restoration projects that constitutes the Trustees’ preferred alternative for restoring DWH oil spill injuries through restoration in the Barataria Basin.” DEIS at 1-15.

SRP/EA #3 apparently identified a combination of sediment diversions and marsh creation projects as the preferred restoration strategy for the Barataria Basin. DEIS Appendix R at 4. A notice of availability for the draft SRP/EA #3 was published in the Federal Register by the TIG on December 8, 2017, a 45-day comment period was held through February 8, 2018, and a public meeting was held in New Orleans on January 24, 2018. DEIS at 1-16 – 1-17. In March 2018, the TIG published a Notice of Availability of the Deepwater Horizon Oil Spill Louisiana Trustee Implementation Group Final Strategic Restoration Plan and Environmental Assessment #3, wherein it identified and, in conjunction with the associated Finding of No Significant Impact (FONSI), selected a restoration strategy. 83 FR 12340 (Mar. 21, 2018). While the public was at least invited to comment on SRP/EA #3, it goes without saying that an EA is not as detailed an analysis as an EIS; we believe the decision that was made via the EA should have been made via an EIS. “The purpose of an EIS is to apprise decisionmakers of the disruptive environmental effects that may flow from their decisions at a time when they ‘retain[] a maximum range of options.’” *Conner*, 848 F.2d at 1446. Taking actions in the interim that could limit those options undermines the purpose and effectiveness of the NEPA process. Thus, while preparing an EIS, an agency cannot make any “irreversible and irretrievable commitment of resources.” *Conner v. Burford*, 848 F.2d 1441, 1446 (9th Cir. 1986). See also *Pacific Rivers Council v. Thomas*, 30 F.3d 1050, 1056-57 (9th Cir. 1994), cert. denied, 115 S. Ct. 1793 (1995) (interpreting identical language in ESA); *Lane County Audubon Soc. v. Jamison*, 958 F.2d 290 (9th Cir. 1992) (ESA). Yet that is precisely what was done *before* the issuance of this draft EIS.

Therefore, we are disenchanted by the lack of meaningful consideration of a reasonable range of alternatives provided in this DEIS, as NEPA requires. 42 U.S.C. §§ 4332(2)(C)(iii), 4332(2)(E) (2006). *Monroe Cnty. Conservation Council, Inc. v. Volpe*, 472 F.2d 693, 697-98 (2d. Cir. 1972) (“The requirement for a thorough study and a detailed description of alternatives, which was given further Congressional emphasis in § 4332(2)(D), is the linchpin of the entire impact statement.”) We are not engineers and we do not purport to have the expertise to be able to recommend particular alternatives to this project. However, it is evident that because the real alternatives decision was made during the review of SRP/EA #3, what this DEIS really provides is two alternatives: the No Action Alternative, and an action alternative—the sediment diversion—with multiple options in terms of the cubic footage of water that will flow through the structure, with or without terrace outfall features.

It is unclear, for example, why the DEIS does not analyze the alternative of dredging sediment directly from the river and pumping it into place. It has been suggested in the media that this method would be expensive and would require regular replenishment.<sup>18</sup> At the same time, such an option might spare the BBES dolphins from the grim fate brought on by the Preferred Alternative, and for that reason alone, it would have been appropriate under NEPA for the Corps and the TIG to analyze such an option *in the DEIS*, subjecting it to thorough environmental analysis and public input.<sup>19</sup> *See also Metcalf v. Daley*, 214 F.3d 1135, 1142 (9<sup>th</sup> Cir. 2000) (“In summary, the comprehensive ‘hard look’ mandated by Congress and required by the statute must be timely, and it must be taken objectively and in good faith, not as an exercise in form over substance, and not as a subterfuge designed to rationalize a decision already made.”) It is incumbent upon the TIG and the Corps to consider more alternatives than what the agencies have contemplated in the DEIS. To this end, we are aware of the MMC’s comments<sup>20</sup> on the DEIS and endorse and incorporate its alternatives recommendations by reference.

## VII. Conclusion

We are deeply concerned, given the certain death facing many, if not most of, the BBES dolphins over the course of the project, that there is no guarantee the proposed sediment diversion will be sufficient to bring ecological stabilization to Barataria Bay. BBA-18 provides waivers for two additional diversion projects, but the area covered by these projects represents a fraction of the greater MRD. If this project is to move forward, we very much do not want the losses and suffering of these dolphins to be in vain. It is disturbing that we cannot in fact be confident that their sacrifice will result in Barataria Bay restoration.

Therefore, while we reiterate that we recognize the intended benefits of this project for the MRD, it is simply not right or just—and is legally inconsistent with the MMPA—for ecosystem restoration to come at the expense of what will, over time, potentially be the entire BBES Stock of dolphins. It was legally inconsistent for Congress to order NMFS to issue a waiver for this project in order to avoid the thorough science-based assessment that a waiver to the MMPA would have otherwise required. As is evident from the above-referenced information found in the DEIS, an overwhelming number of dolphins will die because of this project, and it will not be quick and painless. The Corps and the TIG should be careful not to “greenwash” any aspects of this project, but instead be clear and upfront about the negative aspects in addition to the ecosystem benefits it could bring. Ultimately the Corps and the TIG should come to the realization that there *must* be a better way forward. If that better way can be determined, everyone involved should take a hard look at that option.



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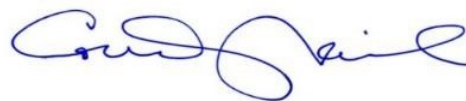
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<sup>1</sup> Effects of Low Salinity Exposure on Bottlenose Dolphins Webinar, Meeting of the Marine Mammal Commission and Committee of Scientific Advisors on Marine Mammals (Mar. 23, 2021), <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>, recording available at [https://www.zoomgov.com/rec/play/upN4du-pjiM3SYaVuASDAqR\\_W9S6L\\_issyUX\\_KdbnU23ACVRYQXzMrMWZrbyPSqHTFtaJt6p\\_k7wI64U?continueMo de=true](https://www.zoomgov.com/rec/play/upN4du-pjiM3SYaVuASDAqR_W9S6L_issyUX_KdbnU23ACVRYQXzMrMWZrbyPSqHTFtaJt6p_k7wI64U?continueMo de=true).

<sup>2</sup> See, e.g., Rich, N. (2020). Destroying a way of life to save Louisiana. *New York Times* (July 21, 2020), <https://www.nytimes.com/interactive/2020/07/21/magazine/louisiana-coast-engineering.html>, which characterized the Save Louisiana Coalition as “the only nonprofit opposed to the master plan.” A more recent article acknowledged Louisiana Bayoukeeper as opposed to the project. John Schwartz, *Big Step Forward for \$50 Billion Plan to Save Louisiana Coast*, *New York Times* (Mar. 5, 2021, updated Mar. 12, 2021), <https://www.nytimes.com/2021/03/05/climate/louisiana-mississippi-river-diversion.html>.

<sup>3</sup> Gulf Spill Restoration, Louisiana Trustees Seek Comments on Proposed Mid-Barataria Sediment Diversion, <https://www.gulfspillrestoration.noaa.gov/2021/03/louisiana-trustees-seek-comments-proposed-mid-barataria-sediment-diversion>.

<sup>4</sup> *Id.*

<sup>5</sup> *Supra* n. 1; see also Smith, C. R., Rowles, T. K., Hart, L. B., Townsend, F. I., Wells, R. S., Zolman, E. S., Balmer, B. C., Quigley, B., Ivancic, M., McKercher, W., Tumlin, M. C., Mullin, K. D., Adams, J. D., Wu, Q., McFee, W., Collier, T. K., and Schwacke, L. H. (2017). Slow recovery of Barataria Bay dolphin health following the *Deepwater Horizon* oil spill (2013–2014), with evidence of persistent lung disease and impaired stress response. *Endangered Species Research* 33: 127–142.

<sup>6</sup> *Supra* n. 1.

<sup>7</sup> Thomas, L., Marques, T., Booth, C., Takeshita, R., and Schwacke, L. (2021). Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion project on bottlenose dolphins in the

Barataria Bay Estuarine System Stock, available at

<https://www.mmc.gov/wp-content/uploads/21-05-13-BB-dolphin-popn-trajectory-MMC-response.pdf>.

<sup>8</sup> *Id.*

<sup>9</sup> *Supra* n. 1.

<sup>10</sup> Baur, D. C., Gosliner, M. L., Sedlacek, K. M., and Young, N. M. (2015). The law of marine mammal conservation. *Ocean and Coastal Law and Policy*, 2d ed., 511, 522–532 (Donald C. Baur, Tim Eichenberg, Georgia Hancock Snusz, and Michael Sutton, eds., ABA 2015).

<sup>11</sup> Waivers of the MMPA were requested, or comparable procedures invoked, for the following situations:

- The Fur Seal Import Request (1974)
- Tuna/Dolphin Permits prior to the 1984 Amendments (1974, 1976, 1977, 1980, Permit legislated 1984)
- State of Alaska Transfer of Management Request (1976)
- Dall’s Porpoise Proceedings—Japanese High Seas Salmon Fishery (1981, 1986—Permit legislated, 1987)
- The Makah Tribe’s Request to Hunt Gray Whales (2005–ongoing)

<sup>12</sup> Thomas, Peter O., Marine Mammal Commission, *Letter to the National Marine Fisheries Service regarding the issuance of a waiver of the Marine Mammal Protection Act’s taking moratorium for three wetland restoration projects in Louisiana as directed by Public Law 115-123* (March 12, 2018), <https://www.mmc.gov/wp-content/uploads/18-03-12-Oliver-Gulf-Restoration-Waiver.pdf>.

<sup>13</sup> Vail, C. S. (2016). An overview of increasing incidents of bottlenose dolphin harassment in the Gulf of Mexico and possible solutions. *Frontiers in Marine Science* 3. doi:10.3389/fmars.2016.00110.

<sup>14</sup> See e.g., Soldevilla, M. S., Garrison, L. P., Scott-Denton, E., Nance, J. M. (2015). Estimation of Marine Mammal Bycatch Mortality in the Gulf of Mexico Shrimp Otter Trawl Fishery. NOAA Technical Memorandum NMFS-SEFSC-672, 70 p. doi:10.7289/V5SF2T46; see also NOAA Fisheries, Southeastern U.S. Atlantic, Gulf of Mexico Shrimp Trawl Fishery—MMPA List of Fisheries, at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/southeastern-us-atlantic-gulf-mexico-shrimp-trawl-fishery-mmpa> (last visited Apr. 22, 2021), noting that “This fishery targets shrimp species with various gear types, but mainly utilizes skimmer or otter trawls. These gear types likely entangle marine mammals, particularly bottlenose dolphins, in very similar ways. The common entangling mechanism of these gear types are the “lazy” or “easy” line. The most commonly employed gear in this fishery is a double-rig otter trawl, which normally includes a lazy line attached to each bag’s codend. The lazy line floats free during active trawling, and as the net is hauled back, it is retrieved with a boat- or grappling-hook to assist in guiding and emptying the trawl nets. Shrimp trawl soak time is about three hours.”

<sup>15</sup> See NOAA Fisheries, Common Bottlenose Dolphin, <https://www.fisheries.noaa.gov/species/common-bottlenose-dolphin> (last visited Apr. 22, 2021), noting that “One of the main threats to bottlenose dolphins is getting caught in fishing gear. Dolphins can become entangled or captured in commercial fishing gear such as gillnets, seines, trawls, trap pots, and longlines. In addition to interactions with commercial fisheries, dolphins may also encounter rod-and-reel gear used by recreational anglers or for-hire fishing vessels (such as charter boats and headboats). This problem is increasing, especially in the southeast United States and is largely the result of dolphins taking the bait and the catch directly from fishing gear, eating discarded fish, or being fed fish (illegally) by humans causing them to associate anglers with food. These interactions can cause dolphins to be injured or killed by entanglement in or ingestion of the gear. In addition, fishermen sometimes become frustrated when dolphins take their catch, and can retaliate with violence towards dolphins.”

<sup>16</sup> While several of our organizations work to curtail marine mammal bycatch in commercial fisheries, we also recognize that shrimp fisheries will themselves be affected by this project.

<sup>17</sup> *Supra* n. 1.

<sup>18</sup> Schwartz, J. (2021). Big step forward for \$50 billion plan to save Louisiana coast. *New York Times* (Mar. 5, 2021, updated Mar. 12, 2021), <https://www.nytimes.com/2021/03/05/climate/louisiana-mississippi-river-diversion.html>.

<sup>19</sup> Commenters sought more information regarding the possibility of smaller scale dredge-and-fill activities during the NEPA scoping process, but we do not believe the Corps adequately explored or responded to this possibility. US Army Corps of Engineers, New Orleans District, Mid-Barataria Sediment Diversion Project Final Scoping Report (Jan. 3, 2018) at 29,

[https://www.mvn.usace.army.mil/Portals/56/docs/regulatory/permits/EIS/2018\\_MBSD\\_Scoping%20Report.pdf](https://www.mvn.usace.army.mil/Portals/56/docs/regulatory/permits/EIS/2018_MBSD_Scoping%20Report.pdf).

While remote and/or speculative alternatives need not be considered, *Vt. Yankee Nuclear Power Corp. v. Nat. Res. Def. Council*, 435 U.S. 519, 551 (1978), it is improper for an agency to inadequately explain its rationale for failing to consider reasonable alternatives raised during the scoping process.

<sup>20</sup> Thomas, P., Marine Mammal Commission, *Letter to the Deepwater Horizon Louisiana Trustee Implementation Group and the U.S. Army Corps of Engineers on the draft Phase II Restoration Plan #3.2/Draft Environmental Impact Statement for the proposed Mid-Barataria Sediment Diversion project in Barataria Bay, Louisiana*, (June 2,

2021), available at <https://www.mmc.gov/wp-content/uploads/21-06-02-Louisiana-TIG-USACE-Draft-RP3.2-DEIS-MBSD-with-enclosure.pdf>.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG’s Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter’s opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project’s stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62919**

**Commenters suggested that the proposed Project should include additional details and measures to minimize adverse impacts on dolphins, including additional adaptive management measures, such as operational minimization measures (and other measures to minimize short-term impacts from lower salinity levels) as well as additional details about human interaction/anthropogenic stressor reduction stewardship measures, and about how the goals of those measures will be achieved. One commenter noted that while the alternatives evaluated in the Draft EIS, including those rejected for further review, are adequate for purposes of an Final EIS and Record of Decision, more information on minimization measures that may be considered to address impacts to dolphins through the adaptive management process is needed**

**Response ID: 16707**

In recognition of the potential collateral injury to bottlenose dolphins and in response to public comments on this issue, the CPRA has revised the Monitoring and Adaptive Management (MAM) Plan included in the Draft EIS (see Appendix R2 [Monitoring and Adaptive

Management Plan] to the Final EIS) to include more specific details regarding strategies and protocols to be used to minimize impacts on dolphins at the onset of operations and the process through which operational data would be used to evaluate potential modifications to those strategies and protocols. As stated in the MAM Plan, adaptive management strategies are largely reliant upon data that would only be available once operations commence, but may also be informed by new information gained during the preoperational period. At that time, such data would be used to evaluate modifications to operations that may further minimize impacts to marine mammals while achieving Project goals. In the updated MAM Plan, the CPRA has included a framework by which recommendations on operational management actions designed to minimize impacts on marine mammals would be made and CPRA's final determination on whether they would implement those measures.

The LA TIG has also developed a Marine Mammal Intervention Plan (see Appendix R5 to the Final EIS), which outlines a spectrum of response actions for dolphins affected by the operation of the diversion, ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. With respect to achieving the goals of the stewardship measures that are incorporated in the Mitigation and Stewardship Plan addressing other anthropogenic stressors, the NMFS' Southeast Regional Office and Southeast Fisheries Science Center will lead those efforts. The Final Mitigation and Stewardship Plan has been updated to include additional information regarding this topic (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62921**

**Commenters suggested that the State of Louisiana must comply with the MMPA waiver and minimize impacts to marine mammal population stocks in ways that are practicable and consistent with the purposes of the Project. This includes considering alternative actions and modifications to Project operations to reduce or mitigate impacts to BBES dolphins while still meeting the Project purpose. The Mitigation Plan incorrectly suggests that actions to reduce impacts to dolphins is not necessary because it would negatively impact Project performance. The Trustees should research all possible mitigation actions to reduce impacts to BBES and invest in the restoration projects that effectively reduce this impact. These may include alternative construction designs or operational strategies, such as reduced diversion flow or salinity thresholds, that would reduce impacts to bottlenose dolphins.**

**Response ID: 16703**

CPRP prepared a Mitigation and Stewardship Plan and a Monitoring and Adaptive Management (MAM) Plan. Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

There is no requirement in the Bipartisan Budget Act that CPRP evaluate alternatives other than the Project. The Bipartisan Budget Act of 2018, Section 20201 requires the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

CPRP's updated MAM Plan (Appendix R2 of the Final EIS) includes measures and frameworks for minimizing and monitoring impacts of the proposed Project on marine mammals. In addition, the LA TIG has developed a Marine Mammal Intervention Plan. As described in the Federal Register notice announcing issuance of the MMPA waiver, the State's consultation with NMFS will be ongoing to appropriately address the evolving Project planning and design for the construction, operation, and maintenance phases. This ongoing consultation is described in the MAM Plan as well as the Marine Mammal Intervention Plan (see below and Appendices R2 and R5 to the Final EIS for more details).

As described in the Draft EIS, the MAM Plan identifies potential ways in which the LA TIG may reduce impacts to dolphins. The MAM Plan in the Final EIS has been updated to provide more detail about the strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols. However, the adaptive management strategies and actions are largely reliant upon data that would be collected during either the pre-construction monitoring period or once operations commence. Once operational data are available, they would be used to evaluate the potential Project modifications to further minimize impacts to marine mammals. There are limited minimization

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measures available that would reduce impacts on marine mammals and those limited measures would likely only benefit dolphins residing the furthest from the diversion structure (for example, the Island strata).

However, the LA TIG recognizes that despite these operational strategies, dolphins within Barataria Bay would likely experience significant impacts, as described in the EIS, given the purposes of the proposed Project. In response, the LA TIG has developed a Marine Mammal Intervention Plan that outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia (see Appendix R5 to the Final EIS).

While the more severe actions such as euthanasia may not offset the ultimate outcome of mortality, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, the Mitigation and Stewardship Plan and MAM Plan include actions that would occur prior to operations to improve understanding of the BBES dolphins as well as improvement of stocks across the state (see Appendices R1 and R2 to the Final EIS).

In arriving at the mitigation and stewardship actions included in the Mitigation and Stewardship Plan, the LA TIG worked with experts within NOAA with expertise on marine mammals to ensure the consideration of all potential mitigation actions. In terms of operational strategies to reduce marine mammal impacts, as noted above, those strategies cannot be further defined at this time as they are largely reliant upon data that would be collected during the pre-construction monitoring period or once operations commence. One goal of the proposed Project is to deliver sediment, fresh water, and nutrients into the basin and the design of all of the action alternatives would accomplish that goal. Alternative diversion designs that accomplish that goal on the desired scale would not address dolphin impacts, as those impacts are largely related to salinity changes, which are driven by the transmission of fresh water into the basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62930**

**Commenter noted that commercial fishing is the primary cause of marine mammal bycatch and should be considered over rod and reel (recreational) fishing during further development of CPRA's Mitigation and Stewardship Plan.**

**Response ID: 16546**

The threat of commercial fishing to marine mammals was discussed and considered in Chapter 3, Section 3.11.4 (Existing Threats) of the Draft EIS; therefore, no related edits were made to the Final EIS. Stewardship measures that would be implemented as part of the Applicant's Preferred Alternative are designed to address some anthropogenic threats to bottlenose dolphins in Louisiana waters including interaction with recreational and commercial fishing (see the Mitigation and Stewardship Plan in Appendix R1 to the EIS).

As stated in the PDARP, the Deepwater Horizon Trustees will continue to advance bycatch reduction measures in the commercial fisheries across the Gulf of Mexico.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62931**

**Commenter noted agreement with the assessment of effects that mitigation and monitoring may have on the BBES dolphins, specifically in consideration of the broader impact this Project will have on the BBES dolphins. Commenter agreed that as long as measures are conducted with due care, any effects that flow from the enhanced monitoring would be warranted.**

**Response ID: 16547**

The commenter's support of the need for marine mammal related mitigation and monitoring for the Project is acknowledged.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

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**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA).** <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and

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improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section

10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier

studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 63075**

**The estimates of bottlenose dolphin survival rates provided in the Draft EIS may be inaccurate due to key modeling assumptions and limitations, which were acknowledged in the Draft EIS and associated studies (Garrison et al., 2020). For example, because the models used by the Draft EIS did not look at the cumulative effect of multiple stressors and exposure to low-salinity waters over many years, the Draft EIS likely underestimates the impact of the proposed Project on bottlenose dolphins.**

**Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p.**

**Response ID: 16596**

USACE and the LA TIG acknowledge the assumptions and limitations of the modeling, and the resulting uncertainties (including potential underestimation of adverse impacts) noted by the commenter. In addition to the Delft3D modeling, published, peer-reviewed studies (and in some cases, pre-published data available only to the NMFS EIS authors) were reviewed in conjunction with development of the EIS's evaluation of projected impacts to bottlenose

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dolphin populations in the Project area. The Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The EIS considers multiple sources of stress for bottlenose dolphins including salinity and temperature; sedimentation and land loss; contaminant and nutrients; food web and ecological interactions; and dolphin prey. While quantitative analysis regarding the combined effects of multiple stressors and prolonged salinity exposure are not currently available, the qualitative analysis supports the permanent, major, adverse impact on BBES dolphins found in the EIS (the most significant adverse impact category of the EIS).

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**Concern ID: 63077**

**The Draft EIS underestimates the harm to bottlenose dolphins that would be caused during the construction of the proposed Project. More specifically, increased exposure to underwater noise due to increased vessel traffic in Barataria Bay during the construction period will in all likelihood exacerbate the dolphins' stress and health problems. There also will be a greater risk of vessel strikes during construction.**

**Response ID: 16597**

The impacts to dolphins of increased vessel traffic in Barataria Basin were acknowledged and discussed in Chapter 4, Section 4.11.4.2 (Marine Mammals - Construction Impacts) of the Draft EIS. That discussion concluded by noting that, while vessel traffic in the Barataria Basin would increase with construction activities, that "noise-producing construction activities [like vessel traffic] have minimal overlap with the BBES Stock range and thus are anticipated to have negligible to minor, temporary, indirect, and adverse impacts on bottlenose dolphins." The Draft EIS also states that impacts on marine mammals from construction would be predominantly due to risks of strikes from transiting construction vessels. Because this was previously addressed in the Draft EIS, no related edits were made in the Final EIS.

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**Concern ID: 63078**

**The impact of increased freshwater inputs from the Mississippi River into coastal areas of Louisiana in 2019 caused a die-off leading to an unusual mortality event (UME). The Louisiana Department of Wildlife and Fisheries (LDWF) was winding down its involvement in the marine mammal stranding network during that time. While a group called Audubon Coastal Wildlife Network attempted to fill the void left by the LDWF, critical data were missed. It is estimated that only 33 percent of stranded animals were reported for Louisiana during the whole of the 2019 UME.**

**Response ID: 16598**

Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS has been revised to acknowledge the limitations of data collection by the LDWF during the 2019 UME. Analysis in the Final EIS is based on additional expert opinion regarding effects on dolphins from freshwater exposure compiled for Booth & Thomas (2021) and new data reported in Thomas, et al. (2021). This additional information supported the impact conclusions in the Draft EIS. NOAA has assumed coordination of the Louisiana Marine Mammal Stranding Network. Independent of this Project, the LA TIG has funded a project to support stranding network enhancements. Further, through the Project, the LA TIG would support an additional 20 years of funding for the Louisiana Marine Mammal Stranding Network.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of



potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63080**

**The Corps and the TIG have circumvented a legal process intended to conserve marine mammals and protect ecosystems by obtaining a Congressionally-mandated MMPA waiver for the proposed Project. The waiver does not establish a quota for how many dolphins can be taken by the proposed Project, and it is clear that the level of take for this stock will be grossly unsustainable, in clear violation of the MMPA (absent BBA-18). The legislative waiver, quite simply, provided Congressional permission to break the law. It is critical for the protection of marine mammals that such a legislative waiver be a one-off occurrence.**

**Response ID: 16599**

The U.S. Army Corps had no role in seeking a Marine Mammal Protection Act waiver for this Project from Congress, nor did any federal agencies on the LA TIG. CPRA sought the waiver. Title II, section 20201 of the Bipartisan Budget Act of 2018 provides: "(a) In recognition of the consistency of the Mid-Barataria Sediment Diversion, Mid-Breton Sound Sediment Diversion, and Calcasieu Ship Channel Salinity Control Measures projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast, with the findings and policy declarations in section 2(6) of the Marine Mammal Protection Act (16 U.S. C. 1361 et seq., as amended) regarding maintaining the health and stability of the marine ecosystem, within 120 days of the enactment of this section, the Secretary of Commerce shall issue a waiver pursuant to section 101(a)(3)(A) and this section to Section 101(a) and Section 102( a) of the Act, for such projects that will remain in effect for the duration of the construction, operations

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and maintenance of the projects. No rulemaking, permit, determination, or other condition or limitation shall be required when issuing a waiver pursuant to this section. (b) Upon issuance of a waiver pursuant to this section, the State of Louisiana shall, in consultation with the Secretary of Commerce: (1) To the extent practicable and consistent with the purposes of the projects, minimize impacts on marine mammal species and population stocks; and (2) Monitor and evaluate the impacts of the projects on such species and population stocks.”

The National Marine Fisheries Service issued the waiver in March 2018. Since that waiver in 2018, CPRA has not requested any additional waivers for coastal restoration projects. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Concern ID: 63327**

**The Draft EIS lacks a reasonable range of alternatives under the National Environmental Policy Act (NEPA) because the LA TIG’s Environmental Assessment (EA) conducted through SRP/EA #3 was insufficient. While the public was invited to comment on the TIG SRP/EA#3, it goes without saying that an EA is not as detailed as an EIS. The commenter stated that the decision making conducted in the TIG’s SRP/EA #3 should have been conducted by the TIG in an EIS instead of an EA because the purpose of an EIS is to apprise decision makers of the disruptive environmental effects that may result from their decisions during that stage of the planning process when there are a maximum range of options (see Conner, 848 F.2d at 1446). Taking actions in the interim that could limit those options undermines the purpose and effectiveness of the NEPA process.**

**Response ID: 16609**

The range of reasonable alternatives evaluated in the EIS was based on alternatives that would satisfy the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. The LA TIG and CPRA crafted CPRA’s statement of purpose and need, which built on the LA TIG’s analyses in SRP/EA #3, including its initial screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA’s purpose and need statement and considered the public’s and other perspectives, including input from the LA TIG and cooperating agencies and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the purpose and need.

As described in Chapter 2 of the EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were evaluated, including other available coastal restoration tools and methods. The screening criteria included key concepts from the purpose and need including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; and supporting the long-term viability of existing and planned coastal restoration projects; and consistency with the SRP/EA #3 and the Louisiana Coastal Master Plan. Based on a review of the various alternatives against these criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the

Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2 Alternatives, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were eliminated from further detailed analyses as described in Chapter 2, Section 2.6 (Summary of Alternatives Considered But Eliminated From Detailed Analysis). Refer to Appendix D2 (Eliminated Alternatives Matrix) of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

With respect to analyses conducted in the SRP/EA #3, the LA TIG built on the Final PDARP/PEIS and its recommendation that strategic restoration planning could be beneficial to focus on a particular region. The SRP was utilized to transition from the PDARP/PEIS's programmatic, comprehensive scale to a tiered, geographically specific evaluation that assessed restoration strategies that could restore injuries in the Barataria Basin. This resulted in the preparation of SRP/EA #3. The LA TIG found, based on its evaluation in the EA portion of the SRP/EA that: (1) the PDARP/PEIS included a thorough evaluation of the potential range of environmental effects that could result from the various restoration approaches and techniques analyzed in the PDARP/PEIS; (2) the analysis of the environmental consequences of those approaches and techniques in the PDARP/PEIS remains valid; (3) the effects of the restoration approaches and techniques, including the projects selected for further planning and environmental review, evaluated in the SRP/EA were within the range of impacts evaluated in the PDARP/PEIS; and (4) any new information regarding the environmental consequences of the restoration approaches and techniques, including the projects selected for further planning and environmental review, evaluated within SRP/EA #3 were within the range of and consistent with the environmental impacts identified and analyzed within the PDARP/PEIS. The LA TIG's review of the environmental effects of the restoration techniques considered in SRP/EA #3, as well as comments submitted by the public, did not reveal any substantial change in the action evaluated in the PDARP/PEIS; or any new information indicating significant environmental issues or circumstances presented by application of the restoration techniques and approaches specifically in the Barataria Basin. As a result, the LA TIG concluded that the EA completed with the SRP was sufficient and consistent with applicable NEPA requirements.

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**Concern ID: 63626**

**The success of the Project is uncertain, but the Project would cause dolphin deaths regardless of its success or failure.**

**Response ID: 16600**

Chapter 4, Section 4.11.5.2 (Barataria Bay Estuarine Stock) of the Draft EIS acknowledged that the MBSD would result in mortality and severely compromised health of a significant number of individuals belonging to the Barataria Bay estuarine stock (BBES) of bottlenose dolphins. This section has been updated to incorporate research by Thomas, et al. (2021) that was completed after release of the Draft EIS. According to data published by Thomas, et al. (2021) most of the approximately 2,300 dolphins within the Barataria Basin would perish within the first 10 years of start of operations of the proposed Project (comparing the anticipated Barataria Basin 2027 dolphin population (2,307 dolphins) to the projected 2038 population under the Preferred Alternative (644 dolphins) indicates that approximately 72

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percent of the dolphins would perish). These additional data built on earlier studies analyzed, and support the impact conclusions, in the Draft EIS.

The commenter's concern that Project success is uncertain is acknowledged. The value of fresh water, sediment, and nutrients in the ecological productivity and sustainability of the Barataria Basin is discussed throughout Chapter 4 (Environmental Consequences) of the EIS. Each of the Alternatives analyzed in the EIS, except for the No Action Alternative, are expected to meet the purpose and need of the Project, and uncertainties in the overall impacts of the Project, both beneficial and adverse, are incorporated into the analyses included in Chapter 4 Environmental Consequences of the EIS. More specifically, salinity impacts of the Project are assessed using the Delft3D Basinwide Model, and this model's projections of future conditions include uncertainties. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in the EIS in Chapter 4, Section 4.1.3.3 (Model Limitations and Uncertainty), and in detail in Appendix E (Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties). Uncertainties related to the Marine Mammals impact analysis are summarized in detail in Chapter 4, 4.11.3.1 (Marine Mammals, General Caveats to Impact Analysis Approach).

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit

and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

With respect to the LA TIG's Restoration Plan, the LA TIG's conclusion that the Project is likely to succeed in providing the predicted Project benefits is detailed discussed in Section 3.2.1.4 (Likelihood of Success) of the Final Restoration Plan.

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**Concern ID: 63823**

**Commenters noted that the proposed mitigation will not actually reduce impacts on dolphins, and there is no way to mitigate those impacts. Commenters noted that reducing human interaction will not reduce or address impacts of the projects on the local population.**

**Response ID: 16550**

Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock of the EIS acknowledges that according to Thomas, et al. (2021) most of the approximately 2,300 dolphins within the Barataria Basin will perish within the first 10 years of start of operations of the proposed Project (comparing the anticipated Barataria Basin 2027 dolphin population [2,307 dolphins] to the projected 2038 population under the Preferred Alternative [644 dolphins] indicates that approximately 72 percent of the dolphins would perish). That section further acknowledges that the anticipated dolphin mortality would be due to reductions in salinity levels rather than other stressors and that mitigation and stewardship measures that would not reduce the salinity impacts, would be unlikely to reduce the projected dolphin mortality.

With respect to the Restoration Plan, in Section 3.2.1.5 (Avoids Collateral Injury) the LA TIG acknowledges that a large number of dolphins would become ill and strand in Barataria Bay as a result of the Project. The Mitigation and Stewardship Plan also acknowledges that the proposed mitigation may not minimize impacts of the Project on dolphins (see Appendix R1 to the EIS). Measures described in the MAM and Mitigation and Stewardship Plan were developed in recognition of the anticipated effects of the Project and to provide valuable data to inform adaptive management actions that could be considered to minimize adverse impacts on BBES dolphins while being consistent with the Project's purpose (see Appendices R1 and R2 to the Final EIS).

The LA TIG does not agree that there is no effective mitigation for this Project but recognizes that the mitigation will be limited (that is, primarily for dolphins around Grand Isle), depending on how operations are managed. Similar to mitigation, the stewardship measures described in the Mitigation and Stewardship Plan will primarily benefit other Louisiana stocks of dolphins outside of the Barataria Basin, though they will provide some benefit to BBES dolphins. For

example, minimizing dolphin feeding will protect dolphins from vessel interactions. As noted in Chapter 4, Section 4.11 (Marine Mammals) of the EIS, a remnant BBES dolphin population is expected to remain near the barrier islands. Efforts to reduce anthropogenic stressors other than those from the Project through the Stewardship and Mitigation Plan will benefit the existing and future population in the Barataria Basin and throughout the state. However, the LA TIG recognizes that the impacts of the Project will likely be significant on marine mammals even with the proposed mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63835**

**The Draft Restoration Plan is unclear about how information about noise, vessels and other direct threats will be used. However, even if the Project provides benefits through reduced anthropogenic threats, any positive impacts will be small compared to the many larger negative impacts that are occurring to BBES dolphins.**

**Response ID: 16554**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan has been addressed solely by the LA TIG and represent the views of the LA TIG, not USACE.

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The LA TIG acknowledges the anticipated significant adverse impacts to the BBES dolphins in Section 3.2.1.5 (Avoids Collateral Injury - Alternative 1) of the Draft Restoration Plan; thus, no related edits were made to the Final Restoration Plan. The stewardship measures described in the Mitigation and Stewardship Plan, which addresses existing and future anthropogenic effects, including noise, on BBES dolphins, would reach beyond the area that would be affected by the Project, as the measures would be implemented state-wide (that is, in areas where the Barataria Basin stock of dolphins does not reside; see Appendix R1 to the EIS). NMFS is currently using existing data to identify where noise and other anthropogenic stressors that present direct threats to marine mammals (for example, fishing entanglement, intentional shootings) are high to target specific areas for action to reduce such stressors. The LA TIG recognizes that state-wide stewardship measures such as reducing noise impacts, vessel and fishery interactions, etc. will not minimize impacts from the Project nor is this implied in the EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63970**

**A commenter, when commenting on the MAM Plan, expressed concern that just as the State of Louisiana is about to embark on a series of sediment diversions that will result in significant dolphins deaths, the State of Louisiana has pulled itself out of the stranding response business. While the commenter recognized that increased stranding response funding would be available through the Project, it is not clear to**

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**them to whom this funding will be given and thus how effectively the funding will be utilized. They are worried that most stranded dolphins in Barataria Bay would already be dead.**

**Response ID: 16694**

The LA TIG, in recognition of the need to improve stranding response in Louisiana, finalized Restoration Plan #5 in August of 2020, which included the use of non-MBSD Deepwater Horizon Natural Resource Damages funding for enhancement of the Louisiana Marine Mammal Stranding Network. NOAA is the lead implementing Trustee on this enhancement project and has assumed the stranding network coordination role in Louisiana. These enhancements would be extended through stranding network investments noted in the MBSD Mitigation and Stewardship Plan (Appendix R1 to the EIS). NOAA would lead implementation of stewardship measures for marine mammals including the continued enhancement of the stranding network. CPRA would lead any Project operational mitigation actions considered as part of the Monitoring and Adaptive Management (MAM) Plan, in consultation with NOAA.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40550**

Big River Coalition

Sean Duffy, Sr.

U.S. Army Corps of Engineers (New Orleans District),

Please accept these comments on behalf of the Big River Coalition documenting our concerns about the lack of compensatory mitigation to maintain the Mississippi River Ship Channel from the negative impacts of the Mid-Barataria Sediment Diversion.

The Big River Coalition (BRC) was created in Fiscal Year 2011 in response to the announcement by the Commander of the United States Army Corps of Engineers' (USACE) Mississippi Valley Division that channel maintenance on the Mississippi River Ship Channel, Gulf to Baton Rouge (Louisiana) would be limited by the dedicated funding (Operations and Maintenance [O&M] budget). Prior to this position change the Mississippi River Ship Channel received preferential treatment and often received additional funding from other USACE projects. After the 1989 grounding of the M/V MARSHAL KONYEV (Pilottown) that virtually closed the Ship Channel to all traffic, the USACE's Headquarters announced in a position statement that it would maintain the nation's most critical navigation channel. The BRC originally focused on obtaining additional funding to supplement the shortfall in the Corps' O&M budget, to strive to establish a legislative firewall around the Harbor Maintenance Trust Fund and to represent members of the Mississippi River navigation industry in matters related to coastal restoration. As our membership grew and continued to make effective progress on these initiatives, members supported the Coalition's commitment to actively advocate for the deepening of the Mississippi River Ship Channel Gulf to Baton Rouge to 50 feet.

The Big River Coalition appreciates the opportunity to file comments on this project and reviewed in detail the Executive Summary, Appendix Q: Navigation/Dredging Analysis and Appendix R: Mitigation & Monitoring and Adaptive Management Plans. The Big River Coalition is concerned by the negative impacts this project would have on the Mississippi River Ship Channel and that the Coastal Protection and Restoration Authority does not include any Compensatory Mitigation to address the self-reported negative impacts. The Coalition reviewed this Draft Environmental Impact Statement in detail but was unable to find any Compensatory Mitigation measures offered to counter the negative impacts the diversion would have on the Mississippi River Ship Channel. The Mississippi River Ship Channel is an economic superhighway and the proposed diversion would have negative impacts on the main line navigation channel responsible for the movement of 500 million tons of cargo on an annual basis.

The Big River Coalition is committed to ensuring the future of navigation on the Mississippi River Ship Channel (MRSC) as one of the nation's fundamental natural resources and true economic powerhouse. The Mississippi River has an estimated \$ 735.7 billion annual impact on the nation's economy and is responsible for approximately 2.4 million jobs (585,000 jobs on the Lower River - Cairo, IL to the Gulf of Mexico and

1.86 million plus jobs on the Upper River-Lake Itasca, MN to Cairo, IL and including the IL River).

The Coalition's immediate responses to this lengthy document are limited to the negative impacts to the Ship Channel and requests for the establishment of sufficient Compensatory Mitigation funding to maintain the status quo of the Ship Channel.

#### COMPENSATORY MITIGATION FOR THE IMPACTS TO NAVIGATION

1) The requirement to maintain a sufficient Picket Boat during the construction and operation of the diversion structure to protect maritime commerce, transiting vessels and the diversion structure(s) must be included. This requirement meets with protocols for the U.S. Army Corps of Engineers during the operation of the Bonnet Carré and Morganza Spillways. The picket boat requirement adds a layer of protection to assist with passing vessel traffic, in case a transiting vessel loses steerage or power. The Coalition believes that picket boat contract should be a conditional requirement for a towboat vessel to stand picket outside the diversion structure to fend off loose barges or vessels. The standard picket boat requirements for operation at Bonnet Carré Spillway include a twin screen vessel with a minimum propulsion of 2,000 horsepower to a maximum of 5,000 horsepower with a licensed pilot and crew onboard for 24-hour operations. The requirement for the picket boat during the waterside construction and during the operation of the proposed structure for the lifetime of the project should be a regulatory requirement to protect and promote navigational safety.

"In the Mississippi River, operational impacts under the Applicant's Preferred Alternative on the existing flow of the Mississippi River would be permanent, moderate, and adverse due to the creation of cross-stream (perpendicular to the existing general downstream flow) velocity component near the proposed diversion site."

The request for the Picket Boat would seem to match with some of the challenges for shallow-draft tows that were experienced and recorded during the vessel modeling.

"This indicates that upbound loaded slow-moving tows were vulnerable to the effects of the project intake flow."

2) The Draft Environmental Impact Statement indicates that if constructed the Mid-Barataria Sediment Diversion will lead to the loss of approximately 3,000 acres in the environmentally sensitive birds'-foot delta.

As reproduced from the Executive Summary:

"By contrast in the birdfoot delta, operation of the MBSD Project is estimated to induce approximately 3,000 acres of land loss by 2070 (a 45 percent reduction as compared to the No Action Alternative), representing permanent, moderate, adverse impacts. These impacts in the birdfoot delta may be partially abated by improving the capture of sediment that is lost to the Gulf through other targeted restoration projects."

The Compensatory Mitigation request is for the restoration of 3,000 acres of land in the birdfoot delta, to ensure no additional land loss is attributable to the Mid-Barataria Sediment Diversion. The CPRA and state of Louisiana should actively be engaged with the navigation industry in order to work cooperatively with the USACE to protect the economic superhighway that flows through the Mississippi River Ship Channel. The birdfoot delta is critical to maritime commerce and protecting or restoration efforts along the Mississippi River delta and Southwest Pass provides tremendous environmental benefits.

Through the beneficial use of dredged material over the last twelve years the navigation industry has worked closely with the USACE and dredge contractors to restore over 13,000

acres of land below Venice (Louisiana). In 2021 the USACE estimates it beneficially used over 30 million cubic yards of material and restored more than 2,330 acres at a significant elevation above the waterline.

3) The Coalition could not find any specific mention of channel maintenance dredging in the area of the proposed diversion, although it is widely agreed that diversions do incur localized shoaling. The Coalition request that the applicant detail how it will dredge and fund dredging on the Mississippi River Ship Channel in the vicinity of the Mid-Barataria Sediment Diversion.

The information reproduced below from the Executive Summary (Page ES-8) offers alignment with the requested funding to maintain the Ship Channel in the proximity of the diversion:

"In the Mississippi River, the Project would have permanent, moderate, and adverse impacts, with general trends of increased erosion immediately upstream of the diversion and increased deposition immediately downstream of the diversion. The driving force for these impacts would be the reduced flow and consequently slower water velocity downstream of the diversion from the rerouting of river water through the diversion."

The navigation industry requests that historic channel depths are maintained in the immediate area of the project and that compensatory mitigation with sufficient funding to maintain channel depths for the life of the project in the immediate area of the Mid-Barataria Sediment Diversion are secured. This request and legitimate concerns are more significant because the USACE does not have to dredge in the area of the Mid-Barataria Sediment Diversion and any shoaling or channel degradation in this area must be mitigated for over the life of the project.

The following comments are reproduced from noted sections and detail concerns relevant to navigation and limitations of the vessel modeling:

#### EXECUTIVE SUMMARY

Concerns documented on Page ES-20:

"During construction, the Project would have moderate, temporary, adverse impacts on the safety and efficiency of shallow-draft vessels transiting past the proposed Project site in the Mississippi River due to waterway obstructions associated with the proposed cofferdam of the river intake system. During operations, the Project would have moderate, intermittent but permanent, adverse impacts on marine traffic efficiency and safety for shallow-draft vessels in the Mississippi River due to cross-currents extending into the channel from the proposed intake of water into the diversion. Some congestion may be unavoidable and could cause transit delays. The Project would also cause minor to moderate, permanent, adverse increases in dredging requirements in some portions of the Mississippi River navigation channel downriver of the proposed Project site and in the birdfoot delta due to Project-induced changes to shoaling patterns and locations."

The navigation industry must request that proper mitigation and sufficient compensatory funding to dredge or perform channel maintenance be linked to this project. The above paragraph details the validity of the concerns the Big River Coalition has about the installation of this project with no mitigation at all to address the negative impact on the navigation channel.

#### APPENDIX Q1:DREDGING ANALYSIS AND Q2: NAVIGATION STUDY REPORTS

The following details specific concerns from the Navigation/Dredging section, Appendix Q:

## "4.1 MODEL LIMITATIONS

### 4.1.1 General Limitations

Every model has limitations that are dependent on its dimensionality, equations solved, spatial and temporal resolution, and assumptions made. Every model is, at best, an approximation of the real world and requires careful, informed application and interpretation before the results are used to help inform decision making."

As reproduced from Page 5 of Appendix Q:

"In addition, during construction a cofferdam and temporary protective cells will be placed in the river to facilitate construction of the intake structure. Barges will likely be placed around the protective cells, and work boat(s) could be moving around these barges to assist in the construction. These will all cause constriction of the navigable portion of the Mississippi River at the location of the project, which could affect vessel traffic. The cofferdam will also affect local flow patterns along that side of the bank."

The constriction of the navigable portion of the Mississippi River at the project location would in all likelihood require significant communication, information sharing and transit restrictions. This proposal would require significant discussion with the navigation industry to ensure that commerce is not disrupted and that navigational safety is prioritized around the project's construction activities. Especially given the construction timeline, estimated to last two years, ensuring minimal impacts to vessel operations will be a pivotal component during this phase of work.

Specific Concerns About the Pilot Cards from Vessel Modeling from Appendix C of: "2018 Ship Simulations Report"

"Four ship models were included in these simulation tests, a loaded and a ballast Suezmax Tanker and a loaded and a ballast Panamax Bulk Carrier."

Please note in the description above that there is no mention of a Very Large Crude Carrier or VLCC although a pilot card is added that suggest the vessel is a VLCC. The posted pilot cards from Appendix C are not clearly posted, the posted pages are blurry making them hard to read or decipher. Specifically: Page 63 (1 of

1) listed as Bulk Panamax MMX with a draft believed to be 42 feet 9 inches and an apparent length overall of 242 meters. Page 64 appears to show same vessel (Bulk Panamax MMX) with a draft of possibly 32 feet and 10 inches for both vessels the documented information is blurry and most unreadable. Page 65 is reported to be a Pilot Card for a VLCC, "VLCC 4 Suez" but the word after that is blurred beyond recognition and of interest here the VLCC draft shows what appears to be a draft of "13 m / 42 feet 9 inches" which would be an exceptionally low draft for a VLCC. Also, the length overall does not match the length overall of a true VLCC, appears to read 280 meters or 918.68 feet. The listing figures do not match VLCC characteristics, standard VLCC dimensions are in the 300-330 meters range and drafts in the range of 30 meters or greater are common.

"2014 Ship Simulations Report"

The following entry on Page 15 raises relevant concerns about programmed conditions for the ship modeling. "4.1.5 Environment on Page 15 the following data is entered:

Because the focus of this study was to determine if the currents generated by the diverted water from the Mississippi River would impact marine navigation through this reach, it was

concluded that no other environmental conditions would be included in the testing program. Therefore, no wind or waves were included in the testing program."

The removal of wind greatly reduces the integrity of the limited deep-draft modeling especially as wind was found to be problematic during shallow-draft simulations. True vessel modeling would include outside factors like wind, maritime operations on the Mighty Mississippi do not occur in a bubble or vacuum. The recent tragedy of the SEACOR POWER identifies the need to properly account for winds, especially as stronger systems have increased in strength and frequency. Wind is also one of the factors that led to the disruption to the world's supply chain caused by the grounding of the M/V EVER GIVEN at entry to the Suez Canal, these examples highlight the need for addressing true conditions in modeling efforts designed to mimic real world situations.

It is safe to assume that vessels transiting the Mississippi River in the area of the proposed diversion would be impacted by prevailing winds. At times tropical storm force winds should be expected to impact the area of the proposed diversion and the modeling should include operations in severe weather scenarios to be realistic.

The Coalition acknowledges that wind was included in the modeling done in 2018 but continues to raise questions with and agree that additional ship modeling should be required. The details and information should also be peer reviewed with navigation industry representatives and the U.S. Army Corps of Engineers.

The following is reproduced from the Q2: NAVIGATION STUDY REPORTS:

This statement seems to align with the position listed above:

"The proposed Mid-Barataria Sediment Diversion Project design details are shown in Figure 3 & Figure 4. This is the 15% design; therefore, the simulation study timing was relatively early in the design process. If future project design changes create significant changes in the currents at the project intake, consideration should be given to repeating the simulation study."

Also, curiously the drafts noted on the Pilot Cards do not match the drafts listed for the vessel simulations in Table 2 on Page 15.

The drafts are listed at either 30 feet or 50 feet while those on the pilot cards show: 42 feet 9 inches, 32 feet 10 inches, 47 feet 0 inches and 32 feet 10 inches on a VLCC. The assumption is made that the reference to Crescent City pilots is attributable to pilots representing the Crescent River Port Pilots Association. The details are hard to follow since the tables use industry terms like Suezmax and Panamax but none of the modeling seems specifically referenced to the VLCC mentioned before and no pilot card shows a vessel draft of 30 or 50 feet.

The following is reproduced to document the questions about the pilot cards in more detail.

"6 Appendix A: Ship Model Pilot Cards

Bulk Panamax\_MM with a length overall of 242 meters (794 feet) and an even keel draft of 13 m (42 ft 9 in) listed and then the same apparent vessel with an even keel draft of 10 m (32 ft 10 in). Representing the vessel with two drafts one inbound and one outbound.

VLCC 4\_Suez Statoil with a length overall of 280 meters (918.68 ft) and an even keel draft of 14.3 m (47 ft 0 in) and then the same apparent vessel with an even keel draft of 10 m (32 ft 10 in). Representing the vessel with two drafts one inbound and one outbound.

Once again oddly neither Pilot Card shows drafts matches the numbers portrayed in Table 4 on Page 23 of 30 feet and 50 feet.

The Big River Coalition is only aware of two meetings with the modelers and offers that no reviews or briefings were offered to the navigation stakeholders after either modeling effort was conducted. The participants did share that not all of their concerns were addressed or allowed to be incorporated into the modeling. A review of the information and discussion with the USACE should have been part of the process, before releasing the results.

"Identified diversion discharge quantities associated with negative navigation impacts were to be addressed. In addition, if such negative impacts are found, what vessel types and load conditions will be impacted the most were to be identified."

"Additionally, proposed construction conditions that have been defined by the CPRA will be programmed and simulated to evaluate the safety of navigation operational conditions during project construction."

This first statement seems to suggest that the modelers themselves intended to review the results with the navigation industry and the USACE who participated in the two meetings with navigation stakeholders (2013 and 2018). The second statement is confusing as it suggests that additional meetings or modeling will take place when construction conditions are known, and navigation operational conditions would be best determined by the USACE, U.S. Coast Guard and navigation stakeholders.

The Big River Coalition is concerned about this project based on experience with the creation of the West Bay Diversion at Mile 4.7 Above Head of Passes on the right descending bank (western side). The maritime industry voiced their concerns prior to the creation of that diversion, knowing that it would increase shoaling in the Mississippi River Ship Channel below the diversion and increase river currents above the diversion site. The main concern was specific to shoaling within the Pilottown Anchorage (Mile 6.7 Above Head of Passes [AHP] to Mile 1.5 AHP) as the U.S. Army Corps of Engineers (USACE) does not have the authority to dredge outside of the Ship Channel. Because of this the maritime industry only agreed to the West Bay Diversion's construction because of the approved conditions included in the document titled:

"COST SHARING AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE STATE OF LOUISIANA, FOR CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, REHABILITATION AND MONITORING OF THE WEST BAY SEDIMENT DIVERSION PROJECT (MR-03) PLAQUEMINES PARISH, LOUISIANA."

The Cost Sharing Agreement (CSA) was executed on August 29, 2002 by the Department of Natural Resources, State of Louisiana and the USACE. The following is reproduced from Page #3 of the CSA:

..."Included as a Project feature is the maintenance of the outermost (eastern) 250-foot wide strip of the Pilottown Anchorage area and the entire width of the adjoining access area between the strip of Pilottown Anchorage and the Mississippi River navigation channel.

Advanced maintenance of the Pilottown Anchorage area shall be undertaken to account for

the anticipated shoaling induced by the Project (Emphasis supplied). Below the conveyance channel, the anchorage and access areas shall be maintained at the depth existing at the time the Phase One interim conveyance channel is constructed. Above the cut, three 45-foot deep by 1,500 feet long anchorage berths shall be constructed and/or maintained..."

In 2009 the Coastal Wetlands Planning, Protection and Restoration Act passed a motion that removed this commitment from the operational structure of the CSA. The navigation industry is concerned about the impact the proposed Mid-Barataria Sediment Diversion would have on the Ship Channel, especially based on a maximum discharge of 75,000 cubic feet per second which is 25,000 cubic feet per second higher than the maximum proposed rate for the West Bay Diversion. There is no doubt this diversion would incur deposition in the Ship Channel and unlike the West Bay Diversion it is not in an area the USACE performs channel maintenance dredging. Therefore, any shoaling in the channel and within the Wills Point Anchorage should be removed by the applicant, the Coastal Protection and Restoration Authority. The Coalition requests that the USACE lead an effort to properly model the impact of the hydrology changes and shoaling in the vicinity of the proposed diversion structure before approving the Permit Application. According to recent surveys of the Pilottown Anchorage done by the USACE and the Coastal Protection Restoration Authority there are over 60 million cubic yards of material within the Pilottown Anchorage.

The Coalition strives to maximize the economic efficiencies that promote increased maritime commerce and international trade. The Lower Mississippi River Deep-Draft Ports Complex (Baton Rouge, South Louisiana, New Orleans, St. Bernard, and Plaquemines) is an economic superhighway of international trade and the nation's busiest port system. The cargoes moved through these five ports account for nearly 70 percent of the Nation's grain exports and more than 20 percent of the Nation's coal and petroleum cargoes. The economic impact of the Lower Mississippi River Deep-Draft Ports Complex is nationally significant.

Sincerely,

Sean M. Duffy, Sr.

Executive Director

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**Concern ID: 62293**

**The commenter noted that the vessel simulation model in the Draft EIS Appendix Q Navigation/Dredging Analysis includes pilot cards that are inconsistent with vessel drafts listed for the vessel simulations.**

**Response ID: 16448**

Suezmax, Panamax and VLCC vessels were used in the navigation simulations as described in the Draft EIS, Appendix Q2 Navigation and were correctly identified in the text. "Suezmax" and "Panamax" are dimension classifications and "VLCC" is a tonnage classification. The ship simulator operator, Maritime Institute of Technology & Graduate Studies (MITAGS) indicated that what was listed as a "pilot card" was actually a filename for the model simulation, which was meant for internal use. To avoid confusion, the USACE has added the following note to page 25 of Appendix A of Appendix Q2 of the Final EIS: "NOTE: The 'Ship Name' on the following Pilot Cards is an internal file name to the ship simulation computer and does not necessarily correspond to the vessel nomenclature used in the descriptive text. In all cases, the main body text description of vessel characteristics is correct."

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**Concern ID: 62969**

**To ensure commerce is not disrupted and navigation safety is prioritized, the CPRA and Louisiana should engage and communicate with the navigation industry concerning Project impacts to the Mississippi River Ship Channel, birdfoot delta, and Southwest Pass.**

**Response ID: 16643**

The EIS Appendix Q2 Navigation Study Reports included CPRA's coordination with Mississippi River pilots to evaluate impacts on navigation safety during proposed Project construction and operations. Appendix Q2 Navigation Study Reports has been updated with additional details of CPRA's efforts.

USACE agrees that maintaining safe and efficient navigation is a top priority. USACE has engaged the navigation industry in meetings on August 2, 2018, September 5, 2018, and February 3, 2022 and will continue to coordinate with the navigation industry regarding the industry's concerns about the proposed Project. .

CPRA's Operational Plan for the proposed Project states, "In the event diversion operations cause an unintended and severe impediment to navigation, as determined by the U.S. Coast Guard in consultation with CPRA, CPRA will coordinate with the U.S. Coast Guard and CEMVN and determine what, if any, changes in diversion operations are warranted to address the impediment" (see the Draft EIS, Appendix F2 Preliminary Operations Plan).

CPRA has proposed the following measures in its Final Mitigation and Stewardship Plan (Appendix R1) to address concerns about navigation impacts in the Mississippi River during Project construction. These measures have been forwarded to the U.S. Coast Guard for their review and input.:

- CPRA would coordinate the location of Mississippi River Aids to Navigation (ATONS) associated with the MBSD structure with the USCG. The ATONS would be visually inspected each day and the operability recorded in the Daily Report and would be maintained for the duration of the Project.
- Whenever flow through the structure is started or stopped, on-site personnel shall notify the USCG via a Navigation Bulletin so that traffic is informed of the Project's operating condition.
- Before raising or lowering any gate at the entrance to the diversion channel, the operator should check the vicinity of the inflow, conveyance and outflow channels for boats, fishermen and swimmers and alert them to clear the area. Methods for these alerts may include horns, lights and/or audio messages.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the

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EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63032**

**The requirement to maintain a sufficient picket boat during the construction and operation of the diversion structure to protect maritime commerce, transiting vessels and the diversion structure(s) must be included.**

**Response ID: 16644**

The commenter's concerns regarding the impacts of the Project on navigation safety in the Mississippi River were considered and addressed in the Draft EIS navigation section in Chapter 4, Section 4.21.4 Mississippi River. This section explains that during construction, the Project would have moderate, temporary, adverse impacts on the safety and efficiency of shallow-draft vessels transiting past the proposed Project site in the Mississippi River and intermittent but permanent, moderate, adverse, impacts on navigation safety and efficiency during operations. Since issuance of the Draft EIS, CPRA's 60-percent designs for the proposed Project have decreased the extent to which the Project's intake structure (including the temporary construction cofferdam) would extend into the Mississippi River during construction. The Final EIS has been updated to reflect this reduced impact on navigation safety and efficiency during construction. Therefore, the impact determination on navigation safety and efficiency during construction has been revised to "minor, temporary, and adverse impacts" in Chapter 4, Section 4.21.4.1.2.2 Traffic in the Navigation section of the Final EIS. Prior to any issuance of a permit for the Project by USACE, the USACE would coordinate with the U.S. Coast Guard to establish special permit conditions to address vessel safety in the Mississippi River during construction and operation of the proposed Project.

CPRA's Operational Plan for the proposed project states, "In the event diversion operations cause an unintended and severe impediment to navigation, as determined by the U.S. Coast Guard in consultation with CPRA, CPRA will coordinate with the U.S. Coast Guard and CEMVN and determine what, if any, changes in diversion operations are warranted to address the impediment" (see the EIS, Appendix F2 Preliminary Operations Plan).

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Further, CPRA has proposed the following measures in its Final Mitigation and Stewardship Plan (Appendix R1) to address concerns about navigation impacts in the Mississippi River during Project construction. These measures have been forwarded to the U.S. Coast Guard for their review and input.

- CPRA would coordinate the location of Mississippi River Aids to Navigation (ATONS) associated with the MBSD structure with the USCG.
- Whenever flow through the structure is started or stopped, on-site personnel shall notify the USCG via a Navigation Bulletin so that traffic is informed of the Project's operating condition.
- Before raising or lowering any gate at the entrance to the diversion channel, the operator should check the vicinity of the inflow, conveyance and outflow channels for boats, fishermen and swimmers and alert them to clear the area. Methods for these alerts may include horns, lights and/or audio messages.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63407**

**The MBSD Project would cause sediment deposition in the ship channel and, unlike the West Bay Diversion, it is not in an area where the USACE performs channel maintenance dredging. Therefore, any shoaling in the channel and within the Wills Point Anchorage should be removed by the Applicant (the Coastal Protection and**

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**Restoration Authority). Commenter requests that the USACE lead an effort to properly model the impact of the hydrology changes and shoaling in the vicinity of the proposed diversion structure before approving the permit application. According to recent surveys of the Pilottown Anchorage done by the USACE and CPRA, there are over 60 million cubic yards of material within the Pilottown Anchorage.**

**Response ID: 16450**

The issue raised by the commenter was considered in the Draft EIS in Chapter 4, Section 4.4.3 Hydrology and in Appendix Q1 Dredging Analysis, Section 5.1. With regard to the Wills Point Anchorage Area, about 6 miles above the proposed diversion, it is in the area of which paragraph 5.1 of the Draft EIS Appendix Q1 Navigation says, "... the models agree ... may experience negligible net erosion." Therefore, the USACE believes no deposition would occur and no further detailed modeling of that area is required. While increased deposition below the diversion is anticipated, HEC-6T modeling predicts that accumulation would primarily occur in the lateral bars. Because the navigation channel (above Venice) is naturally much deeper than navigation depth, any increased deposition within the channel would not threaten the authorized navigation depth and no dredging would be needed to maintain the navigation channel.

With regard to the channel below Venice, including the Pilottown Anchorage, paragraph 5.4 of the Draft EIS Appendix Q1 Navigation notes that the HEC-6T model, considered the most reliable of those applied to the Mississippi River above Head of Passes, showed a small decrease in channel dredging between Venice and Head of Passes for the first 44 years of the proposed Project with a small increase possible after that time. The AdH model showed that the presence of multiple upstream sediment diversions resulted in a net reduction in sediment deposition, and an upstream shift in the location of deposition in the vicinity of Head of Passes (similar to the No Action Alternative). The modeling indicated a risk of some additional deposition at or upstream of Venice, but did not indicate such a risk for the Pilottown Anchorage. These results are consistent with the 1D HEC-6T model results. The USACE considers these results for the channel to be applicable to the adjacent anchorages and channels. No additional modeling for this issue has been conducted for the Final EIS.

USACE acknowledges that the West Bay Diversion increased the amount of shoaling that was occurring in the Pilottown Anchorage. However, the applicability of the West Bay Diversion to the MBSD Project is limited since the West Bay Diversion was essentially adjacent to the dredged area instead of approximately 60 miles upstream.

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**Concern ID: 63408**

**Additional ship modeling should be required because the ship simulation in the Draft EIS, Appendix Q was based on 15-percent design. The details and information should also be peer reviewed with navigation industry representatives and the USACE.**

**Response ID: 16449**

The USACE's independent team of reviewers reviewed the ship simulation in Appendix Q Navigation/Dredging Analysis and determined it is sufficient for USACE's evaluation of impacts for the EIS. CPRA's 60 percent designs for the proposed Project have decreased the extent to which the Project's intake structure (including the temporary construction cofferdam and the permanent protection cells) would extend into the Mississippi River. Therefore, although the simulation was based on 15 percent designs, those designs represent a worse-

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case scenario of potential impacts on vessels transiting past the diversion when it is in operation. . No related revisions were made to the Final EIS.

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**Correspondence ID:40551**

Coalition to Restore Coastal Louisiana

Kimberly Reyher

To the U.S. Army Corps of Engineers and the Louisiana Trustee Implementation Group:

The Coalition to Restore Coastal Louisiana (CRCL) appreciates the opportunity to comment on the Mid- Barataria Sediment Diversion Draft Environmental Impact Statement (MBSD DEIS). CRCL was established over thirty years ago, and in some of our first reports in the eighties<sup>1</sup>, we advocated for the construction of sediment diversions. These projects have been a cornerstone of restoration plans for decades. On behalf of our staff and board members, both past and present, we are very excited that this project is finally moving forward. It is truly a culmination of decades of advocacy.

This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation and regional economic impact during construction, and increased productivity of natural resources. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. We applaud the commitment of approximately \$300 million by the Federal Trustees and Louisiana's Coastal Protection and Restoration Authority to address impacts that could result from the construction and operations of the project.

Broadly speaking, we believe that the DEIS is very comprehensive, and it is clear how years of public meetings and scoping on behalf of CPRA was incorporated into the report. We support the preferred alternative in the DEIS and also support funding the project using Deepwater Horizon settlement funds as outlined in the LA TIG draft restoration plan.

With that being said, we do have some comments and issues that we encourage the Corps and the Louisiana Trustee Implementation Group to address before the final EIS is released.

We ask the following of the Army Corps and the Louisiana Trustee Implementation Group:

- Develop robust mitigation measures in close collaboration with affected populations: As has been made apparent during public meetings, although the DEIS has a large mitigation section, there have been many questions about mitigation from the general public, namely, which mitigation measures will be used and what community members can expect. We encourage CPRA and the TIG to work collaboratively and openly with affected community members during the development of project mitigation measures. We encourage the state to use local non- profits to facilitate any mitigation measures that are decided upon. Additionally, we think it is important that CPRA and the LA TIG continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. We also urge early action, as possible, before there is damage to mitigate.
- More in-person meetings: Although we understand the limitations that existed due to the COVID-19 public health crisis, public engagement was severely constricted during the public hearings for the DEIS, with many attendees on the virtual public meetings having difficulties giving comments verbally. When safe, we advise the Corps and the TIG to resume having public meetings in person.

1 Including in "No Time to Lose" and "Coastal Louisiana: Here Today, Gone Tomorrow?"  
Found at <https://www.crcl.org/policy-advocacy>

- Utilize scientifically-sound, community backed adaptive management plans: The DEIS has a section on adaptive management but more work will be needed to develop a plan when the project is constructed and implemented. Currently, all roles and responsibilities for project governance in the DEIS are proposed to be held by CPRA. We encourage the development of stakeholder groups which could advise CPRA on adaptive management of the project, to ensure that community members needs are being met.
- Ongoing, real-time monitoring: We encourage the DEIS to address creating ongoing, real-time monitoring in the diversion outfall area. Currently, little real-time monitoring exists in the bay but when the diversion is operational it will be very beneficial to see, in real time, how the bay is responding to the input of freshwater and sediment. Similar real-time monitoring regimes exist in other parts of the country, including in dam operations.
- Greater clarity regarding mitigating environmental justice concerns: Currently the DEIS has very specific plans with costs for mitigating for oyster and dolphin losses expected from the construction and operation of the diversion. However, there is less clarity regarding mitigation for environmental justice concerns expected from the construction of the diversion, especially regarding communities that may see increased flooding due to operation of the diversion. We encourage CPRA and the TIG to more clearly articulate how much funding will be available for mitigation for environmental justice concerns and how funding plans will be developed.
- Commitment to public engagement and involvement: CPRA should create a recreation and education area near the diversion with a viewing platform, trails, bike paths, along with a boat launch into the diversion outfall area. This would provide amenities for the communities near the structure, provide eco-tourism opportunities, and provide an opportunity for people to learn about coastal restoration and watch the growth of a delta over time. This area could also include educational materials such as signage to explain what the diversion is, how it operates, and what it is intended to do.
- Utilize recycled oyster shells for mitigation measures: the TIG proposes re-establishing public seed grounds and creating broodstock reefs as mitigation measures for the construction of the diversion. As much as possible, we urge CPRA to utilize recycled oyster shell to construct these reefs. Oyster shell is a renewable resource and provides valuable habitat for fisheries, as well as providing shoreline stabilization.
- Credit from the Corps: The DEIS projects that the project will have a potential negligible to minor beneficial impact on the NOV-NFL and WBV levee systems by reducing surge elevation and wave height. We encourage CPRA to request credit from the Corps when the project is built for providing protection and decreasing maintenance needs on these levee systems.
- Potential inconsistency of the proposed Plaquemines Liquids Terminal project (PLT) with MBSD: We remain concerned that the proposed PLT project could cause a decrease in effectiveness of the MBSD. We believe that a draft sediment study conducted for this proposed project indicates that operation of this project could drastically reduce the amount of available sediment available for MBSD. We oppose the location of the project to be sited adjacent to the MBSD.

We support the preferred alternative outlined in the draft Environmental Impact Statement and the expenditure of Deepwater Horizon settlement dollars to pay for the project's construction and associated mitigation and stewardship activities.

Thank you,

Kimberly Davis Reyher

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**Concern ID: 61756**

**The proposed MBSD Project sponsors should work proactively and collaboratively with potentially impacted communities to develop ideas and proposals for adaptation and mitigation and be as detailed and transparent as possible throughout the mitigation planning process. Use local non-profits to facilitate any mitigation measures that are decided upon. CPRA and the LA TIG should continue to encourage, accept, and solicit ideas and specific recommendation for mitigation after the June 4 deadline for these comments. The opportunity for continued input to inform the ultimate spending of those funds should also be made very clear publicly. The commenter also urges early action, as possible, before there is damage to mitigate.**

**Response ID: 15891**

CPRA has sought and continues to seek engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-governmental/non-profit organizations to assist with and facilitate meetings with the impacted communities and groups. These efforts have included deploying several tools and forms of outreach to solicit feedback on mitigation and stewardship measures. Meeting formats included small group briefings, one-on-one individual discussions, open-house style meetings, and virtual webinars. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including Coastal Connections meetings and use of community non-profit organizations to help ensure that diverse populations are aware of and take advantage of the mitigation and stewardship measures adopted as part of the proposed Project, if implemented. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance if the Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive

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management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61760**

**Public meetings for this proposed Project, which would drastically alter our estuary forever, should have been in-person since the State of Louisiana is in a modified stage 3 and public gatherings are allowed. Holding virtual public meetings for a project of this importance is unfair to the hundreds that do not have computer skills or accessibility. Commenter requests that USACE and TIG hold in-person meetings regarding the proposed Project.**

**Response ID: 15895**

USACE and the LA TIG held three joint public meetings for the Draft EIS and the LA TIG's Draft Restoration Plan in April 2021. These meetings were held virtually based on COVID-related restrictions in place at the time. Anyone interested in participating in the NEPA or OPA processes, or who wanted to learn more about the proposed MBSD Project and/or provide comments on the Draft EIS and/or the LA TIG's Draft Restoration Plan was able to participate in the meetings via an internet/web-based conferencing application or via toll-free

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telephone line. Spanish, Vietnamese, and Khmer translators facilitated participation by non-English speakers; key messages from the meeting presentations were translated during the meetings, and the translators were available to interpret participant comments in any of those languages.

At the beginning of the public comment period, CEMVN posted several pre-recorded presentation videos consisting of an explanation of how to comment on the Draft EIS and/or Draft Restoration Plan, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS on CEMVN's Project webpage. These pre-recorded presentation videos were then consolidated and played at the beginning of each of the three public meetings. This consolidated pre-recorded presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage. In addition, dedicated toll-free numbers were provided during the public comment period on the Draft EIS and Draft Restoration Plan through which Spanish, Vietnamese, and Khmer-speaking individuals could listen to the translated pre-recorded presentation rather than watching the presentation on a computer.

Multiple ways to comment during the public review period were available including verbally during the virtual meetings, verbally by toll-free telephone number, written via the postal service, and electronically via email and on the comment portal website. In addition, CPRA offered opportunities through local non-profit organizations for the public to sit with representatives from local non-profit organizations who assisted the public in preparing comments regarding the Draft EIS and LA TIG's Draft Restoration Plan.

Printed copies of the Executive Summary of the Draft EIS and the LA TIG's Draft Restoration Plan in English, Spanish, and Vietnamese were provided to libraries and community centers/organizations (see list in Chapter 7 Public Involvement of the Final EIS and Chapter 6 of the LA TIG's Restoration Plan) for those able to visit those locations in person.

All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project. Any future public engagement meetings held regarding the proposed MBSD Project would follow applicable agency guidance for the safety of all participants.

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**Concern ID: 61850**

**Commenters expressed concern that reasonably foreseeable industrial facilities like the Plaquemines Liquids Terminal and pipelines that may be built near the proposed MBSD Project structure or in the Barataria Basin would cause adverse impacts on the marsh ecosystem restored by the MBSD Project operations. One commenter expressed the opinion that industrial facilities that may be constructed near the proposed MBSD Project should be denied permit because they would be inconsistent with the objectives of the proposed MBSD Project.**

**Response ID: 16464**

The commenters' concern about the potential impact of future industrial development and activity on the habitat that would be created by the proposed Project was considered in Chapter 4, Sections 4.25.4 and 4.25.6 in the Cumulative Impacts section of the Draft EIS. These sections explain that reasonably foreseeable industrial facilities and infrastructure that

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may be constructed in the proposed MBSD Project area are expected to have negligible impacts on proposed Project-area resources because the facilities would be required to adhere to permit conditions imposed by regulating agencies such as wetland mitigation, SWPPP, and SPCC plans in order to be constructed and operated.

Furthermore, CPRA entered into a Memorandum of Understanding with the Plaquemines Port Harbor & Terminal District (PPHTD) and the Plaquemines Liquid Terminal, LLC (PLT) requiring PPHTD and PLT to perform sediment transport modeling and a navigation study to determine the impact, if any, that the PLT Project may have on the proposed MBSD Project, and to agree to certain terms and conditions, as needed, to ensure that the PLT, once constructed and operated, does not have unreasonable adverse impacts on the design, construction, or operation of the proposed MBSD Project. These steps would help ensure that the PLT Project remains consistent with the Louisiana Coastal Master Plan.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA

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intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62838**

**Near-term, long term, and real-time monitoring in the Barataria Basin will be essential to the operation of the diversion as well as to public communication about the performance, over space and time, of the diversion and its area of influence. Governance and decision making for the Project should be a science-based, inclusive, and transparent process with genuine engagement and input from external experts and community stakeholders.**

**Response ID: 16665**

According to the LA TIG, the monitoring issues raised by the commenter were considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS), which was jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan included input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]). In response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

With specific regard to the inclusion of scientific expertise, in addition to the expertise within CPRA, the governance provisions of the MAM Plan call for establishing a Technical Focus Group/Peer Review Group with subject matter expertise to provide technical support on long-term Project planning, assist in the evaluation and interpretation of monitoring data, and evaluate the state of the science concerning adaptive management. See Section 2.2.2.3 (Technical Focus Group(s)/Peer Review) of the MAM Plan (Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

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monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62971**

**Commenter recommends CPRA use oyster shells for reef construction.**

**Response ID: 16537**

CPRA's oyster mitigation strategies recommend use of native materials, such as native oyster shell, where and when feasible. This is explained in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any

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particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63185**

**Additional development of mitigation plans and accountability for mitigation commitments is needed.**

**Response ID: 16562**

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63203**

**Proposed Project will have a potential negligible to minor impact on levee systems and CPRA should request Corps credits for proposed Project.**

**Response ID: 16571**

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The Project would have a negligible to minor beneficial impact on the NOV-NFL and WBV levee systems by reducing surge elevation and wave height to the north of created and maintained wetlands. The proposed Project would have a negligible to minor adverse impact on the NOV-NFL Levee system by increasing surge elevation to the south of the outfall. CPRA notified USACE in writing that work in-kind credit is not being pursued for MBSD; however, CPRA reserves the right to pursue work in-kind credit in the future. CPRA is not eligible for credit under Engineer Regulation 1165-2-208 and the existing NOV-NFL Project Partnership Agreement.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63697**

**Commenters request that the EIS and Mitigation Plan include more details about planned EJ mitigation measures for diversion operations.**

**Response ID: 16507**

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The Draft EIS considered impacts to low-income and minority communities due to Project operations in Chapter 4, Section 4.15.4 Operational Impacts in Environmental Justice.

In addition, since completion of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA engaged the communities potentially impacted by the Project, including low-income and minority community members, through public meetings to solicit input on CPRA's mitigation strategies. Further, CPRA engaged community-based organizations to assist in soliciting additional feedback from low-income and minority community members on the proposed mitigation measures. A summary of these public engagement meetings and other outreach efforts is provided in Chapter 7 of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (see Appendix R1). This includes additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted EJ communities and organizations concerning the implementation of the mitigation measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40552**

Karen Barron

To Whom it may Concern:

I am writing in support of the Mid-Barataria Basin Sediment Diversion. As a resident of New Orleans, I am all too aware of the effects of the erosion of the marshlands and know that this erosion is mostly caused by the levee system and the canals built for the oil companies to increase their efficiency. Diverting/returning Mississippi river sediment to the marshes makes so much sense that the plan overpowers the real concerns of the people who fear they will be adversely affected by the diversion. Alas, people have often been moved from their land for the greater good, and though not wanting to be harsh and cruel, I feel the greater good with its square miles of restoration is the diversion project. Please proceed with the Mid-Barataria Basin Sediment Diversion.

Thank you for your attention.

Sincerely yours,

Karen D Barron

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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# Plaquemines Parish Government

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Administration - Crystal M Taylor  
Operations - Scott Rousselle  
Public Service - Todd Eppley  
Coastal Restoration - John Helmers

### PARISH PRESIDENT

**Kirk M. Lepine**



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District 9 - Mark "Hobbo" Cognevich

June 3, 2021

U.S. Army Corps of Engineers  
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Transmitted via email to [CEMVN-Midbarataria@usace.army.mil](mailto:CEMVN-Midbarataria@usace.army.mil)

Reference: **Draft Environmental Impact Statement:**

### **Mid-Barataria Sediment Diversion – Comments**

Plaquemines Parish Government (Parish) has been an active participant in coastal restoration and hurricane protection initiatives affecting our Parish and region. As one of the hardest hit regions in U.S. by natural and man-made disasters, including but not limited to coastal erosion, subsidence, and sea-level rise, we are supportive of common-sense coastal restoration efforts throughout Louisiana. However, we must ensure that all proposed restoration projects do more good than harm to our residents, businesses, and communities.

As we have previously stated, we have valid concerns over the stated efficacy, size, location, and management of the Mid-Barataria Sediment Diversion and its potential negative impacts to crab, shrimp, oyster, and finfish fisheries, our seafood industry, generally, and our hurricane protection system. The true costs and benefits of this diversion's implementation and operations should be determined and all alternatives, such as dredging, should be considered. A specific plan, not a general one, with an emphasis on the many livelihoods at stake must be developed to address all of the project's potential negative effects.

As such, the Parish opposes the Draft Environmental Impact Statement until a clearer path forward can be identified. Furthermore, we submit the following comments:

#### Financial & Safety Impacts to Plaquemines Parish residents and businesses

- Diversions will drastically alter the productivity of commercial and recreational fisheries, causing significant job losses, undue hardships, and cost increases to people who have for generations made their living from fisheries in the Parish.

- Changes in fisheries will require changes to business operations – new/larger vessels, increased fuel costs, collapsed market, etc. – which will likely lead to loss of businesses, jobs, and revenues for our local economy.
- Parish communities that heavily rely on commercial and recreational fishing will be devastated.
- Persons whose jobs and livelihoods will be significantly impacted will require education and job training to transition to other trades guaranteeing sustainable future employment.
- As understood in the near term, diversions may cause additional land loss, especially within the vicinity of the proposed outfall. What is the State’s plan to compensate landowners for their property and use and enjoyment losses, as a result of diversion construction and operation?
- What will the impacts to the base flood elevations be for West Bank residents? If the base flood elevations are increased due to the additional water in Barataria Sound, how will this impact flood insurance rates, home elevation programs, and existing homes elevated in the past 10 years?
- What is the State’s plan to ensure the safety of inland marine traffic over the course of the project’s life? Assuming the project will work as intended, historic maritime canals, bayous, inlets, and other similar maritime channels will continually shoal in and change course. This plan should address the potential loss of access for homes, camps, and businesses due to the increased shoaling.
- In summary, what is the State’s plan to address economic impacts and safety concerns of affected populations, which may include job losses, business closures, loss/reduction in property values, etc. Sufficient funding must be set aside in advance to develop plans and programs that will mitigate/compensate impacted individuals, businesses, and communities.

#### Impacts to Fisheries - Altered Salinity, Turbidity, Hypoxia, Pollution, & Invasive Species

- Diversions will decrease salinity and increase turbidity in the Barataria Basin and Mississippi Delta estuaries, decreasing the commercial and recreational productivity of important finfish and shellfish species such as crab, oyster, white and brown shrimp, red drum, black drum, speckled trout, flounder, just to name a few.
- Diversions will further introduce nitrates, phosphates, and other pollutants, such as heavy metals, into the estuary, significantly increasing the likelihood of “dead” or oxygen deficient zones and potentially making fish and shellfish more harmful for public consumption.
- Diversions will further increase the likelihood of invasive species, such as the Asian carp and water hyacinths, into the estuary, increasing adverse effects to native aquatic species.

- In summary, how will the proposed diversion on Barataria Bay, Mississippi Delta, affect fisheries productivity? This analysis should include an assessment of the data from the Davis Pond.
- How will the proposed Diversion's operations plan take into consideration the collective direct and indirect impacts of the freshwater contributors to the Barataria Basins?

#### Rising Water Levels and Increased Storm Risks

- The proposed Diversion will likely increase the water levels on the basin side against the levee system by as much as 3-6 feet, thus decreasing the current system's protective benefits. This will cause severe and devastating impacts to protected sacred **Tribal lands**, and other communities located in the Barataria Basin.
- Higher water levels over extended periods of time would damage the levees through under-seepage, erosion, and saturation, thus increasing maintenance costs and the likelihood of levee failure.
- Increased artificial water levels that continuously inundate the surrounding marshes will further drive wildlife, especially feral hogs, onto the current levee system. These feral hogs create significant damage to the levee system, which will only be exacerbated. How will this be addressed?
- As understood in the near term, diversions may potentially cause land loss and then will create freshwater marshes that are highly susceptible to saltwater impacts due to storm surges, creating a further loss of a multiple line of natural defense and thus increasing future storm damage impacts.
- What will the impacts to the Parish's forced drainage pump stations on the West Bank be?
- What are the proposed operation and maintenance budgets for the project and supporting and impacted infrastructure to ensure structural integrity and navigation safety, and how will they be funded?

#### Diversion vs. Dredging Alternative

- As currently proposed, the alternatives to be considered for this project only include variations in diversion size - 35,000 cubic feet per second (cfs), 75,000 cfs (CPRA's preferred alternative), & 115,000 cfs - and a No-Action scenario. A dredging alternative must be included. References to previous studies that address this option are not sufficient and outdated.
- Dredging alternatives should address and be contrasted with diversions, which may in the near-term cause land loss, current modeling indicates that diversions do not show a net land gain until multiple years after the commencement of operations. Additionally, the

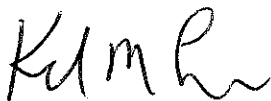
alteration of the system to a freshwater ecosystem is more susceptible to the impacts of storm surge.

#### Financial Impact to Plaquemines Parish Government

- Loss of tax revenue from potential job losses, business closures, and displaced residents and business will adversely impact Parish budgets and the Parish's ability to provide essential health and safety services to its residents.
- The Parish will be responsible for increased roadway maintenance during construction. Are alternative routes being considered for construction access? Or a grant to offset expected damages resulting from construction.
- The Parish will be partially responsible for increased workforce development, job training, education, social, and other support services to assist those adversely impacted. Does the State have a plan to assist the Parish in these efforts?
- With the above in mind, what will be the long-term Parish O&M and other responsibilities that will be born as a result of this project? And, by how much will the cost of the Parish's O&M responsibilities for levees and flood protection increase by?

We appreciate the opportunity to submit these comments for further consideration in the Mid-Barataria Sediment Diversion Draft EIS process and look forward to the development of a comprehensive and unbiased analysis for this proposed project.

Sincerely,



Kirk M. Lepine  
President  
Plaquemines Parish Government

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG’s Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61912**

**CPRA should consider alternative flow triggers, designs, and features in the operations plan and design of the proposed MBSD Project in order to minimize impacts. CPRA should also consider adjusting diversion design elements such as triggers, peak flows, volumes, and nutrient loads over the first years of operation to minimize impacts. These adjustments could minimize impacts to dolphins, oysters, brown shrimp, and other aquatic organisms. Some commenters suggested limits be imposed by USACE, others suggested an operating plan that is tied to specifics, while others emphasized flexibility tied to real-world experiences. CPRA should also consider alternative methods of operating the proposed MBSD Project, such as operating the diversion during winter when water levels in the basin are lower and can accept high volumes of water from the diversion.**

**Response ID: 15999**

The proposed MBSD Operations Plan can be found in Appendix F2 Preliminary Operations Plan of the Final EIS. As stated in the Chapter 4, Section 4.4.4.2.4 Sediment Transport in Chapter 4 Surface Water and Coastal Processes, sediment transported by the Mississippi River is primarily comprised of fine sediments, with higher river flows (typically occurring in the spring) suspending more coarse-grained sediment that are important in delta building (see Chapter 3, Section 3.4 Surface Water and Coastal Processes). Fine-sediment transport through the diversion would be generally proportional to water flow in the river. The intake channel was modeled and designed to divert a high sediment-to-water ratio while minimizing energy loss (to maintain flow and sediment transport through the diversion complex) and impacts on the river. The amount of sediment carried through the diversion would vary by year, depending on flow rates in the river and the corresponding variation of diversion operations. As explained in Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis, the Mississippi River discharge of 450,000 cfs would be the standard operations “trigger to open the diversion for flow (above the base flow)”. Operations (with the exception of a base flow up to 5,000 cfs) would cease when the river discharge falls below 450,000 cfs or when certain emergency triggers are met (such as in advance of hurricanes or when a spill of hazardous substances occur in the river). When the Mississippi River flows exceed 450,000 cfs, the gates would be fully opened (above base flow). At river flows of 450,000 cfs, the diversion flow would be approximately 25,000 cfs, and

flows would increase proportionally as the river flow increases. This ramp would continue up to maximum diversion capacity flow of 75,000 cfs when the river reaches a flow of 1,000,000 cfs.

An alternative related to operational triggers specific to sediment concentration was considered but determined not to be technically feasible or reasonable because data and technology do not currently exist to support this operational regime (refer to the Eliminated Alternatives Matrix in Appendix D2 of the EIS). According to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS, as part of the adaptive management and monitoring process, CPRA would consider potential ways to optimize diversion operations based on Project performance and success and would assess potential operational changes that may minimize impacts to basin resources where practicable after sufficient operational data become available for analysis.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61919**

**Commenter requested information on the proposed annual operation and maintenance budgets for the proposed MBSD Project and how would they be funded.**

**Response ID: 16006**

If the proposed Project is permitted and funded, CPRA states that information on the proposed annual operation and maintenance budgets for MBSD Project will be provided to the public through CPRA's Annual Plan. Details on the state funding cycle, CPRA's request

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for operations funding, and inclusion in CPRA's Annual Plan can be found in the CPRA's Monitoring and Adaptive Management (MAM) Plan in Appendix R2 of the Final EIS.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts



and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62010**

**Sediment transported by the diversion into the basin would cause the main waterways to have increased shoaling, become too shallow to pass through, and would require dredging in order to access personal properties. This plan should address the potential loss of access for homes, camps, and businesses due to the increased shoaling.**

**Response ID: 16208**

The impacts raised by the commenters were considered in the Draft EIS; therefore, no related edits have been made to the Final EIS. The EIS describes impacts on marine transportation and maintenance dredging in Chapter 4, 4.21 Navigation. This section also describes potential impacts on access due to delays when dredging. In addition, refer to Section 4.13 Socioeconomics for a discussion of socioeconomic impacts due to potential sedimentation in Barataria Basin navigation channels and canals. The proposed Project would have moderate, intermittent but permanent, adverse impacts on marine traffic efficiency and safety for shallow-draft vessels. The proposed Project would also cause minor to moderate, permanent, adverse impacts in dredging requirements for portions of the Mississippi River Navigation Channel and the birdfoot delta due to Project-induced changes to typical shoaling patterns and locations. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the proposed Project area during Project operations. In acknowledgement of commenters' concerns regarding sediment and shoaling impacting navigation, the Mitigation and Stewardship Plan in Appendix R1 in the Final EIS includes measures to mitigate impacts on navigation in the basin resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62014**

**The proposed MBSD Project would reduce tax revenue for the parishes located in the impacted area and the funds to support vital services in these areas.**

**Response ID: 16211**

The EIS considers and describes impacts on tax revenue in Chapter 4, Section 4.13.4 and 4.13.5 in Socioeconomics. There is also a discussion of Public Services and Utilities in this chapter (Section 4.13 Socioeconomics). As described, the proposed Project construction would have minor to moderate short-term benefits on sales and use taxes in local jurisdictions and the state associated with construction spending. Negligible to minor permanent adverse impacts on tax revenues from sales and use taxes, including associated with impacts on commercial fishing activities, as well as property tax collections associated with reduced property values are anticipated in Plaquemines Parish due to operation of the proposed Project. Potential adverse effects on utilities associated with reduced property taxes are also anticipated during the operations phase of the proposed Project.

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the

proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits

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prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62283**

**The commenter questioned who would be responsible for maintaining/dredging the navigation channels in the areas impacted by proposed diversion operations.**

**Response ID: 16445**

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As stated in the Draft EIS in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations. Other non-federal channels and facilities (for example, marinas, anchorages) near these channels would be expected to also experience increased sedimentation (see Section 4.21.5.2 in Navigation).

CPRA plans to mitigate the effects of the Project on boat access from Myrtle Grove and Woodpark to the basin as explained in Appendix R1 Mitigation & Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62301**

**The commenter asked what the impacts to the base flood elevations would be for Plaquemines Parish West Bank residents. The commenter also asked how such changes would impact flood insurance rates, home elevation programs, and existing homes elevated in the past 10 years.**

**Response ID: 15814**

Because both the existing level of drainage and federal flood risk reduction would be maintained, there would be no anticipated change to the FEMA FIRM designation or base flood elevations due to the construction of the diversion. Chapter 4, Section 4.13.5.3 Housing and Property Values in Socioeconomics has been revised in the Final EIS

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to provide additional discussion of the provision of flood insurance and other programs due to MBSD impacts.

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**Concern ID: 62302**

**The diversion would cause land loss, then create freshwater marshes which are more susceptible to saltwater impacts of storm surge and increasing future storm surge impacts.**

**Response ID: 15815**

Additional analysis regarding the potential impacts of conversion from saline marsh and brackish marsh to fresh and intermediate marsh and on susceptibility to hurricanes and saltwater inundation in the Project area during operations has been added to Chapter 4, Section 4.6.5.1 Wetland Types and Extent of the Final EIS.

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**Concern ID: 62303**

**The commenter asked what the impacts to the Plaquemines Parish's forced drainage pump stations on the West Bank of the Mississippi River would be.**

**Response ID: 15819**

As described in Draft EIS Section 4.4.5 Stormwater Management and Drainage, impacts on stormwater management and drainage between the MR&T- Levee and NOV-NFL Levee would be negligible. The proposed conveyance channel would bisect the existing drainage area served by the Wilkinson Canal Pump Station. To address this, the proposed Project would connect the bisected area by a siphon routed beneath the proposed conveyance channel. To maintain siphon flow, water levels within drainage canals within this drainage area south of the proposed diversion, including Timber Canal, would need to be lowered through operation of the Wilkinson Canal Pump Station.

USACE will consider whether this alteration of the Wilkinson Canal Pump Station operations meet 33 U.S.C. Section 408 standards as part of its Section 408 evaluation.

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**Concern ID: 62692**

**The proposed Project would introduce or facilitate the spread of invasive species (for example, carp, zebra mollusks, apple snails, Asian clams, water hyacinth, giant salvinia, hydrilla, nutria, northern snakehead) and freshwater pathogens to the basin, which could affect other living resources and impede navigation.**

**Response ID: 16074**

The commenter correctly notes the potential for the proposed Project to introduce or facilitate the spread of invasive species from the Mississippi River into the Barataria Basin and resulting from the alteration of existing habitat characteristics, which is consistent with discussions in the EIS in Chapter 3, Section 3.10.6 and Chapter 4, Section 4.10.4.6 in Aquatic Resources; Sections 3.6.3 and 4.6.5.2 in Wetland Resources and Waters of the U.S.; and Sections 3.9.4 and 4.9.4.2 in Terrestrial Wildlife and Habitat. The sections in Chapter 4 also identify how the introduction or spread of invasive species may negatively impact other living resources. The northern snakehead is not currently known to occur in Louisiana; however, if its presence is later identified in the Mississippi River, its introduction or spread via the proposed Project would result in similar impacts on the environment as those described in Section 4.10.4.6 Aquatic Invasive Species of the EIS. The potential introduction of pathogens (specifically, fecal coliform [not typically pathogenic, but an indicator for other

pathogenic bacteria] and Enterocci) is discussed in Section 4.5.5.8 Fecal Coliform; a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS. Section 4.10.4.6.2.1 Aquatic Invasive Species has also been supplemented to discuss potential threats to navigation in the Final EIS.

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**Concern ID: 62708**

**The release of polluted river water into the Barataria Basin would create harmful algal blooms and/or large areas of low dissolved oxygen that could negatively affect aquatic fauna including mortality of adults and juveniles that may not be able to escape impacted areas.**

**Response ID: 16086**

As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, the input of nutrients from the Mississippi River is generally anticipated to be beneficial to the food web, although there is an acknowledged potential for harmful algal blooms. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and well-mixed by wind and tidal action, such that it is not typically prone to stratification that promotes hypoxic (dissolved oxygen of less than 2 to 3 mg/L) conditions. Further, as discussed in Section 4.10.4.4 in Aquatic Resources, the Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below 5 mg/L on an average monthly basis; therefore, although sporadic and limited areas of low dissolved oxygen may occur, mainly in the summer months, no large or prolonged periods/layers of low dissolved oxygen are projected by the Delft3D Basinwide Model, nor anticipated based on the Barataria Basin's identification as a largely well-mixed estuary. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to Project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2), which has been updated for the Final EIS in response to public comments, includes CPRA's plan to implement a monitoring program for phytoplankton species composition, including harmful cyanobacterial/algal bloom species (and associated toxins) (see Sections 3.7.3.10 and 3.7.3.11 of Appendix R2 of the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section

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10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62773**

**The decreased salinity and increased turbidity in the proposed Project area would decrease the commercial and recreational productivity of important finfish and shellfish species, including crab, oyster, white and brown shrimp, red drum, black drum, speckled trout, and flounder.**

**Response ID: 16151**

Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS discusses the effects of decreased salinity and increased turbidity on select commercially and recreationally important species, where applicable. In light of the number of species present, these key species were chosen to use as representative species for impact analyses. These species were selected to cover a range of different feeding guilds, habitat usage, and life histories, and to describe how the individual effects of the proposed Project, as described in Section 4.10.4.4, could combine to cumulatively affect a given species. As summarized in Table 4.10-6, the proposed Project would be expected to decrease the abundance of oysters, brown shrimp, spotted trout, and southern flounder, but could result in increased abundance of blue crab, white shrimp, and red drum. Although black drum was not selected as a key species for evaluation in the EIS, its life history has similarities to that of the red drum and Atlantic croaker, and it is likely to experience a similar range of impacts (negligible impacts to moderate benefits) from operation of the proposed Project. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62774**

**The commenter questioned how the proposed diversion would affect fisheries productivity in the Project area and indicated that the analysis should include an assessment of the data from the Davis Pond.**

**Response ID: 16152**

Impacts of the diversion on aquatic species would vary by species and are discussed in Chapter 4, Sections 4.10.4.5 and 4.10.5.5 in Aquatic Resources and 4.14.4 in Commercial

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Fisheries of the EIS. The Delft 3D Basinwide Model includes Davis Pond operations and the results capture how the Project operations are projected to affect Davis Pond operations. A summary of select natural and man-made diversions in southeastern Louisiana (including Davis Pond) has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to describe their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

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TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62895**

**Feral hogs significantly damage levee systems and the increased water levels surrounding marshes would drive them (and other wildlife) further onto the current levee system, exacerbating the damage. Commenter asked how the issue would be addressed.**

**Response ID: 16166**

As noted in Chapter 4, Section 4.9 in Terrestrial Wildlife and Habitat of the Draft EIS, while feral hogs are sometimes found in marsh habitat, they are more common in forested habitat. As described in Section 4.4 Surface Water and Coastal Processes, water level increases from the proposed Project are not expected in northern portions of the basin or within federal levee systems. As shown in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S., Figure 3.6-1, and Section 3.18.2 Existing Land Use/Land Cover, Figure 3.18-1 forested lands/wetlands are located primarily in these areas. Therefore, increased water levels from the diversion are not expected to appreciably increase feral hog use of and damage to levees in the proposed Project area. Construction of the proposed Project would be expected to destroy and remove approximately 149 acres of forested lands (about 20 acres of which are forested wetlands) from within the Project construction footprint. Feral hogs using those forests would be displaced during construction and operation and would be expected to move to other areas. See Sections 4.9.3.2 and 4.9.4.2 of the Draft EIS. Section 4.9.4.2.3.2 Terrestrial Invasive Animals was updated for the Final EIS to discuss the potential for feral hogs to damage levees during periods of increased water levels.

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**Concern ID: 62968**

**If operation of the diversion causes infill of various canals used to access surrounding communities, who will be responsible for dredging to maintain access? For example, if Wilkinson Canal is filled with silt then the canal cannot be used and waterfront property owners with boat lifts in Myrtle Grove will not be able to get out using their boats; the EIS does not require a remedy or provide a funded maintenance plan for this issue (including who would pay for dredging).**

**Response ID: 16642**

The impacts raised by the commenters were considered in the Draft EIS. As stated in Chapter 4, Section 4.21 Navigation, the USACE would continue to maintain federal navigation channels in the Project area during Project operations.

In acknowledgement of commenters' concerns regarding maintenance of non-federal navigation channels and canals impacted by sedimentation of the proposed diversion, the Mitigation and Stewardship Plan includes measures to mitigate impacts on navigation resulting from operation of the Project, including monitoring and dredging or other measures for certain non-federal navigation channels including Wilkinson Canal (see Appendix R1 [Mitigation and Stewardship Plan] to the Final EIS for additional details).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the Final Mitigation and Stewardship Plan and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove

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compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

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**Concern ID: 63185**

**Additional development of mitigation plans and accountability for mitigation commitments is needed.**

**Response ID: 16562**

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63208**

**Additional information is needed on who will pay for the increased costs for flooding and levee protection that will be needed due to the Project.**

**Response ID: 16576**

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The Draft EIS summarizes whether and the degree to which construction and operation of the Project would cause increases in water levels and corresponding inundation in Table 4.20-15 in Chapter 4, Section 4.20 Public Health and Safety. Further, a draft of CPRA's Mitigation and Stewardship Plan was issued with the Draft EIS (Appendix R1) and explained CPRA's mitigation and stewardship measures to address increases in water levels and inundation projected to result from Project operations. Between completion of the Draft EIS and publication of the Final EIS, CPRA expanded and refined those mitigation and stewardship measures based on input received on the Draft EIS and during direct community outreach (see Chapter 7 [Public Involvement] of the Final EIS). As explained in CPRA's Final Mitigation and Stewardship Plan issued with the Final EIS (Appendix R1), CPRA would allocate funding to address and avoid some adverse effects due to the projected increases in inundation, including construction of structural mitigation and stewardship measures such as improving bulkheads, elevating roads, and raising homes. Increases in tidal flooding are not projected to exceed existing levee protection, therefore, CPRA does not intend to raise levees or to construct new levees. CPRA also would use Project funds to acquire Project servitudes over certain properties projected to be affected by Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. For additional details regarding CPRA's mitigation and stewardship measures, see the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

If the LA TIG decides to fund the Project, that funding authorization would also include funding for mitigation and stewardship measures.

Structural measures contained in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under this DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulatory agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the



Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64508**

**The proposed Project would introduce contamination that could potentially make fish and shellfish more harmful for public consumption.**

**Response ID: 15825**

Chapter 4, Sections 4.5.5.3 through 4.5.5.9 of the EIS discuss anticipated changes in chemical concentrations in the Barataria Basin due to the proposed Project. The general impacts of these chemical compounds/nutrients on aquatic resources are discussed in Section 4.10.4.4 General Impacts on Habitat and the Environment. Potential contaminants, including sulfate, atrazine, and fecal coliform were also modeled and discussed in Sections 4.5.5.7 Sulfate and 4.5.5.9 Atrazine. The Delft3D Basinwide Model projects that the proposed Project would result in beneficial decreases in sulfate and would have negligible impacts on atrazine levels and they are therefore not specifically discussed in Section 4.10. A discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS; however, it is not harmful to fish and shellfish themselves. Chapter 4, Section 4.10.4.4 General Impacts on Habitat and the Environment has also been supplemented in the Final EIS to discuss the potential for bioaccumulation of river water contaminants in biota of the Barataria Basin.

Section 4.14.4.2.3 in Commercial Fisheries has been updated in the Final EIS to discuss the National Shellfish Sanitation Program and the Louisiana Department of Health's oversight of shellfish harvesting in order to prevent harvest of oysters that may contain unsuitable levels of fecal coliform or toxins harmful to human health. Additionally, Appendix R2 in the Final EIS includes CPRA's Monitoring and Adaptive Management (MAM) Plan that describes monthly fecal coliform monitoring (Section 3.7.5.1) and periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23).

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**Correspondence ID:40554**

Go FISH Coalition

Tracy Kuhns

Re: Comments Mid-Barataria Sediment Diversion Draft Environmental Impact Statement

These comments are submitted on behalf of Gulf Organized Fisheries In Solidarity and Hope, Inc (GO FISH) related to Mid-Barataria Sediment Diversion Draft Environmental Impact Statement. GO FISH is a non-profit coalition of Louisiana's leading commercial fishing advocacy organizations. The members include thousands of commercial fishermen from from and through the Louisiana Oystermen Association, Louisiana Shrimp Association, Louisiana United Crabbers Alliance, Association of Family Fishermen, United Commercial Fishermen, Louisiana Bayoukeeper and their partners. The members of these organizations are a diverse group of fishermen, including descendants of the Native Americans, African Americans, Asian Americans, Latin Americans, Cajun Americans and European Americans.

The citizens of Louisiana are culturally and economically tied to our state's bountiful seafood and people come to Louisiana, from all over the U.S. and the world, to share in our seafood and culture. While we fully support the utilization of NERDA fines to restore habitat, fisheries, marine life, wildlife, injured and/or destroyed in the Northern Gulf of Mexico, and particularly in the Barataria Basin, we have serious concerns as to the proposed Mid-Barataria Sediment Diversion Project ability to meet the legal and practical restoration requirements.

We are requesting an additional 90 day extension on the Mid-Barataria Sediment Diversion Draft Environmental Impact Statement comment period.

The release of the Mid-Barataria Sediment Diversion Draft Environmental Impact Statement in March 2021 came at a time when the most highly impacted individuals and small businesses, who live and work within the Barataria Basin outside the levee system; as well, as those individuals and small businesses reliant on their products and services, were facing losses from a fisheries disaster, Covid 19 impacts, and Income Tax Filing deadlines, and the opening of the brown shrimp season May 24, 2021 in Louisiana. A series of public meetings sponsored, in April, by the CPRA, presented the perspective of those supporting and promoting the Mid-Barataria Sediment Diversion Project and held at times difficult for ordinary working individuals to attend. When request have been made, in the past, to allow others to present opposing views, CPRA denied the requests. This individuals and small businesses, for the most part do not understand the legal and technical nature of the documentation included in the EIS and do not have Pro Bono or financial ability to hire legal or scientific experts. We would like to hold public meetings during the closed shrimp season between approximately July 1 and Mid to late August for the purpose in order to have speakers explain the EIS and allow participants to ask questions and submit verbal and/or written comments.

The following is a list of some of our concerns:

- The Mid-Barataria Sediment Diversion Project states its purpose is to restore injuries caused by the BP DWH oil spill. The Mid- Barataria Sediment Diversion Draft Environmental Impact Statement confirms this purpose can not be met and, in fact will cause further harm to habitat and resources NERDA fines were are intended to restore. Including, but not limited to, salt marsh, wildlife habitat, fisheries, fisheries food sources, and marine life food sources,

dolphins, turtles, brown shrimp and oysters. The opening of the Bonnie Carre Spillway in 2019 demonstrated exactly what the Mid-Barataria Sediment Diversion will do to dolphins, and other marine species; as well as, water quality. In addition, a recent letter from the Marine Mammal Commission states that the project would cause the Barataria Dolphin Pods to become extinct. The Marine Mammal Protection Act waiver granted to allow this project to circumvent compliance with the Marine Mammal Protection Act should be rescinded and the project should be forced to go through the entire permitting process.

- No real alternatives are evaluated in the Mid-Barataria Sediment Diversion Draft Environmental Impact Statement. Although a viable alternative project was submitted by Chris McLindon, the only alternatives clearly evaluated are simple different versions of the Mid-Barataria Sediment Diversions. Once again, the ruling saying the funds can only be used for diversions needs to be rescinded, as it violates the intent of NERDA and OPA.
- Socioeconomic Impacts are based on faulty data and need to be completely redone using data applicable to individuals and businesses which will be most highly impacted by failure to restore and further damage injured resources, which have been utilized for generations to support fishing families, recreational and charter fishing, wetland and wildlife tourism and all the related and extended businesses and occupations. The use of census data fails to accurately identify the % of individuals and businesses economically reliant on the Barataria Basin resources and does not reflect long term or more recent income levels of those directly involved in businesses or jobs related to the resources. In addition, while Lafitte, Barataria, and Crown point do identify as one community each community has a different zip code. Temporary jobs related to Mid-Barataria Sediment Diversion can not and will not replace multi-generation businesses and jobs related to the natural resources
- We would like additional time to submit more comprehensive comments and allow others to do the same.
- GO FISH member organizations and their members adamantly oppose the construction and implementation of the Mid- Barataria Sediment Diversion Project, as designed. Thank you for considering these comments.

Sincerely,

Tracy Kuhns, President

[REDACTED]

[REDACTED]

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As

described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be

provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for

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more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62028**

**Commenters suggest integrating more current data and information before the release of the Final EIS, including and especially the 2020 Census data. This data would show important population shifts to communities in Jefferson, Lafourche, and Plaquemines Parish, as well as the major metropolitan area of greater New Orleans. However, the use of census data may not accurately identify the individuals and businesses economically reliant on the Barataria Basin resources and does not reflect long-term or more recent income levels of those directly involved in businesses or jobs related to the resources.**

**Response ID: 16224**

The EIS uses a variety of data sources to best describe the regional economy and populations, including relatively recently released statistics from the U.S. Census Bureau American Community Survey (ACS), data from 2010 Decennial Census, as well as a variety of state and local sources. Initial data from the 2020 Decennial Census was released in fall 2021 for Congressional redistricting purposes, with the bulk of the remaining 2020 Decennial Census data projected to be released over the next few years. The Final EIS has been revised to update the 2010 Decennial Census data to 2020 Census data. This update provides the most recent population and demographic data available for the some of the very small communities described in the EIS. Data for particular industries that may be affected by the Project, such as commercial fishing, are presented using state sources or other local data as available.

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**Concern ID: 62487**

**Several commenters requested additional time to submit comments on the LA TIG's Draft Restoration Plan and Draft EIS.**

**Response ID: 15768**

The public comment period for the LA TIG's Draft Restoration Plan and Draft EIS was originally 60 days (March 5, 2021 through May 4, 2021). On April 23, 2021, USACE and the LA TIG issued a special public notice, announcing a 30-day extension of the public comment periods. With this addition, the public comment period for both documents was 90 days (March 5, 2021 through June 3, 2021).

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**Concern ID: 62502**

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**The Marine Mammal Protection Act waiver granted to allow this Project to circumvent compliance with the Marine Mammal Protection Act should be rescinded and the Project should be forced to go through the entire permitting process.**

**Response ID: 15968**

The Bipartisan Budget Act of 2018, Public Law 115-123, included a requirement that the Secretary of Commerce (as delegated to the Assistant Administrator of the NMFS) “shall issue a waiver of (MMPA prohibitions and requirements)” for three projects, including the proposed MBSD Project. In accordance with this Congressional directive, NMFS issued the waiver on March 15, 2018. As directed by Congress, the waiver operates “for the duration of the construction, operation, or maintenance of the . . . projects.” Congress would need to act to allow rescission of the waiver. More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>. The MMPA waiver does not alter USACE’s or the LA TIG’s NEPA responsibility to evaluate anticipated impacts of the proposed Project on marine mammals. The EIS analyzes and discloses the environmental and economic impacts of the proposed Project, including anticipated effects on marine mammals (see Chapter 4, Section 4.11 Marine Mammals). The NEPA process was not abbreviated to expedite review. All steps in the NEPA process have been followed to allow for public participation and transparency, including scoping, public review and comment periods.

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE’s involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG’s Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG’s views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that

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negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the

Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40555**

LA Crab, Shrimp, Oyster Task Force

Mitch Jurisich

Dear Mr. LaBorde:

On behalf of the Louisiana Crab Task Force, Louisiana Shrimp Task Force and Louisiana Oyster Task Force please accept our joint comments regarding the above referenced Mid-Barataria Sediment Diversion draft EIS.

Note please that these three organizations, established by the State of Louisiana to represent the interests of our respective seafood industry segments, strongly and unambiguously stand in opposition to approval of the referenced draft EIS and to the Mid-Barataria Diversion Project as scoped and proposed.

Our reasons for such strong opposition are well documented and based on our long and deep history and knowledge of Louisiana's commercial fisheries, as well as our experienced understanding of the harsh and overwhelmingly negative impacts this \$2 billion project will have on both the economy and ecology of southeast Louisiana.

Representatives of our industries stand ready to answer any questions you may have in this regard or to provide additional detail as requested. Thank you in advance for your consideration or our points of view on this important topic.

Sincerely, Mitch Jurisich,

Chair, Joint Fisheries Task Force, State of Louisiana

Louisiana's Commercial Fishing Community Stands United Against Mid-Barataria Freshwater Diversion

Over the past many months, the Coastal Protection and Restoration Authority (CPRA) has launched a vigorous and well-funded campaign to convince Louisiana residents, media and policy makers that its Mid Barataria Diversion Plan is the sure shot solution to solving our state's land loss problems. They have even gone so far as to put lipstick on this pig, re-branding the nearly \$2 billion project as a

"sediment" diversion to disguise what it really is: a freshwater diversion of polluted river water that just happens to contain very limited amounts of sediment.

As representatives of Louisiana's commercial fisheries organizations, stewards of these valuable but limited resources for generations and employers of many of the thousands people who harvest, process and ship America's best seafood, we remain unconvinced. Put another way: We know better. And we stand united in opposition to this ill-conceived and counterproductive project that will do little to rebuild our coast but much to destroy our fisheries, our fisheries economy and our way of life.

Joining us in our strong opposition to this freshwater flood are the Parish Councils for Plaquemines, St. Bernard and St. Tammany, all of which know the demonstrated risks that come with such large-scale freshwater diversions. These Councilmembers know what we know - that better options exist and that this project will create more misery than land. They know that this project is a job killer for many residents of southeast Louisiana and a dagger for local economies. That is why these three councils voted so strongly in opposition to this latest freshwater flood.

From almost any rational point of view, the Mid Barataria Freshwater Diversion makes no sense.

First, this project touts its ability to build a new river delta where one has never existed. That is not

coastal "restoration". Second, even the Corps of Engineers' Draft Environmental Impact Statement (EIS) acknowledges (but downplays) the fact that freshwater flooding disrupts the ecology and renewable resources such as seafood. As the EIS does make clear, it will take decades (if ever) for our oyster, crab, shrimp and shellfish resources to recover from the negative impacts of freshwater intrusion even if those persons who make their livings on the water never do.

The people who live and work in the potentially impacted area simply don't have decades to cool their heels while waiting for the resource to recover from an economic and ecological tsunami of unimaginable proportions. Third, while the dispersion of sandy river sediment through diversions will deceptively impact the optics, making the basin look green and lush due to a disproportionate nutrient influx from freshwater, in reality, because of poor root growth and low soil strength, the addition will do nothing more than provide very low-quality storm protection.

Lest anyone actually believe the environmental and marine life impacts will be minimal and of limited consequence and duration, consider the recently revealed state report that indicates that bottlenose dolphins would become "functionally extinct" in two of four areas of Barataria Bay, and the number of dolphins will drop dramatically in the rest of the bay, within 10 years of the start of operations of the proposed project. Put another way, a project trumpeted by many as the most reliable way to save the coastal environment, will actually serve to help decimate the marine mammals that live there. And this is helpful how?

Lastly, and of critical importance to every taxpayer, this freshwater diversion project is a colossal waste of money. The draft EIS clearly states that the Barataria Basin will create an estimated 85,500 acres of wetlands by 2070 with the diversion yet with no action, the basin will still gain an additional 72,800 acres. At a sticker shock price of nearly \$2 billion that means this project will cost more than \$150,000 per acre to generate a mere 12,700 acres of new marshland over an extended 50-year period.

And although proponents of this project are quick to say that technically speaking, tax dollars aren't being used to plan and implement it, that statement belies the fact that that same money could in fact be better used to undertake projects that actually do more good than harm and by being of better value to the people of Louisiana.

To be clear, we, and our colleagues, friends and neighbors support responsible and well-designed projects that will save our coast and reduce land loss. Those projects include sediment dredging which has routinely and effectively been used all over coastal Louisiana with impressive results and without wrecking coastal economies, the lives of coastal residents or decimating an entire community of marine mammals.

As if all these negative impacts aren't enough, consider the deep economic impact a lack of seafood availability will have on our restaurants, on tourists who come to Louisiana in part to enjoy our bountiful seafood fresh from our coastal waters, on local residents who will

undoubtedly pay far more to feed their families on our shrimp, crab, oysters and finfish than ever before, and on Louisiana's reputation as America's seafood market of choice.

As representatives of our state's crab, shrimp, and oyster industries, and employers of thousands of south Louisianians who may well lose their jobs in the diversion's flood waters, and who may not qualify for the kind of jobs CPRA claims will be created by the project, we urge the people, media and policy makers of Louisiana to join us in saying "no" to this massive, expensive and poorly designed project. Instead Louisiana should be exploring more viable and less intrusive options such as dredging, which has already been proven to reduce land loss and rebuild suitable habitat that protects our coast and coastal residents, and green tree reservoirs surrounded by levees which will have immediate storm protection without having the wait the estimated 50-years touted by CPRA's diversion plan.

In summary, those who know best - those who live in, work in and govern the communities that will be dramatically and irreparably impacted by this massive freshwater flood - urge CPRA and the Corps of Engineers to listen closely to our experienced voices, step back from the abyss they are pushing us toward, and thoughtfully and objectively review other alternatives that will actually do more good than harm.

Mitch Jurisich

Acy Cooper

Brittany Dufrene

Louisiana Oyster Task Force Louisiana Shrimp Task Force Louisiana Crab Task Force

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**Concern ID: 61782**

**Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.**

**Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61852**

**The cost per acre of marsh creation by the diversion is far higher than a corresponding alternative of marsh creation through the use of dredged material. Marsh creation**

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**through a diversion takes 50 years unlike marsh creation through dredging. In addition, brackish/salt marshes (which would be created by dredging) are more resilient than freshwater marshes, and thus marsh created through dredging would be a more sound investment of restoration funding than a sediment diversion.**

**Response ID: 16617**

The timing of marsh benefits created by the proposed diversion was considered in the Draft EIS in Chapter 4, Section 4.6.5 Wetland Resources, Operational Impacts. In response to these comments, additional detail has been added regarding the resiliency of fresh marsh compared to brackish marsh in the Final EIS, Sections 4.6.5.1.2.3 Soil Shear Strength and 4.6.5.1.2.4 Land Accretion. Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material is relevant for several reasons. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis. The benefits of marsh created with dredged material would diminish over time without maintenance in the form of additional pumping events due to subsidence and sea-level rise; thus, the temporal nature of Project benefits in the absence of periodic maintenance would also be very different. The costs and benefits of the Project were fully considered by the LA TIG and are discussed in the Draft Restoration Plan in Section 3.2.1.2 Cost to Carry Out the Alternative.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern

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Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are**

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**closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without



implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRAs has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRAs has expanded and refined this Mitigation and Stewardship Plan in the Final EIS

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(Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62173**

**This Project touts its ability to build a new river delta where one has never existed. That is not coastal "restoration."**

**Response ID: 16407**

The issues raised by the commenter were considered in the Draft EIS. As shown in Figure 3.2-1 in Chapter 3, Section 3.2 Geology and Soils, much of the Barataria Basin was wetland and terrestrial habitat in the past. Historically, Mississippi River overbank flooding deposited sediment, fresh water, and nutrients into the Barataria Basin during annual flooding cycles, nourishing and sustaining wetland habitats. The EIS Chapter 1, Section 1.2.1 History of the Barataria Basin describes this historic process. To clarify this, discussions of the delta cycle in the Project area have been added to the Final EIS in Chapter 3, Sections 3.1.4.2 Barataria Basin and 3.2.1.1 Historical Context. Additional discussion related to the Project's impacts on geomorphology and historic deltaic landforms has been added to Chapter 4, Section 4.2.3.2.2.3 Geomorphology of the Final EIS.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

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Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62792**

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**CPRA is using soundbites and marketing to convince the Louisiana public and legislature to allow them to dole out contracts for over \$2 billion in limited coastal restoration dollars on these projects. In reality, Barataria Bay is already connected to the river with existing diversions at Davis Pond, West Pointe á la Hache, and Naomi.**

**Response ID: 16373**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, the Draft EIS assesses the environmental and socioeconomic impacts of the proposed Project. To the extent construction spending would serve as an economic driver, those anticipated impacts are discussed in Chapter 4, Section 4.13.4.2 Economy, Employment, Business, and Industrial Activity. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Delft3D Basinwide Model, which was used in developing the proposed MBSD Project EIS, accounts for the existing diversions at Davis Pond, West Pointe a la Hache, and Naomi (see Appendix E [Delft3D Modeling], Section 5.1.1 of the EIS).

The USACE is neither a proponent nor an opponent of the proposed Project. It will make its decisions regarding the proposed Project based on the evaluations in the EIS and considering public comments and its determinations with respect to the public interest review, compliance with the CWA Section 404(b)(1) guidelines, compliance with other laws and Executive Orders, whether the Project would affect the ability of Corps projects to meet their authorized purposes and whether the project is injurious to the public interest. USACE's decisions will not be based in any respect on CPRA's public communications regarding the proposed Project.

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**Concern ID: 63015**

**There are misrepresentations in the EIS about how nutrients in the river would spread out far from the sand deposition area to lower plant biomass belowground. Increasing nutrient loads from diversions would weaken soils, not strengthen soils.**

**The modern Mississippi River has nutrient concentrations that are much higher than when the mostly organic soils were created centuries ago (Turner et al. 2007) and may weaken soils by 30 percent, resulting in less belowground biomass, and change vegetation from being comprised of perennials to annuals (Turner et al. 2011). Increased flooding inundation, which is a consequence of river diversions, also weakens the belowground biomass of wetland plants (Morris et al. 2017) that may erode during high water events or from hurricanes (Kearney et al. 2011, Howes et al. 2010). Individual roots become weaker when exposed to ambient levels of nutrients found in the river (Hollis and Turner 2019a, b; Hollis and Turner 2021). The soil becomes degraded, accumulates less biomass, and decomposes and erodes faster (Swarzenski et al. 2008, Hebert et al. 2020). The diversion of river water into the nearby marshes would almost certainly weaken soils, making them less resistant to wave energy and hurricanes. A striking example is the net loss of wetlands in the Davis**

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Pond Diversion where increased land loss occurred beginning the year after the diversion opened (Turner et al. 2019). This is an area that has no significant sediment input.

Turner RE, Rabalais NN, Alexander RB, Mclsaac G, Howarth RW 2007. Characterization of nutrient and organic carbon and sediment loads and concentrations from the Mississippi River into the northern Gulf of Mexico. *Estuaries Coasts* 30: 773-790.

Turner RE 2011. Beneath the wetland canopy: loss of soil marsh strength with increasing nutrient load. *Estuaries Coasts* 33 1084-1093.

Morris JT, Barber DC, Callaway JC, Chambers R, Hagen SC, Hopkinson CS, Johnson BJ, Magonigal P, Newbauer SC, Toxler T, Wigand C 2016. Contributions of organic and inorganic matter to sediment volume and accretion in tidal wetlands at steady state. *Earth's Future* 4, doi:10.1002/2015EF000334.

Kearney MS, Riter CA, Turner RE 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847

Hollis LO, Turner RE 2019a. The tensile root strength of *Spartina patens* varies with soil texture and atrazine concentration. *Estuaries and Coasts* 42: 1430-1439. doi: 10.1007/s12237-019- 00591-5

Hollis LO, Turner RE 2019b. The tensile root strength of *Spartina patens*: response to atrazine exposure and nutrient addition. *Wetlands* 39(4): 759-775. Doi:10.1007/s13157-019-01126-1

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Response ID: 16028

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The literature cited by the commenters has been reviewed, including Turner et al. 2007, Turner et al. 2011, Morris et al. 2017, Kearney et al. 2011, Howes et al. 2010, Hollis and Turner 2019, Swarzenski et al. 2008, Hebert et al. 2020, Turner et al. 2019, and Mo et al. 2020, and Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS has been revised to include additional analysis regarding the impact of nutrient input from the proposed Project on vegetation communities and soil shear strength.

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**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

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**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action

Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Correspondence ID: 40556**

LA Oyster Task Force

Mitch Jurisich



June 3, 2021

United States Army Corps of Engineers

New Orleans District

Attn: CEMVN-OD-SE, MVN-2012-2806-EOO

7400 Leake Avenue, New Orleans, LA 70118

Email attachments sent to: [CEMVN-Midbarataria@usace.army.mil](mailto:CEMVN-Midbarataria@usace.army.mil)

Re: Mid-Barataria Sediment Diversion EIS

Dear Mr. Brad Laborde:

On behalf of the Louisiana Oyster Task Force, I am pleased to formally submit our response to and comments on the Mid-Barataria Sediment Diversion draft Environmental Impact Statement (EIS) for the record.

After careful review of the draft EIS, we continue to hold strong reservations as to the “purpose and need” of the MBSD to rebuild our coast at the expense of our fisheries and essential fish habitat, our industry’s jobs and our coastal heritage and way of life. We believe this EIS as currently scoped, and CPRA’s proposed plan of action is incompatible with both a healthy environment and a healthy economy for southeast Louisiana. Over the years, we have pleaded for alternatives to be considered that would lessen the impact on our fisheries and communities, and yet, all six alternatives considered by CPRA involve mass amounts of freshwater to overflow into Barataria Basin. CPRA has not looked at a single alternative – dredge projects, small diversions, or other – that would limit the destruction to the estuary within. Thus, in our view, they have failed the people of Louisiana and that failure is written large throughout the draft EIS.

The irreversible impacts outlined within this response and the draft EIS itself cannot be overstated. Louisiana’s oyster industry has been a major fishery for over 150 years, providing for almost 4,000 direct jobs with an economic impact of \$317 million annually. Altogether, Louisiana’s commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually.

It should be no surprise that joining us in our strong opposition to this freshwater flood are Louisiana's Shrimp and Crab Task Forces, the Parish Councils for Plaquemines, St. Bernard and St. Tammany, and Louisiana Lieutenant Governor Billy Nungesser, all of whom know the demonstrated risks that come with such large-scale freshwater diversions.

It will cost the state billions in damages over 50 years compared to the erroneous and insultingly low \$300 million in mitigation money suggested by CPRA. We implore the Army Corps of Engineers to consider the complete cost of the negative impacts as part of the total cost of the project before allowing this plan to advance.

Within the first five years, the impacted area will lose much of our salt and brackish water marine life including dolphins in exchange for the chance we *might* build land by 2070. If the real concern is protecting our coast, then we need to make an impact immediately. We need to build land now, not maybe build land in 50 years.

As stewards of the coast, we believe deeply in protecting and restoring our coastline, however, not at the expense of our most valuable natural resources. The Louisiana Oyster Task Force and our colleagues who shrimp, crab and fish for a living believe we can rebuild the coast without sacrificing the diversity of our estuaries and destroying current fish and wildlife habitat.

We are grateful to the scientists and academics devoted to protecting Louisiana's coast, but with all respect, science gets you so far. At some point, we have to look at real life experience and listen to the experts that have been protecting our estuaries for generations.

Sincerely,

Mitch Jurisich, Chairman  
Louisiana Oyster Task Force

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## **SUMMARY OF THE LOUISIANA OYSTER TASK FORCE'S OBJECTIONS TO USACE DRAFT EIS FOR THE MID-BARATARIA DIVERSION PROJECT**

- Louisiana's oystermen and women have been champions of protecting and restoring our damaged coastal environment for decades. As representatives of the more than 4,000 residents who rely directly on oyster harvesting and processing for their livelihoods, we are active and vocal advocates for policies and projects that work responsibly toward saving our coastal communities. Investing our own funds and resources through building cultch and coastal water bottoms more than demonstrates our commitment to a common goal we can share with CPRA and others.
- The Mid Barataria Diversion Project defies its own Purpose and Need by intending to use funds obtained and earmarked for damages incurred by the 2010 Deepwater Horizon oil spill for purposes that have nothing to do with mitigating damages caused by the spill. There is no claim, legitimate or inferred, that the DWH spill has played any role in coastal land loss. As such, it is our strongly held contention that these funds will be misappropriated if applied to the MBSD project.
- This project has been purposefully and deceptively mis-named by CPRA to deceive the public: As a project that will move 99% fresh river water and only 1% sediment (of which somewhere between 5-30% will remain in place), it is clearly a freshwater diversion and not a sediment diversion project. Sediment movement is merely a limited by-product of the movement of vast amounts of water. Notably, CPRA accurately terms other diversion projects they have undertaken such as the Caernarvon and David Pond diversions as freshwater diversions. Rebranding MBSD as a sediment diversion insults the intelligence of policy makers and the people of Louisiana.
- In its zeal to tout and build "the largest project of its kind in the world" CPRA intentionally failed to give legitimate study or credence to any other viable alternatives to massive freshwater floods. All seven options considered by CPRA either call for massive freshwater intrusions or no action at all. That "no action at all" should be considered a responsible approach to solving what CPRA has termed a critical problem that must be addressed is the height of cynicism and flies directly in the face of numerous other CPRA projects that utilize alternative methods such as sediment dredging and shoreline protection.
- Any advantages gained through diverting massive amounts of chemical-laden river water into the region's prime oystering, shrimping, crabbing and commercial and recreational fishing grounds will be more than offset by damages done to the estuaries and these industries and the people and communities that depend on our natural resources.
- Necessary mitigation funding estimated by CPRA and identified in the draft EIS is woefully inadequate to compensate for the economic and resources damages that will actually be incurred, leaving it to the taxpayers of Louisiana to pick up the tab to mitigate the true damages.

- The opinions of those who know best are intentionally ignored or downplayed by CPRA and thus by the draft EIS. Parish governments in Plaquemines, St. Bernard and St. Tammany and leaders of each of the state's commercial fishing task forces vehemently object to this project and draft EIS as scoped.
- Destroying numerous natural or environmental resources in an ill-conceived attempt to protect another is not, by anyone's standards, sound public policy. Doing so at a cost of \$2 billion is nothing short of folly.

## **POSITIONING STATEMENT**

The Louisiana oyster industry has been a major fishery in Louisiana for over 150 years. Shellfish are an invaluable sustainable resource that are culturally and economically important to many of Louisiana's coastal communities, and by extension, to Louisiana's tourism-driven economy and reputation as a producer of many of America's most beloved seafood products. Louisiana's commercial oyster industry provides for almost 4,000 jobs and has an economic impact of \$317 million annually. Looking at Louisiana's oyster, crab, and shrimp industries the state produces and sells \$2.4 billion of seafood annually.

In fact, Louisiana produces  $\frac{1}{3}$  of all seafood consumed in the United States, making Louisiana the second largest producer of seafood in the country. Broadly speaking, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents. That amounts to approximately one job out of every 70 jobs in the state.

In looking at the net loss of \$258 million to our state's commercial fisheries by the 2016 opening of the Bonnet Carre' spillway to a freshwater flood alone, there is little uncertainty about what will lie in store for our state's fisheries by opening the floodgates on the massive MBSD project (*November 20, 2019, Seafood Source*).

Louisiana's oystermen and women have long been among the most active advocates for saving and restoring our coast. Decades before coastal protection and restoration were deemed of any real importance by state and federal government agencies, the people who earned their livings on the water had been spending their own funds on building coastal water bottoms through using the resource itself to build cultch and strengthen against storm surge or sea level rise. We continue to do so today, nearly every day of the week, in fact.

And, while we support broader efforts to restore the wetlands and to provide for coastal flood protection, those of us who live and work in our coastal communities and depend on the natural fisheries and wildlife resources of Louisiana's estuaries, and whose culture is intertwined with those resources, deserve to have the guarantee that all efforts will be taken to preserve these natural renewable resources for generations to come.

The huge volumes of river water that will flood Barataria Basin with this project would completely inundate and overly freshen the entire estuary, destroying the current eco-habitat. This is a fact beyond

any dispute or trivializing. Historically productive oyster reefs would be swamped with upriver sediment, wiping out the marine life habitat that currently exists and has existed for centuries. River water also contains industrial and traces of biological pollutants which can degrade water quality within the estuary and will adversely affect all marine life.

Important assets like historical oyster reefs should be protected. Louisiana's coastal communities depend on the health of the estuaries for economic sustenance. There are other proven ways to rebuild the coastal wetlands that can help to restore and enhance the Barataria Basin without destroying livelihoods, increasing local flooding risks, and hurting our coastal communities. CPRA has deliberately and cynically failed to explore any of them. CPRA should be instructed by the Corps of Engineers to further explore other viable options beyond freshwater diversions before the Corps is permitted to submit its final EIS.

We should not have to destroy our natural resources, the marine resources, and our estuaries, to save them. Doing so makes no sense. We can do better, and we believe that the U.S. Army Corps of Engineers can and should help us do so by rejecting this poorly conceived freshwater flood initiative.

#### **1.4 PURPOSE AND NEED**

CPRA has promoted the assertion that a large-scale river diversion is important and necessary to restore the Barataria Basin for damages resulting from the Deep-Water Horizon Oil Spill (DWH). The Purpose and Need as currently scoped in the draft EIS clearly states that the Mid Barataria diversion is intended to “restore for injuries caused by the DWH oil spill” and that the project will “reconnect and re-establish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water and nutrients”. Additionally, the statement of Purpose and Need indicates that the “the project is intended to restore habitat and ecosystem services in the northern Gulf of Mexico as a result of the DWH oil spill.”

This positioning statement of Purpose and Need is simply not true. It is merely an attempt to justify using funds generated from punitive measures related to the Deepwater Horizon spill for purposes that suit the needs of the CPRA in pursuit of an enormously expensive project no government or combination of governments (federal, state, or local) would ever expend funds for on their own.

More specific evidence of CPRA's duplicity in promoting and justifying this project in the context of DWH is LATIG's Strategic Restoration Plan and Environmental Assessment #3 which categorically and unequivocally focuses on the historic (pre DWH and in fact pre 20<sup>th</sup> and 21<sup>st</sup> century condition of the Mid Barataria area) and states that “historically Mississippi River channel migration, crevasses, and overbank flooding deposited sediment, freshwater, and nutrients in the Barataria Basin, building land and sustaining wetland habitats”.

Other direct references to causation unrelated to DWH in the statement of Purpose and Need include: the levee-induced channelization of the Mississippi River which has “altered natural fluvial interaction and sediment transport from the river into the basin...”, “exacerbated wetland loss including the

excavation of canals for transportation and oil exploration, the introduction of invasive species, and sea level rise.” “Recent hurricane events” are also identified as culprits in the condition of Louisiana’s coast in the statement of Purpose and Need as well as the placement Mississippi River flood control structures (again, totally unrelated to damages caused by DWH), as well as dredging itself, a frequent weapon used by state and federal authorities to restore lost land and prevent future land loss.

More consensus around the real causes of coastal land loss can be found in the May 31, 2021 New Orleans Advocate article and graphical depiction of causes of land loss by Dan Swenson (These six factors explain why Louisiana is rapidly losing land; see graphics). Specifically, six, and only six, factors are documented in the article:

1. Levees and jetties
2. Canals and channels
3. Subsidence
4. Saltwater intrusion
5. Invasive species
6. Sea level rise

Nowhere is the Deepwater Horizon oil spill (or any other oil spill) mentioned as a primary or contributing factor in Louisiana’s coastal land loss.

Specific evidence showing levees as a real culprit in the causation of land loss can be found in the fact that prior to the Deepwater Horizon oil spill, CPRA long held that Mississippi River flood control projects were the primary causes of coastal land loss. Notably, for decades the U.S. Army Corps of Engineers has spent hundreds of millions of dollars building these levees which, and while serving to protect surrounding acreage from water intrusion and flooding, have also served to make that surrounding acreage sink due to the sheer weight of the levees themselves (evidence of subsidence).

Louisiana’s estuaries, and the marshlands that connect them, have endured many man-made changes over the past 50 years, much of it directly in the interests of the oil and gas exploration industry yet these causes of land loss are not addressed by CPRA. Approximately 80% of the acreage projected to be reclaimed or built through implementation of the Mid Barataria Diversion Plan is privately owned by oil and gas production, exploration, or pipeline companies, which are widely acknowledged to be largely responsible for land loss due to the construction of hundreds of miles of canals and cuts used by those companies to service their well and pipeline sites. Essentially and ironically MBSD is designed in large part to rebuild land owned by some of the very interests that are responsible for land loss in the first place. CPRA should explain to the people of Louisiana why this actually makes sense.

To provide additional weight to these facts, a study by the Louisiana Mid-Continent Oil and Gas Association concluded oil and gas canals were "the overwhelming cause" of land loss. Another study by the U.S. Geological Survey stated the industry caused 36 percent of land loss. And another study by the American Petroleum Institute found that the industry caused 34 percent of the land loss. Dr. R Eugene

Turner, an LSU coastal scientist, concluded the industry caused over 80 percent of the land loss. Other published papers have attributed 20 to 33 percent of the land loss was caused by the industry. For the sake of this response, let's settle on an average between all these studies and conclude 44% land loss is attributed to the oil and gas industry.

Land companies, which own much of the coastal wetlands, profited handsomely from mineral royalties at the expense of losing the surface wetlands because of a poorly planned government coastal permitting process that looked only for maximizing short-term gains. For too long, the state and local governments have turned a blind eye to the environmental problem that was being created by the oil and gas industry, enabling unaccounted for damages to the wetlands to accumulate – meanwhile no one accepts or even suggests any responsibility. Damages to our coastal wetlands, bays and bayous are still allowed to continue today.

Instead, CPRA is seeking to spend nearly \$2B to build a new river delta where one never existed for over 1,000 years. Building *a new* river delta in Barataria Bay is not restoration by anyone's standards no matter how much money they have spent to pretend otherwise. CPRA and their allies are misleading the public by twisting the facts to better sell a lame and transparent narrative. In reality, Barataria Bay is already connected to the river with existing diversions at Davis Pond, West Pointe à la Hache and Naomi. Rather than restoration, what CPRA seeks to do is re-create the coast in an image of its own bureaucratic imagining.

#### **1.6.1 THE OPA AND DWH NRDA DECISION**

This project is in clear violation of OPA 15 CFR Sect 990.54 which states that the restoration alternatives be evaluated by: *"The extent to which each alternative will prevent future [injury](#) as a result of the [incident](#), and avoid collateral [injury](#) as a result of implementing the alternative"*.

The proposed MBSD will without question cause additional injury and collateral injury to many of the same eco-resources damaged by the DWH oil spill, like bottlenose dolphins, seafood fisheries, Essential Fish Habitat, and others. We strongly believe, as do Louisiana Lieutenant Governor, Plaquemines, St. Tammany, and St. Bernard Parish governments and others, that this proposed project violates OPA because OPA regulations clearly state that no expenditure of oil spill-related fines or penalties can be used to exacerbate the effects of an oil spill. This project, as scoped, does just that.

It is also demonstrable that CPRA's diversion plan *claims* to be designed to restore impacts caused by the Deepwater Horizon Oil Spill. Such a claim only exists to justify spending fines and penalties from the spill on CPRA's pet freshwater flood project.

In truth, the CPRA, Corps of Engineers, and others know, but fail to publicly acknowledge, that this claim has no basis since the DWH spill is not, by anyone's standards, a principal cause of wetlands loss, especially when compared to other major and more important and on-going contributing causes as outlined in Dan Swenson's May 31<sup>st</sup> article for *The New Orleans Advocate: These six factors explain why*



*Louisiana is rapidly losing land; see graphics.* Of those main causes include levees and jetties, canals and channels, subsidence, saltwater intrusion, invasive species, and sea level rise, **NOT** the Deepwater Horizon oil spill.

## **2.0 ALTERNATIVES**

CPRA has failed to adequately consider any viable alternatives to a large-scale freshwater diversion that would minimize the impact on our fisheries. This all or nothing approach is an insult to all of us whose livelihoods rely on the fisheries. We are referring to generations of fishermen and women. While we all agree that we cannot do nothing, but why, out of six alternatives, did CPRA or its allies not consider a single approach that would save our fisheries or at the very least give us a fighting chance?

Neither CPRA nor the Corps of Engineers seem to have given serious enough consideration to viable alternatives although several certainly exist. For reasons of their own CPRA and its proponents are locked into a large-scale freshwater diversion. In effect, they have given us only one approach to managing and mitigating these issues despite the proven track record of other approaches in addressing these challenges in south Louisiana.

### *Dredging*

Dredging has been purposefully ignored by CPRA and therefore is disregarded as a viable option in the draft EIS. Yet, it is well known and agreed upon that dredging has numerous and immediate beneficial results that do not entail generating the harsh and negative impacts of a freshwater flood.

It is clear that diversions will not produce a net gain of land for 20 years or more, while dredging shows a much more promising and instantaneous net gain on land and storm surge protection. Negative impacts from dredging operations are minimal – almost nonexistent – compared to diversions and dredge materials can be strategically and accurately placed where desired and needed and as high as needed to build ridges, islands, etc. This level of specificity and cannot be accomplished with diversions, especially like the high volume floods being considered by the Corps under this EIS. And of course, there is no argument that the true cost of acreage created by diversions is higher than acreage created by dredging because the cost of adverse negative impacts to our seafood industry among other things.

CPRA touts its support and direct involvement in implementing dozens of coastal dredging projects, pumping “more than 157 million cubic yards of sediment to benefit 48,894 acres of coastal habitat, created 60 miles of coastal barrier islands and berms and improved 336 miles of levees”, according to the agency’s own press release of December 11, 2020.

Recent examples of large dredge projects, undertaken by CPRA include:

- \$32 million marsh restoration in Cameron Parish (“1.9 million cubic yards of sediment dredged from the Gulf of Mexico...to build 308 acres of marsh.”)
- \$16.4 million dredge project on Rabbit Island in Cameron Parish to “restore 88 acres.”

- \$167 million dredge of Trinity-East Island in Terrebonne Parish designed to create 2.5 miles of land and 1100 acres of marsh and dune (using 9.2 cubic yards of sand pumped more than 15 miles).
- Whiskey Island dredge of 13.4 million cubic yards to construct 1,100 acres of barrier islands (also using BP spill money).

Moreover, based on experience in projects such as these, there should be little doubt that the method of flood diversion called for in the draft EIS will not be anywhere nearly as effective or immediate at building storm surge protection because, among other factors, there is not enough sediment from the Mississippi River to build more than a very small portion of the coastal zone over the 50-year life of the project.

There is also no doubt, as conceded but perhaps underplayed by project supporters, that the enormous amount of water required to transport the desired amount of sediment will change salinity regimes and destroy existing commercial fisheries. Additionally, as designed, this project does nothing to protect the small amount of sediment that will be delivered from erosion by wind and wave action, essentially minimizing the effectiveness of the marginal amounts of sediment deposited over the project's lifespan.

In reference to the planned Mid Breton diversion project, even CPRA's Ken Savastano concedes this fact, saying that "CPRA decided several years ago the lower two diversions (Mid Barataria and Mid Breton) weren't feasible to build."

#### *Storm Surge Protection Barriers*

The current diversion plan needs to be reengineered to create meaningful storm surge protection. Even CPRA acknowledges that the amount of land to be built by the project through diverted river sediment over 50 years will not keep pace with the amount of land lost through erosion by wind and waves over that same time. This reality is due to the absence of real storm surge protection offered by the diversion plan. As such, based on what the diversion will do versus what it purports to do, this plan is an egregious misuse of available funds.

#### *Encircled Diversion*

An encircled diversion, which can operate as a surge reservoir provides a better opportunity to achieve the stated goal of protecting and restoring the coast. Encircling the downstream sides of the diversion area with sediment and water containment bulkheads or levees will allow the enclosed area to be quickly filled with sediment through a combination of controlled diversion and dredging. The process is simple: rising flood water will fill the reservoir, dropping sediment at the end of the flood period. During non-flood times, dredging can be used to infuse the encircled area with sediment material. Doing so will protect marine resources and the commercial fishing interests that depend upon them and result in more effective storm surge protection in much less time.

### **3.0 AFFECTED ENVIRONMENTS**

Louisiana oyster reefs provide innumerable benefits to the health and productivity of our estuaries.

Oyster reefs provide habitat for many other species including recreational and commercial fish, creating nursery habitat for fish and crabs, and providing small animals shelter from larger predators.

In addition to offering shelter and food, oyster reefs provide many benefits that promote healthy coastal environments including buffering coasts from waves, reducing erosion, and creating calmer waters that support the growth of coastal marshes and seagrass beds, which can in turn provide their own flood and erosion reduction benefits. Oysters are also extremely effective filter feeders, improving their surrounding water quality and clarity and further enhancing the health of the larger bay or estuarine systems in which they reside.

Studies from the Gulf of Mexico have found that oyster reefs can reduce the energy of high-power waves by as much as 76 to 93 percent.

Oyster reefs, shrimp, finfish, turtles, dolphins and these important fisheries and nurseries and their delicate marsh grasses known as spartina patens will be obliterated by the vast amount of river water released by this diversion project. The amount of released river water will far exceed the volume of sediment that will be released and will devastate the entire estuary in the northern Gulf of Mexico. In fact, early production runs used in the draft EIS predicted the accelerated land loss as the mortality rate of the brackish marsh grasses were greater than 50-60% in the first 10-60 days as these delicate plants cannot tolerate voluminous river water inundation.

Experiences on the east side of the river from the discharge of river water through the Caernarvon Diversion and the breach at the old Bohemia Spillway known as Mardi Gras Pass has killed brackish marsh grass only to be replaced with invasive species such as giant salvinia, hyacinth and lilies that are not indigenous to the area and choke up brackish marsh.

Further evidence of the negative consequence we can expect can be readily and scientifically observed. Many life cycles of different marine species have been affected on the east side included impacts from the release of river water through the Bonnet Carre' Spillway which killed over 300 dolphins in 2019 from back-to-back openings of the spillway releasing river water into the Mississippi Sound.

#### **3.11 MARINE MAMMALS**

The wildlife that occupies Louisiana's coastal environment has always been a critical element of and contributor to the health and vitality of our state's ecosystem. The enormous quantity of freshwater that will flow into Barataria Bay over the proposed 50-year operation of the MBSD, will reduce salinity to dangerous levels and is predicted to be a very real threat to the survival of several species that inhabit this area including the bottlenose dolphin.

The dolphin population in this region has already suffered significant damage almost to the point of decimation. According to a letter issued by the federal Marine Mammal Commission on February 5,

2018, part of the fallout of the BP Oil Spill in 2010 was “35 percent of the dolphins in Barataria Bay died, and 46 percent of remaining female dolphins had experienced reproductive failures.” A study published by the Society of Environmental Toxicology and Chemistry also suggests the effects of the BP Spill even a decade later, may also extend to multigenerational effects to dolphins' immune responses. (Ironically but tellingly, while funds from the BP spill fund are supposedly to be earmarked to mitigate damages from the DWH spill, this project will use those same funds to make a problem attributed in part to the spill even worse.)

Another study issued by the National Marine Fisheries Service, indicated the 2019 rerouting of Mississippi River water through the Bonnet Carre Spillway and into Lakes Pontchartrain and Borgne and the Mississippi Sound for more than 123 days led to dolphins enduring prolonged exposure to dangerously low salinity levels and was linked to an “unusual mortality event” where 337 were stranded along the Louisiana, Mississippi, and Alabama coasts. Furthermore, legislation designed to safeguard wildlife such as The Marine Mammal Protection Act passed in 1972 has also come under threat. Again in 2018, at the direction of Congress, a waiver was granted by the U.S. Department of Commerce to two Mississippi River diversion projects which meant they could progress without adhering to federal measures in place aimed at protecting species such as the bottlenose dolphin from death, injury, or health effects.

The proposed MBSD Project now represents another possibly disastrous endeavor for bottlenose dolphins. As detailed in a March 2 article on NOLA.com, a study issued by the National Marine Fisheries Service has examined the predicted damaging effects on the bottlenose dolphin population because of the proposed diversion. With potentially as much as 75,000 cubic feet per second of freshwater, sediment and nutrients being infused into the northeastern part of Barataria Bay during high river periods, salinity is expected to drop to alarming levels for an average 177 days a year. The study forecasts, in the central and western parts of the bay, dolphin survival rates “are expected to decline by 65.9% and 41.9%, respectively”. Further to this, a May 17 article on NOLA.com went on to describe the findings of another study conducted, under instruction from the federal Marine Mammal Commission, by the University of St. Andrews in Scotland, SMRU Consulting and the National Marine Mammal Foundation. This study also anticipates the diversion will cause a significant reduction in dolphin numbers to the point of “functional extinction”, as well as health issues such as skin lesions that can cover much of the dolphins’ body leading to sickness or death. The report goes further to suggest dolphin numbers will see a steady increase of about 3% a year over the same 50-year period without the diversion.

Detailed in a 2015 letter to the Army Corps of Engineers, the National Marine Fisheries Service documented that dolphin commonly live in water with salinity levels ranging from 20 to 35 parts per thousand. The letter went on to say "The proposed Barataria Bay and Breton Sound Mississippi River diversions are expected to reduce salinity to less than 4 parts per thousand throughout the majority of the resident dolphin habitat for more than four months of the year, depending on the diversion scenario. The extent of the freshwater would essentially eliminate suitable estuarine and nearshore coastal habitats for the Barataria Bay and Mississippi River Delta dolphin stocks."

### **3.13 SOCIOECONOMIC**

Strongly held concerns regarding this proposed project are well documented by scientific studies including the US Army Corps of Engineers own body of work such as *Pictorial Account and Landscape Evolution of the Crevasses near Fort St. Philip Louisiana* and *USACE Perspective on Mississippi River Sediment Diversions*. The Corps and other scientific studies by Howes and others, which are based on empirical data and not conjecture, show that this project will most likely negatively impact the environment and residents who depend on it.

The public is being badly misled by those who promote this counterproductive and wasteful project.

First, the proposed Mid Barataria Sediment Diversion plan will not build land. It will, however, build freshwater marsh and grass that will fail to be sustainable in the face of large hurricanes and storms that will inevitably strike coastal Louisiana. If anything, three prior freshwater diversion projects including the Caernarvon diversion (the largest freshwater diversion created thus far) have proven that an influx of nutrient-rich freshwater and inundation of marsh plants will make the Barataria Basin more susceptible to storm surge.

Building a single acre of marshland serves no direct or positive economic purpose as opposed to the historically prolific fisheries of coastal Louisiana which generate an estimated \$2.4 billion in economic benefits for the State of Louisiana and the people of south Louisiana.

The Corps of Engineers' draft EIS states the planned diversion will create 85,500 acres of wetland by 2070 and yet without the planned diversion, 72,800 acres will still be created. Therefore, this diversion project will cost nearly \$2 billion to create just 12,700 additional acres, which equates to the inefficient and cost-unproductive creation of new wetlands to the tune of more than \$150,000 per acre and take 50 years to do so.

Recognizing the high potential for significant negative and irreparable impacts on residents, Parish Councils in Plaquemines, St. Bernard, and St. Tammany have collectively voiced their opposition to this project. The St. Bernard Parish Council stated in part that the project will "do permanent harm to the wildlife of Plaquemines and St. Bernard parishes and their respective seafood industries", "destroy the livelihoods of countless businesses and people", and result in the "loss of local tax revenues to fund vital services".

The Council's resolution of opposition also notes that the EIS demonstrates that "potential benefits in minimal land development that is predicted are far outweighed by unremediated damage to the parishes and their people". St. Tammany's resolution identifies numerous problems with the proposed plan including its lack of cost-effectiveness, inefficiency as a means of rebuilding the coast, minimal results as measured against costs, and "long-term damage" to "wildlife and fisheries of St. Bernard and Plaquemines Parishes" which will "destroy the livelihoods of countless" residents of those parishes.

Notably, St. Tammany's resolution also points out that CPRA failed to consider any other valid options including dredging which have been proven to be a cost-effective and useful means of rebuilding or sustaining Louisiana's coastal acreage and wetlands.

Lt. Governor Billy Nungesser, Plaquemines Parish resident and longtime champion of coastal restoration also questions the EIS findings and opposes the MBSD Project.

Nungesser served eight years as Plaquemines Parish President and has consistently opposed this project throughout his governmental career, recommending instead that the Corps and CPRA pursue building wetlands and ridge projects with dredged and pumped sediment from the Mississippi River as has been done in dozens of other Louisiana coastal restoration and protection projects.

Nungesser, in part is quoted as dismissing "the Mid-Barataria draft environmental impact statement's estimate that the diversion would kill 34% of the Barataria basin's bottlenose dolphins" (Garrison et al, December 2020). Instead, Nungesser cites data presented by the Marine Mammal Institute which found that numerous freshwater openings of the Bonnet Carre' Spillway resulted in dolphin killings of closer to 70%. Nungesser also correctly points out that Louisiana and coastal Mississippi are home to the world's largest population of bottlenose dolphins. He also questioned why the state of Louisiana encouraged Congress to exempt the MBSD project and the Mid Breton Sound Diversion from compliance with the Marine Mammal Protection Act. And he raised serious questions regarding how the project could be paid for with funding from the BP Deepwater Horizon restoration settlement as he believes those funds are to be allocated to address damage the oil spill inflicted on Louisiana's fisheries.

Finally, Lt. Governor Nungesser points out that CPRA's stated \$300 million fund for mitigation of damages incurred from the diversion project by the state's shrimp and shellfish industries is not only speculative, but wholly inadequate to mitigate the actual damages which will be incurred. He notes as well that those speculative funds would only account for half of the seafood landings in the past two years.

The draft EIS acknowledges that measuring economic and socio-economic impacts over an extended period is an inexact science, noting among other things, that "economic markets adjust over time in response to changing economic conditions" and that it is "particularly difficult to anticipate over long-time horizons." Yet, that is exactly what CPRA has done (and what is captured and presented to the public in the draft EIS). This acknowledgement is hardly reassuring for the coastal communities and the people of southeast Louisiana who may be negatively and long-term impacted. It also fails to build confidence in a project that claims to be based in such detailed and exact science.

As relates to prospective economic impacts of Louisiana's oystermen and women, the draft EIS does demonstrate that the oyster fishery in the impacted area makes up slightly more than one-third of all statewide landings and that the "activity within the Barataria Basin has actually increased in recent years." Based on anticipated damage to be done to the industry, the fact that these harvest grounds are otherwise becoming more important to the state's oyster production, it only stands to reason that costs

of mitigation for economic and socio-economic damages will only increase over time. A fact not considered in the low ball estimate provided by CPRA.

The draft EIS provides some commentary on workplace “substitutions” i.e. the types of industries and occupations that MAY provide job opportunities for area residents who may be displaced courtesy of MBSD. Importantly though, as stated in the draft EIS: “However, these types of substitution are not likely to fully offset the adverse impacts.” The draft also acknowledges that the uncertainty of true negative impacts from the project “may result in further accelerations in exits from the industry” especially for older members of the workforce for whom job re-training may not be as easily undertaken.

### **3.14 COMMERCIAL FISHERIES**

More than 35,000 Louisiana residents earn part or all their livings through commercial fisheries, the very industry which will be most heavily impacted by the MBSD Project. Yet, in its zeal to build what it touts as the “largest project of its kind in the world” CPRA and its allies treat those employed in commercial fishing and the seafood resource itself as collateral damage that is secondary to their mission of recreating the coast.

The Louisiana Department of Wildlife and Fisheries (LDWF) published an economic report for Barataria Bay titled *An Assessment of the Principal Commercial Fisheries in Barataria Bay and Its Environs* in April 2021. The report used commercial fishing data collected by the LDWF for three areas in Barataria Bay.

The areas covered in this report, adjacent to the site of the proposed MBSD, account for much of the area’s commercial fishery production.

According to the report, the average cumulative volume and real dockside value in these identified areas between 2000 and 2017 were 4.6 million pounds and \$4.5 million for blue crabs, 12.3 million pounds and \$14.5 million for brown shrimp, 12.6 million pounds and \$21.0 million for white shrimp, and 3.2 million pounds and \$16.6 million for oysters.

Also noted in the report that the dockside values of seafood landings within the three areas were influenced by changes in the value per pound which were likely to have been driven by market forces beyond the confines of Barataria Bay. Recent increases in the value per pound of oysters, for example, have amplified the effect of increases in landings on the bivalves’ dockside values.

This assessment is based entirely on the volume and real dockside value of the six specified seafood types harvested from three sections of Louisiana’s waters. It does not include the value added from additional elements of the seafood marketing chain, such as processing or retailing, and does not consider changes in employment.

A glaring weakness in the draft EIS as relates to CPRA’s MBSD proposal relates directly to vastly low and inadequate estimates of what funding will be necessary to compensate the state’s commercial fisheries for dramatic and toxic changes to the coastal ecosystem. Specifically, the estimated \$300 million in mitigation funds which would be allocated for lost fisheries earnings is unrealistically low, especially as measured against shrimp and oyster landings values over just the last two years. Forcing shrimpers to

travel greater distances to ply their trades will require significant and expensive vessel upgrades including larger freezer capacities as well as put more revenues into fuel costs. Pushing damages and negative impacts out over a fifty-year period, it becomes easy to see how short sighted CPRA's mitigation funding estimates are and why their plans for this diversion project should be placed on hold pending further detailed and realistic economic damage and mitigation estimates.

Also, while the permit application acknowledges that the project will alter or destroy 7,530 acres of Essential Fish Habitat, not fully addressed is the anticipated destruction of oyster habitat and associated shrimp, crab and sports fishing habitat several times larger than the projected 7,530 acres. More specifically, public oyster seed reefs in Breton Sound and Eloi Bay run to 40,000 acres alone (nearly 5 times more than the projected 7,530 acres), with private oyster leases in Breton Sound amounting to several times more than the public reefs.

As accurately stated by John Dale "Zach" Lea, PhD in his April 2019 comments to the Corps, the project as currently designed is a "misuse of public resources because it does not maximize the benefits expected from the investment and assumes the destruction of a major portion of the oyster industry. The loss in oyster production and related crab, shrimp and sport fish production are not justified by the increased value of storm production created."

CPRA, an agency that pretends it can accurately predict every minute detail of the positive impacts of its pet project, should be held accountable for developing a detailed economic assessment and job creation and retraining program for those who will or may be displaced or economically or socially impacted by the Mid Barataria freshwater diversion before the Corps of Engineers or state of Louisiana permit this project.

### **3.14.3 OYSTER FISHERIES**

For more than 150 years, oyster harvesting and processing have been important to Louisiana's economy and coastal communities. Oystering is central to our state's culture, heritage, and reputation as a food mecca for people around the world. Ours is a \$317 million business annually, working in concert with our colleagues who crab (\$293 million annual impact) and shrimp (\$13 billion annual impact). And yet, as documented, though underplayed in the MBSD draft EIS, this plan will do irreparable "near-term and long-term harm" to the industry and the more than 4,000 men and women and their families who make their living in the industry. Sadly, the draft EIS treats likely damage from implementation and operation of this massive freshwater flood project as "collateral" and just another cost of doing business, well worth the project's \$2 billion price tag.

While CPRA and the draft EIS attempt to skirt too much discussion, detail or inquiry into the harsh impacts which will befall the state's oyster industry, here is what we know:

- Shellfish (and crab, shrimp, and finfish) harvests will drop quickly and precipitously and won't recovery for years or even decades.



- Louisiana will lose its place in the upper echelon of seafood producing states; product from Texas, Alabama, Mississippi and elsewhere will fill the void, perhaps permanently.
- The local economy will suffer.
- Significant near- and long-term job losses will occur.
- Jobs that CPRA claims will be created because of MBSD will not be those that displaced oyster harvesters or processors will necessarily qualify to do.
- Many of those highly touted new jobs will be filled by consultants, engineers, and others from outside the area who have no vested interest beyond that in our coastal communities.
- Mitigation funds will be wholly inadequate to the task of making whole those who have lost their businesses, their jobs, and their way of life. The paltry \$300 million CPRA plans to set aside for mitigation fails to even cover one year of current oyster landings and sales and is an insult to the people who work and live on oyster producing communities.
- Availability of product for local restaurants will be limited and prices for local consumers and tourists will rise, creating further space in the market for out of state competitors.
- While CPRA hopes to build 20-40 square miles over 50 years, our local economy will be slow to recover, our jobs in seafood harvesting and processing will be lost, and our coastal quality of life will change forever.

The Corps of Engineers should make no mistake in interpreting the strongly held opinions of the Louisiana Oyster Task Force and our colleagues in other commercial fisheries organizations. We support and encourage efforts to save, protect and rebuild Louisiana's coast and we know that with the right approach and the right collaboration, Louisiana can rebuild and protect our coast without sacrificing the diversity of our estuaries or destroying our abundant marine life and fisheries.

Louisiana's oystering community has been a champion of protecting and restoring our damaged coastal environment for decades. Investing our own funds and resources through building cultch and coastal water bottoms more than demonstrates our commitment to a common goal we can share with CPRA and others. However, based on our more than 150 years of experience living and working in the very community the project will impact, we know with certainty that MBSD will wreak havoc on the local environment, the marine species that populate area waters, and on the livelihoods and cultural heritage and way of life of those who live in and near Plaquemines Parish. We also know, but deeply regret that CPRA has been intransigent in its unwillingness to give our depth of experience and knowledge of how the river and our coastal estuaries work, any credibility at all as they have weighed the (very limited options) they have ultimately considered to present to the people of Louisiana and the Corps of Engineers.

We respectfully ask that the Corps demand that CPRA provide it and the people of Louisiana with a detailed economic impact and loss/benefit study so that a truly informed decision can be made regarding the efficacy and future of this project so that actual costs of mitigating damage caused by it can be a central part of the discussion rather than an inconvenient afterthought.

Oyster reefs provide innumerable benefits to the health and productivity of our coastal estuaries. These reefs provide habitat for many other species including recreational and commercial fish, creating

nursery habitat for fish and crabs, and providing small animals shelter from large predators. Oyster reefs promote healthy coastal environments including buffering coasts and shoreline from waves, reducing erosion, and creating calmer waters that support the growth of coastal marshes and seagrass beds. Studies have indicated that oyster reefs can reduce the energy and impact of high-power waves in the Gulf of Mexico by as much as 76% to 93%.

Our concerns regarding this proposed freshwater flood are rooted in other similar experiences, also undertaken courtesy of CPRA (with Corps approval) including the Davis Pond and Caernarvon diversion projects, which, according to PDRAP/PEIS documentation caused “collateral injuries” to estuarine organisms such as oysters and brown shrimp. We have also witnessed the breach at Mardi Gras Pass decimate oyster reefs in Breton Sound and Black Bay. We know from firsthand experience that high volume diversions, whether man-made or created by nature, serve to obliterate marsh grass or spartina patens and disrupt the natural ecology and marine life in those impacted areas and that recovery is a painstaking and long-term process.

## APPENDICES

### ***Appendix 1 - Letter to the Editor New Orleans Advocate***

February 2021



To The Editor:

In reference to the article “‘The Einstein of our coast’ reflects on decades of Louisiana environmental work,” by Halle Parker on February 13, I would like to first applaud John Lopez for his extraordinary work in coastal sciences as well as his work on the Multiple Lines of the Defense Strategy.

While Lopez has earned national acclaim for much of his work, science and protecting the coast at all costs has come at a considerable price. The policies he has long sought to implement have in fact had hugely negative impacts on the state’s commercial fishing, shrimping and oystering communities, doing far more damage to the state’s economy and coastal employment than any lasting good to our coastal infrastructure.

To be clear, the Louisiana oyster industry supports efforts to restore the wetlands and provide for coastal flood protection. Communities who have depended on the natural fisheries and wildlife resources of Louisiana’s estuaries, and whose culture is intertwined with those resources, deserve to have the guarantee that all efforts will be taken to preserve those natural renewable resources.

The Louisiana Oyster Industry believes that we can achieve coastal rebuilding without sacrificing the diversity of our estuaries and destroying current fish and wildlife habitat. Where we have disagreed with Mr. Lopez are the tens of thousands of acres of historic public oyster seed ground on the east bank of the river in Plaquemines and St. Bernard Parishes that are being irreparably destroyed by damages from coastal restoration projects.

The industry has been a major fishery in Louisiana for over 150 years and is an invaluable sustainable resource that is culturally and economically important to many of Louisiana's coastal communities. In fact, Louisiana's commercial oyster industry, which provides for almost 4,000 jobs, has an economic impact of \$317 million annually. It is disheartening to see that when it comes to loss of jobs and damaging the economies of coastal communities, most scientists look the other way.

We cannot allow the state to take its most valuable renewable resource for granted.

Public seed grounds produced 60% of Louisiana's oysters. Today, it barely produces 2%. Ninety percent of oyster production today comes from private leases. Over the years, individual oystermen and growers have been the protectors of the natural coastal environment. The industry has invested millions of out-of-pocket expenses adding to the estuaries to help build reefs.

Sadly, Louisiana, for the first time, is close to losing its longstanding title as the number one oyster producer in the world to Texas. As a fourth-generation oysterman, my greatest fear is losing our livelihood for the next generation who can no longer sustain this living. Important assets like historical oyster reefs should be protected in future coastal plans. Louisiana's coastal communities depend on the health of the estuaries for economic sustenance.

Mitch Jurisich, Chair, Louisiana Oyster Task Force

***Appendix 2 - Letter to the Editor (sent to numerous newspapers throughout Louisiana)***

May 2021



To The Editor:

June 3<sup>rd</sup> closes the public comment period on the Army Corps of Engineer's draft environmental impact statement (EIS) for the proposed \$2 billion Mid Barataria freshwater diversion project, the latest and largest effort to help protect and restore Louisiana's coastline by flooding vast amounts of acreage in Plaquemines Parish.

Proponents have traveled the state to convince the public that this plan is the only one that will work and that nothing else deserves consideration. Those of us who live and work in coastal communities,

including Parish Councils in St. Tammany, St. Bernard and Plaquemines, respectfully disagree for reasons that are strong, clear and without contradiction.

One look at the \$258 million loss to the state's fisheries inflicted by the 2016 flooding of the Bonnet Carre' spillway paints a stark picture of what will accompany this latest freshwater flood. In reality, the damage promises to be far, far worse.

While the state's seafood producer organizations oppose the current plan, we are strong advocates for smart coastal restoration and protection that actually does more good than harm. Louisiana oyster harvesters and processors and our colleagues who shrimp, crab and fish for a living believe we can rebuild the coast without sacrificing the diversity of our estuaries and destroying current fish and wildlife habitat. Alternative options we have urged the agencies to pursue instead include dredging, which has proven its effectiveness and cost-efficiency in Louisiana time and time again.

Sadly, the Coastal Protection and Restoration Authority is immovable from its plan to flood southeast Louisiana and do immense and irreparable economic, human, and cultural damage that could be avoided if other options were considered. We urge the Army Corps of Engineers to strongly consider the devastating realities facing our fisheries if this project moves forward as planned.

The oyster industry has been a major fishery in Louisiana for over 150 years, providing for almost direct 4,000 jobs with an economic impact of \$317 million annually and feeding tourists and residents alike. As a fourth-generation oysterman, my greatest fear is losing our livelihood for the next generation who can no longer sustain this legacy or way of life.

The comment period for the public to weigh in on this freshwater flood project closes on June 3<sup>rd</sup>. We respectfully request that all who share our concerns about the detrimental, unintended but very real consequences of this \$2 billion folly make their voices heard by commenting at [CEMVN-Midbarataria@usace.army.mil](mailto:CEMVN-Midbarataria@usace.army.mil).

Mitchell Jurisich, Chair, Louisiana Oyster Task Force

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**Concern ID: 61782**

**Commenters expressed concern that there's not enough sediment in the river to achieve wetland and land creation goals of the proposed Project.**

**Response ID: 16412**

The commenter's concerns regarding the sediment load of the river and whether the river carries sufficient sediment to achieve the land projected to be built during diversion operation were considered in the Draft EIS. The Mississippi River carries much less sediment than it did in the past. It still carries a massive sediment load, but not as massive as before. As explained in Chapter 3, Section 3.4.2.5 Sediment Transport, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. Quantifying the relative contributions of multiple factors to the diminished sediment load is beyond the scope of the Draft EIS. The Draft EIS (Appendix E Delft3D Modeling, Delft3D Modeling Section 5.2.2) takes this diminished sediment load into account when computing the sediment that would be delivered to the Barataria Basin. To help clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations, discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

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**Concern ID: 61873**

**The proposed Project's impacts are in contradiction with the Project's stated purpose and need to restore habitat and ecosystems damaged by the DWH oil spill given the permanent adverse impacts on fisheries, marine mammals, and water quality. The proposed Project is incompatible with both a healthy environment and healthy economy.**

**Response ID: 15829**

USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. If implemented, the proposed Project would deliver sediment, fresh water, and nutrients into the Barataria Basin. While there would be short- and long-term, adverse and beneficial impacts to physical, biological, and socioeconomic resources in the Project area due to the proposed Project, the sediment, fresh water, and nutrients are expected to restore habitat and ecosystems services injured in the northern Gulf of Mexico as a result of the DWH oil spill.

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**Concern ID: 61875**

**The purpose and need is false and misleading and does not follow NEPA guidelines for a concise, basic, essential, and irreducible purpose. The statement is misleading by making the proposed Project itself part of the purpose. The DWH oil spill, including**

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**restoring for injuries caused by the DWH oil spill, has nothing to do with the proposed Project other than justifying its use as a source of funding.**

**Response ID: 15831**

As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, NEPA regulations (40 CFR 1502.13) state that an EIS “shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” The purpose and need statement should be clear and concise in order to facilitate development of a reasonable range of alternatives. USACE generally focused on CPRA’s purpose and need for the proposed Project and considered the public’s and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project’s purpose and need for the EIS.

Separate from the USACE process, as discussed in the PDARP/PEIS, the SRP/EA #3, and the Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by levees, subsidence and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. Evaluating restoration strategies that could restore for injuries in the Barataria Basin, the SRP/EA #3 found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the EIS and Restoration Plan. The LA TIG’s Restoration Plan concludes that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ’s regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

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The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is,

Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61895**

**Commenters suggest using a sediment diversion to selectively build land by directing sediment to a contained area, such as a colmates system or large-scale marsh creation containment area. A controlled system of dredging to create dry land coupled with a system to contain sediment-infused river water in specific areas outside of the levee protection system would be most beneficial to create more land exactly where it's needed.**

**Response ID: 15988**

This method of sediment transport and/or sediment containment and land building would not meet the proposed Project's purpose and need of reconnecting and reestablishing sustainable deltaic process between the Mississippi River and the Barataria Basin. A colmate or other means of large-scale marsh creation using dewatered sediment would allow for sediment to be transported from the Mississippi River to the Barataria Basin and deposited into a location confined by containment berms, which would create an impoundment where the suspended sediment would settle out of the water column over time to create a marsh platform. Once the area dewateres and the platform stabilizes at an appropriate marsh elevation, the berms would be degraded or gapped to allow fish passage and hydrologic exchange. While this type of system would create marsh, it would not be a passive system and would require active management and maintenance, including potentially pumps to ensure sediment transport, mechanical gapping/degrading of the retention berms and periodic lifts to combat the effects of subsidence. It would not reestablish natural deltaic processes. This alternative has been added to the Eliminated Alternatives Matrix in Appendix D2 of the Final EIS as an alternative considered based on public comments, but eliminated/not carried forward for detailed review.

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**Concern ID: 61908**

**Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana's attractiveness as a fishing area and place for swamp tours and authentic seafood.**

**Response ID: 16238**

EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less

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than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated

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from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 61998**

**The true cost of acreage created by diversions is higher than acreage created by dredging because the cost of adverse negative impacts to our seafood industry among other things.**

**Response ID: 16015**

Under relevant NEPA regulations, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that a permit applicant has undertaken its own economic evaluation of a proposed project and therefore, does not require a financial cost-benefit accounting for its decision. As part of its permitting decision, USACE conducts a public interest review, which weighs the probable harms of a project against its prospective benefits.

The impacts on the seafood industry were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors.

The cost effectiveness of the proposed Project was evaluated in the LA TIG's Restoration Plan. While the commenters suggest that marsh creation through dredging would cost less than the proposed Project, the LA TIG does not believe that comparing the costs of a sediment diversion to marsh creation projects using dredged material captures the benefits of the proposed Project. Most importantly, as explained in the LA TIG's Restoration Plan, the goal of the proposed Project is to create a long-term sustainable ecosystem through the reestablishment of deltaic process. Marsh creation through the use of dredged material would not bring fresh water or nutrients to the basin on an ongoing basis, and therefore would not nourish surrounding wetlands on an ongoing basis. Furthermore, assuming an initial dredge placement event with no further maintenance, the benefits of marsh created with dredged material would diminish relatively quickly compared to marsh created by the proposed Project due to subsidence, erosion, and sea-level rise; thus, the temporal nature of proposed Project benefits would also be markedly different. For these reasons, the LA TIG believes that comparing the costs of dredge placement to the costs of the diversion does not capture the full picture of the diversion's ecological benefits. The costs and benefits of the proposed Project were considered and discussed in the LA TIG's Draft Restoration Plan. No related edits have been made to the Final Restoration Plan.

Finally, while the proposed Project involves implementing a large-scale sediment diversion in the Barataria Basin, the Applicant also proposes to place suitable dredged and excavated material in three beneficial use areas, resulting in localized elevation increases that are expected to result in the establishment of wetland vegetation. Therefore, the Project is projected to provide marsh creation benefits using both the diversion of fresh water and sediment, as well as through dredged material placement.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the

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interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA

permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the

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proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62031**

**The Draft EIS acknowledges that measuring economic and socioeconomic impacts over an extended period is an inexact science and particularly difficult to anticipate over long-time horizons. Yet, that is exactly what CPRA has done and what is captured and presented to the public in the Draft EIS. It also fails to build confidence in a project that claims to be based in such detailed and exact science.**

**Response ID: 16227**

Pursuant to NEPA, the EIS has been prepared to evaluate the anticipated impacts on the human environment from the proposed Project and reasonable alternatives to it, including No Action. Accurate, high-quality data and scientific analysis was used in the EIS, including input from agencies' own experts. The EIS makes this information available to the public and to decision makers. Although its forecasts of economic and socioeconomic impacts are not certain, the agencies have endeavored to prepare an EIS containing full disclosure of anticipated impacts, as well as all information necessary for the decision makers to understand the environmental consequences of their decisions. Where information is unavailable or incomplete, those data gaps are disclosed in the document.

Appendix R2 in the Final EIS includes CPRA's Monitoring and Adaptive Management (MAM) Plan, which was jointly developed by CPRA and its federal partners in the LA TIG. The MAM Plan provides flexible, science-based approaches to monitor and assess Project success as well as potential adaptive management actions to minimize impacts of the proposed Project and decision points that could lead to changes in management.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62035**

**Important assets like historical oyster reefs should be protected. Louisiana's coastal communities depend on the health of the estuaries for economic sustenance.**

**Response ID: 16229**

The EIS discusses impacts on the local communities and impacts on local fisheries from the proposed Project in Section 4.14 Commercial Fisheries, Section 4.15 Environmental Justice, and Section 4.13 Socioeconomics, including Community Cohesion (Section 4.13.5.6).

Consistent with the concern of the commenter, the EIS does find potential major, permanent, adverse impacts on subsistence fishing for communities from the proposed Project compared to the No Action Alternative (Section 4.15.4.2). Additional details on oysters and designated oyster grounds in the Project area can be found in Section 4.10.4.5, Key Species in Aquatic Resources. The proposed Project is expected to have major, direct, permanent, adverse impacts on oysters.

CPRA has developed mitigation and stewardship measures which include increased funding for creation of broodstock reefs, funding for creation of new oyster seed grounds, funding for enhancing public and private oyster reefs and increased funding to further develop alternative oyster culture methods, including off-bottom oyster culture. These are detailed in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

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conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the

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Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required

as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62079**

**Commenters are concerned that impacts similar to those caused by the fresh water from Bonnet Carré Spillway openings would affect fisheries in the Barataria Basin with the proposed MBSD Project.**

**Response ID: 16244**

The Project area for the MBSD EIS includes the Barataria Basin and the Mississippi River birdfoot delta. Existing operations and influences of rivers and diversions, including but not limited to the Bonnet Carré Spillway, were incorporated into the baseline conditions of the No Action Alternative and action alternatives assessed in the Draft EIS, Chapter 4 Environmental Consequences, Sections 4.2 through 4.24. Reasonably foreseeable future (but not existing) diversions, such as the Mid-Breton Diversion, were analyzed for impacts in combination with existing diversions and the proposed MBSD diversion in Chapter 4, Section 4.25 Cumulative Impacts.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS. Note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes.

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**Concern ID: 62083**

**Commenters suggested that shrimping, fishing, and oysters would disappear in the Barataria Basin because of the fresh water diluting the salinity to a level that cannot sustain breeding of these species.**

**Response ID: 16247**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS described impacts of the proposed Project on finfish and shrimp and oyster species. As described, impacts may include those associated with changes in salinity. As summarized in EIS Section 4.14.5 in Commercial Fisheries, as compared to the No Action Alternative moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative sometime after 2050. While abundance of shrimp and oysters would decline under the Applicant's Preferred Alternative (as compared to the No Action Alternative), the EIS impact analysis does not anticipate shrimp and oysters would disappear from the basin. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)

- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

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**Concern ID: 62102**

**Commenter suggested that USACE consider a recent study by LDWF regarding the principal commercial fisheries in Barataria Bay (An Assessment of the Principal Commercial Fisheries in Barataria Bay and Its Environs in April 2021) as part of its analysis of the Project.**

**Response ID: 16254**

The LDWF study was not available at the time that the Draft EIS was being developed; however, LDWF provided the agencies with the preliminary data that was included in the referenced report. The data was used in development of the Draft EIS discussion of commercial fisheries. The reference to the LDWF Barataria Bay fisheries data has been revised in the Final EIS to acknowledge its relationship to the published study.

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**Concern ID: 62103**

**The Draft EIS does not fully address the anticipated destruction of multiple components of the commercial oyster fishery, including oyster habitat, off-bottom oyster farms, and the oyster hatchery at Grand Isle resulting from impacts to water quality and changes in salinity.**

**Response ID: 16258**

Impacts of the proposed Project on eastern oysters are discussed in the Aquatic Resources section of the EIS in Chapter 4, Section 4.10.4.5, Key Species. The section identifies that most adverse impacts on oysters are anticipated at mid-basin locations, while some beneficial impacts may occur in the lower basin, including the Grand Isle area. The off-bottom and hatchery components of the oyster fishery would not be affected by the Project, or may benefit from it. Specifically, the only significant off-bottom oyster fisheries in Barataria Basin occurs in the lower basin. As indicated in Chapter 3, Section 3.14.6, Aquaculture, the Mike Voisin Oyster Hatchery in Grand Isle is the only commercially available source of oyster larvae and seed. These areas could benefit from the Project. Final EIS Chapter 4, Section 4.14 Commercial Fishing has been revised to discuss these effects.

CPRA's Mitigation and Stewardship Plan includes measures to increase funding for the development of broodstock reefs, enhancing public and private oyster areas, creating a new public oyster seed ground and to further develop alternative oyster culture methods, including off-bottom oyster culture. See the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but



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**Concern ID: 62194**

**The passage of a MMPA waiver in Congress would allow the Project to move forward without adhering to federal measures to protect dolphins, and puts money and greed above the welfare of citizens and animals.**

**Response ID: 15967**

The USACE had no role in seeking a waiver from Congress, nor did any LA TIG federal agencies. The MMPA waiver does not alter USACE's or the LA TIG's NEPA responsibility to evaluate anticipated impacts of the proposed Project on marine mammals. The EIS analyzes and discloses the environmental and economic impacts of the proposed Project, including anticipated effects on marine mammals (see Chapter. 4, Section 4.11 Marine Mammals).

Congress passed the Bipartisan Budget Act of 2018, Public Law 115-123 (BBA-18), which recognized the consistency of the proposed Project, among other CPRA projects, with the findings and policy declarations in Section 2(6) of the MMPA. The BBA-18 included a requirement that the Secretary of Commerce, as delegated to the Assistant Administrator of the NMFS, issue a waiver of the MMPA moratorium and prohibitions for the proposed Project. As directed by Congress, on March 15, 2018, NMFS issued the waiver pursuant to BBA-18 and Section 101(a)(3)(A) of the MMPA: "National Marine Fisheries Service hereby issues this waiver pursuant to title II, section 20201 of the Bipartisan Budget Act of 2018 and section 101(a)(3)(A) of the MMPA for the three named projects, as selected by the 2017 Louisiana Comprehensive Master Plan for a Sustainable Coast. The requirements of sections 101(a) and 102(a) of the MMPA do not apply to any take of marine mammals caused by and for the duration of the construction, operation, or maintenance of the three named projects."

BBA-18 also required the State of Louisiana, in consultation with the Secretary of Commerce (delegated to NMFS), to the extent practicable and consistent with the purposes of the proposed Project, to minimize impacts on marine mammal species and population stocks, and monitor and evaluate the impacts of the proposed Project on such species and population stocks.

More information on the waiver can be found at <https://www.fisheries.noaa.gov/action/marine-mammal-protection-act-waiver-select-louisiana-coastal-master-plan-projects>.

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**Concern ID: 62221**

**The Project would not provide substantial protection from hurricanes or storm surge, nor would storm surge protection be provided in a timely manner. The area most likely**

**to experience some increase in protection would be subject to increased water levels from diversion operations. The current diversion Project needs to be reengineered to create meaningful storm surge protection. The Project is a misuse of funds based on what the diversion would do versus what it purports to do, in part due to the Mississippi River not having enough sediment to build substantial land.**

**Response ID: 15756**

While the proposed Project would impact storm surge, the purpose and need of the Project is not storm surge protection. As described in the Draft EIS in Chapter 1, Section 1.4 Purpose and Need, the purpose of the Project is to restore injuries caused by the DWH oil spill and help restore habitat and ecosystem services injured by the spill by reestablishing deltaic processes. However, as described in the Draft EIS in Chapter 4, Section 4.20.4 Public Health and Safety, the Project would have the ancillary benefit of storm damage risk reduction on communities north of the diversion due to the creation and maintenance of wetland habitat within the delta formation area; the increase in topography and land acreage would induce greater hydraulic friction and resistance, reducing the inland extent of storm surge and limiting wave heights in some communities north of the diversion, as compared to the No Action Alternative. The EIS acknowledges that storm surge and wave height reduction benefits for some communities north of the diversion would not be instantaneous, but that these benefits would increase over time as more land is created and maintained within the delta formation area. The EIS also acknowledges that some of the same communities that would experience storm surge reduction benefits, such as Lafitte, would experience an increase in non-storm inundation frequency due to increased water levels from diversion operations. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height.

The EIS recognizes the role of sediment load in land building. The river still carries a massive sediment load, but not as massive as it historically carried. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes as described in Section 3.4.2.5 Sediment Transport. The Delft3D Basinwide Model used Mississippi River sediment loads when computing the sediment load that would be delivered to the Barataria Basin. This is described in detail in the EIS, Appendix E Delft3D Modeling, Section 5.2.2.

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**Concern ID: 62416**

**Louisiana's oystermen and women have been champions of protecting and restoring our damaged coastal environment for decades, investing their own funds and resources through building cultch and coastal water bottoms which demonstrates their commitment to a common goal they can share with CPRA and others.**

**Response ID: 15867**

Commenter's input is noted.

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**Concern ID: 62418**

**Louisiana's oystermen and women have long been among the most active advocates for saving and restoring our coast. And, while they support broader efforts to restore the wetlands and to provide for coastal flood protection, those who live and work in our coastal communities and depend on the natural fisheries and wildlife resources of Louisiana's estuaries, and whose culture is intertwined with those resources, deserve to have the guarantee that all efforts would be taken to preserve these natural renewable resources for generations to come.**

**Response ID: 15950**

The Draft EIS evaluates how the proposed Project would impact commercial, recreational, and subsistence fishers as compared to No Action/No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section

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**Concern ID: 62419**

**The pursuit of Multiple Lines of Defense strategy and coastal protection at all costs has had negative impacts on the State's commercial fishing, shrimping and oystering communities, doing far more damage to the state's economy and coastal employment than any lasting good to our coastal infrastructure.**

**Response ID: 15861**

Comment noted. Chapter 4, Section 4.14.4.2 of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative, primarily by accelerating by decades the decline of species abundance that would also be anticipated under the No Action Alternative. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62420**

**Commenter requested that all who share their concerns about the detrimental, unintended but very real consequences of the proposed Project make their voices heard by commenting at CEMVN- Midbarataria@usace.army.mil.**

**Response ID: 15868**

Comment noted.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the “assessment of natural resource damages.” See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter “NRDA regulations” at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG's Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal,

and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 62660**

**Commenters stated that the proposed Project will not provide the benefits described in the Draft Restoration Plan and EIS. The proposed Project will not stop the problems of sea-level rise and marsh erosion.**

**Response ID: 16633**

How sea-level rise and marsh erosion would affect the proposed diversion's land-building capability has been considered in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in Geology and Soils. In addition, sea-level rise and subsidence are explicitly accounted for in the Delft3D Basinwide Model projection of Project impacts, as described in Sections 3.2.4 and 3.2.3, respectively, of EIS Appendix E (Delft3D Modeling).

The potential benefits of the Project and how those benefits relate to sea-level rise and marsh erosion have also been considered in the LA TIG's Draft Restoration Plan. The LA TIG agrees that the Project would not stop sea-level rise, subsidence or other erosive forces that result in marsh erosion. However, the Project is designed to counteract these forces by transporting sediment from the Mississippi River to create thousands of acres of marsh that would be sustained over decades, even in the face of erosion and rising sea levels (see Section 3.2.1.6 [Benefits Multiple Resources] in the Restoration Plan).

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA

and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016).

Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated



each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62690**

**The proposed Project would destroy the ecosystem and its flora and fauna, including oyster, shrimp, crabs, fish, sea turtles, and dolphins.**

**Response ID: 16073**

As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts

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anticipated to those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts on the Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. For example, the decrease in salinity that would occur upon initial operation of the proposed Project would result in major adverse impacts on various species (oysters, brown shrimp, bottlenose dolphins) over a relatively short period of time; however, the accumulating fresh water and sediments would create or maintain wetlands over long-term or permanent basis (that is, extending through the remainder of the 50-year period of analysis) which would benefit other commercially or recreationally important aquatic species such as white shrimp, blue crab, and Gulf menhaden, and would increase storm protection for communities north of the immediate outfall area; the Delft3D Basinwide Model projects these benefits to increase over time and to be greatest in the 2060s (see Chapter 4, Sections 4.6.5.1 in Wetland Resources and Waters of the U.S., 4.10.4.5 in Aquatic Resources, 4.11.5.2 in Marine Mammals, and 4.20.4.2 in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction). As discussed in Section 4.12.2.2 Sea Turtles, the proposed Project would have negligible to minor adverse impacts on hawksbill and leatherback sea turtles, but minor to moderate adverse impacts on Kemp's ridley, green, and loggerhead sea turtles due to the potential for increased interactions between sea turtles and commercial shrimp fishing efforts, if shrimp and shrimp fishers move from mid-basin locations to locations lower in the basin or in nearshore/offshore waters (where more sea turtles would be present). However, NMFS has determined that these impacts would not jeopardize the continued existence of sea turtles (see Appendix O4 NMFS Biological Opinion of the Final EIS).

The USACE and the LA TIG are evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions in the basin. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin. The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit

many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. The LA TIG's Restoration Plan indicates that by reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustees' Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

The CPRA has revised its Mitigation and Stewardship Plan and Monitoring and Adaptive Management (MAM) Plan in response to public concerns about these impacts. See Appendices R1 and R2 to the Final EIS for more information.

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**Concern ID: 62692**

**The proposed Project would introduce or facilitate the spread of invasive species (for example, carp, zebra mollusks, apple snails, Asian clams, water hyacinth, giant salvinia, hydrilla, nutria, northern snakehead) and freshwater pathogens to the basin, which could affect other living resources and impede navigation.**

**Response ID: 16074**

The commenter correctly notes the potential for the proposed Project to introduce or facilitate the spread of invasive species from the Mississippi River into the Barataria Basin and resulting from the alteration of existing habitat characteristics, which is consistent with discussions in the EIS in Chapter 3, Section 3.10.6 and Chapter 4, Section 4.10.4.6 in Aquatic Resources; Sections 3.6.3 and 4.6.5.2 in Wetland Resources and Waters of the U.S.; and Sections 3.9.4 and 4.9.4.2 in Terrestrial Wildlife and Habitat. The sections in Chapter 4 also identify how the introduction or spread of invasive species may negatively impact other living resources. The northern snakehead is not currently known to occur in Louisiana; however, if its presence is later identified in the Mississippi River, its introduction or spread via the proposed Project would result in similar impacts on the environment as those described in Section 4.10.4.6 Aquatic Invasive Species of the EIS. The potential introduction of pathogens (specifically, fecal coliform [not typically pathogenic, but an indicator for other pathogenic bacteria] and Enterocci) is discussed in Section 4.5.5.8 Fecal Coliform; a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS. Section 4.10.4.6.2.1 Aquatic Invasive Species has also been supplemented to discuss potential threats to navigation in the Final EIS.

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**Concern ID: 62711**

**Sedimentation from the proposed Project would completely silt over oysters, resulting in 100 percent mortality in areas directly impacted.**

**Response ID: 16089**

As discussed in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the Draft EIS, portions of the Little Lake Public Oyster Seed Ground (POSG) would experience substantial sedimentation over time, likely converting hard substrates to soft bottom in those areas over time. However, the Little Lake POSG is not currently a productive oyster reef and the areas with live/productive oyster reef (further south) would experience less sedimentation from the proposed Project, and at rates that the oyster reef/oysters would be expected to survive.

To address some projected adverse Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see CPRA's Mitigation and Stewardship Plan in Appendix R1 of the Final EIS). CPRA's mitigation and stewardship measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture. Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62767**

**Reefs provide both ecological and economic benefits. Ecological benefits result from the water quality, erosion prevention and stabilization, and habitat services provided by reefs (Wilber 2002).**

**Response ID: 16145**

The benefits of oyster reefs are qualitatively discussed in Chapter 3, Section 3.10.5.2.11 Eastern Oysters; however, this section has been supplemented in the Final EIS with the identified reference (Wilber 2002) to further clarify the benefits of oyster reefs.

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**Concern ID: 62769**

**River water contains industrial and biological pollutants which could degrade water quality within the estuary and would adversely affect all marine life.**

**Response ID: 16147**

Chapter 4, Sections 4.5.5.3 through 4.5.5.9 in Surface Water and Sediment Quality of the EIS discuss anticipated changes in chemical concentrations in the Barataria Basin due to the proposed Project. The general impacts of certain chemical compounds/nutrients on aquatic resources are discussed in Section 4.10.4.4 in Aquatic Resources. Other potential contaminants, including sulfate, atrazine, and fecal coliform were also modeled and discussed in Sections 4.5.5.7 and 4.5.5.9. The Draft EIS concludes that the proposed Project would result in beneficial decreases in sulfate and would have negligible impacts on atrazine levels. Sulfate and atrazine are therefore not specifically discussed in Section 4.10 Aquatic Resources; however, a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS.

Additionally, Appendix R2 in the Final EIS includes CPRA's Monitoring and Adaptive Management (MAM) Plan, which includes monthly fecal coliform monitoring (Section 3.7.5.1) and periodic sampling for Contaminants of Concern in fish, shellfish, and wildlife (Section 3.7.3.23).

At the time of publication of the Draft EIS for public review, the MAM Plan (Appendix R) contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62770**

**The commenters' concerns regarding this proposed diversion are rooted in other similar experiences. The PDARP/PEIS indicated "collateral injuries" to estuarine organisms such as oysters and brown shrimp, Mardi Gras Pass decimated oyster reefs, and high-volume diversions (natural or man-made) have obliterated marsh grass and the natural ecology in impacted areas.**

**Response ID: 16148**

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources of the EIS, the impact of the proposed Project on brown shrimp and oysters is anticipated to be major and adverse, due in part to salinity changes. Conversely, the proposed Project is anticipated to have a major beneficial impact on wetlands in the Barataria Basin from the diversion of sediment and fresh water. A summary of select natural and man-made diversions in southeastern Louisiana, including Mardi Gras Pass, has been developed to compare the purpose and/or characteristics of these diversions and their recorded impacts on the natural environment, including estuarine organisms and marsh grasses to the proposed MBSD Project. This summary is available in Appendix U Summary of Select Natural and Man-made Diversions in Southeastern Louisiana of the Final EIS.

The LA TIG's Final Restoration Plan recognizes the potential collateral injuries that could result from the proposed Project. In selecting the LA TIG's Preferred Alternative, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Avoids Collateral Injury), and 3.2.2.5 (Avoids Collateral Injury) of the LA TIG's Final Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project under OPA and this is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and which necessarily entails re-introducing freshwater flows that had historically characterized the Barataria Basin before construction of levees.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the LA TIG's Preferred Alternative.

The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which includes providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in

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the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

At the time of publication of the Draft EIS for public review, the Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan (Appendix R) contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

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contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62780**

**Although the proposed MBSD Project would provide some benefits, the adverse impacts described in the EIS outweigh those benefits.**

**Response ID: 16362**

The commenter's opposition to the proposed Project, even considering the projected beneficial impacts, is noted. The beneficial and adverse effects of the proposed Project were discussed throughout Chapter 4 Environmental Consequences. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

To address adverse Project impacts, CPRA would implement a series of mitigation and adaptive management measures if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62781**

**Although some form of coastal restoration is warranted and necessary for the long-term health of the Barataria Basin, the proposed Project is not the solution.**

**Response ID: 16363**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 2 Alternatives of the Draft EIS, an alternatives analysis was conducted to identify viable alternatives for the proposed action that would meet the proposed Project's stated purpose and need, as identified in Chapter 1, Section 1.4 Purpose and Need. Alternatives considered, but eliminated from consideration were summarized in Table 2.6-1. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62783**

**Commenters noted that the cost of designing and building the proposed MBSD Project is too high for the small amount of land anticipated to be built.**

**Response ID: 16365**

The commenter's opposition to the cost of the proposed Project is noted. Under NEPA, a cost-benefit analysis is not required for the EIS unless such an analysis is relevant to the agency's decision. USACE generally assumes that the permit applicant has conducted its own economic evaluation of a proposed project. Consequently, a cost-benefit analysis is not relevant to USACE's permitting decisions. As part of evaluating the proposed Project, the LA TIG considered the costs associated with developing, constructing, and managing the Applicant's Preferred Alternative consistent with the Restoration Plan alternatives evaluation criteria in 15 CFR §990.54. This discussion is in Chapter 3, Section 3.2.1.2 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan.

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**Concern ID: 62785**

**This type of freshwater and sediment diversion project is unproven and there are uncertainties with respect to what the diversion would do (that is, if it would work and, if so, to what extent).**

**Response ID: 16367**

The Delft3D Basinwide Model projections of future conditions include uncertainties. Uncertainties have been incorporated into the EIS impact conclusions and were briefly summarized in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft 3D Modeling, Section 8.0 Model Limitations and Uncertainties.

Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the Draft EIS acknowledged that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Readers of the EIS should not consider the model outputs as absolute values or as predictions of actual future conditions. The outputs are instead used to compare the degree of difference between the impacts projected for each alternative as compared to the projected changes for the No Action Alternative.

In addition to the modeled data, Chapter 4 Environmental Consequences of the EIS includes additional analyses based on published literature and empirical data. USACE and the LA TIG considered the best information and data available to them in drafting the EIS. In response to public comments, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The LA TIG recognizes and acknowledges that a controlled sediment diversion of this scale has not been constructed in Louisiana previously. However, a sediment diversion at this location has been extensively studied over several decades with the objective of designing and operating the proposed Project to provide a combination of land building and ecosystem benefits (see Chapter 3, Section 3.2.1.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan). The proposed Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management [MAM] Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or

adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62792**

**CPRA is using soundbites and marketing to convince the Louisiana public and legislature to allow them to dole out contracts for over \$2 billion in limited coastal restoration dollars on these projects. In reality, Barataria Bay is already connected to the river with existing diversions at Davis Pond, West Pointe à la Hache, and Naomi.**

**Response ID: 16373**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, the Draft EIS assesses the environmental and socioeconomic impacts of the proposed Project. To the extent construction spending would serve as an economic driver, those anticipated impacts are discussed in Chapter 4, Section 4.13.4.2 Economy, Employment, Business, and Industrial Activity. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Delft3D Basinwide Model, which was used in developing the proposed MBSD Project EIS, accounts for the existing diversions at Davis Pond, West Pointe a la Hache, and Naomi (see Appendix E [Delft3D Modeling], Section 5.1.1 of the EIS).

The USACE is neither a proponent nor an opponent of the proposed Project. It will make its decisions regarding the proposed Project based on the evaluations in the EIS and considering public comments and its determinations with respect to the public interest review, compliance with the CWA Section 404(b)(1) guidelines, compliance with other laws and Executive Orders, whether the Project would affect the ability of Corps projects to meet their authorized purposes and whether the project is injurious to the public interest. USACE's decisions will not be based in any respect on CPRA's public communications regarding the proposed Project.

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**Concern ID: 62794**

**This poorly planned and executed proposed Project is being pushed forward for the financial gain of politicians and contractors because taxpayer dollars are being used. Private investment dollars would entail more deliberation and a full impact study, including more natural options with less risk and more overall benefits.**

**Response ID: 16375**

The commenter's opposition to the proposed Project is noted. As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance and constitutes a full impact analysis. A variety of alternatives assessed in the EIS are identified in Chapter 2 Alternatives. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

If the proposed Project is permitted by USACE and approved by the LA TIG, construction would be funded from funds received from the DWH NRDA settlement, of which approximately \$4 billion was allocated for the restoration of wetlands, coastal, and nearshore habitat, as described in Section 1.1 Background and Summary of the Settlement of the LA TIG's Restoration Plan.

The LA TIG's Restoration Plan evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5 and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan. The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG has selected Alternative 1 as the LA TIG's Preferred Alternative.

**Concern ID: 62797**

**Commenters questioned the goals and objectives for this Project. They noted that, given the potential for environmental and economic impacts on other resources from this Project, whether the MBSD meets the NRDA criteria to restore for damages caused by the DWH oil spill. They also questioned whether the proposed Project would be appropriate, given that the main driver of wetland loss is historical coastal oil and gas development, not the oil spill. They noted that 80 percent of the acreage projected to be reclaimed or built through the MBSD is privately owned by oil and gas companies.**

**Response ID: 16606**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes, or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting

in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016). Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats. The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of fresh water flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species that occur in Barataria Basin.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having

a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of mitigation and stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The LA TIG acknowledges the concern regarding wetland loss drivers related to oil and gas activity, as well as the concern over the private ownership of the lands upon which wetlands would be created by the proposed Project. Regardless of the historic drivers of wetland loss, as explained in the Strategic Restoration Plan for Barataria Basin, because the Barataria Basin received the heaviest oiling from the DWH oil spill, the LA TIG believes that restoration activities in that basin are imperative.

With regard to the land ownership issue, the LA TIG's Restoration Plan details the reasoning supporting the location of the proposed Project, which is based on optimizing land building within the basin, regardless of ownership of the underlying land (see Section 2.3.3 [Restoration Planning Process – Proposed MBSD Project Location Alternatives] in the Restoration Plan). Private lands in the outfall area would be subject to the regular permitting processes required to conduct activities in the coastal zone. Activities on private lands would need to be in conformity with the Louisiana Coastal Zone Management Program, La. R.S. 49:214.21 and would be required to comply with the permitting requirements under the program. All coastal use permitting under the program must be consistent with the CPRA Master Plan projects. Additionally, private landowners would be required to comply with any other permitting requirements applicable to the area, including Department of the Army (DA) CWA Section 404 permits.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the DA Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62814**

**Strongly held concerns regarding the proposed Project are well documented by scientific studies including the USACE's own body of work such as Pictorial Account and Landscape Evolution of the Crevasses near Fort St. Philip Louisiana and USACE Perspective on Mississippi River Sediment Diversions. The USACE and other scientific studies by Howes and others, which are based on empirical data and not conjecture, show that this proposed Project would most likely negatively impact the environment and residents who depend on it.**

**Response ID: 16387**

The EIS evaluates both beneficial and adverse impacts of the proposed Project and includes a full and fair discussion of significant environmental impacts. In preparing the EIS, USACE utilized both its own high-quality information and information from other sources and ensured the professional and scientific integrity of the analyses. Of the references identified by the commenter, no specific study for Howes was provided for consideration. In addition, the "USACE Perspective on Mississippi River Sediment Diversions" was a presentation developed by the USACE during early Project planning. While the presentation was not used as a specific reference for the Draft EIS, multiple references used to create the presentation were. While the report discussing the Fort St. Philip crevasses (Suir et al., 2014) was not referenced in the Draft EIS, it has been reviewed and incorporated into the Final EIS, as part of the new Appendix U, described below.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS and includes an assessment of the crevasses near Fort St. Philip.

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**Concern ID: 62815**

**Some commenters believe that CPRA has not listened to the experienced oyster community regarding the adverse impacts of the proposed Project and have presented very limited Project options to the people of Louisiana and to the USACE.**

**Response ID: 16388**

The Project's impacts on oysters and oyster habitat are evaluated in the Draft EIS in Chapter 4, Section 4.10.4.5 Key Species. The Project's impacts on oyster fishing are evaluated in Section 4.14.4.2 in Commercial Fisheries. Alternatives to the proposed Project are discussed in Chapter 2 Alternatives.

According to the LA TIG, CPRA and LDWF worked together with numerous oyster fishers as part of Louisiana Sea Grant's Seafood Futures Initiative to develop mitigation and stewardship measures aimed at maintaining a sustainable oyster fishery. In addition, CPRA

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engaged the fishing community potentially impacted by the proposed Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62824**

**A commenter asked for an explanation of why the State of Louisiana encouraged Congress to exempt the proposed MBSD Project and the Mid-Breton Diversion from the MMPA. Further, the commenter was not sure how the proposed Project could be funded by the DWH restoration settlement if those funds are to be allocated to address damage inflicted on Louisiana's fisheries and resources (including dolphins).**

**Response ID: 16394**

Chapter 3, Section 3.11.1 Marine Mammals in the Northern Gulf of Mexico of the Final EIS has been revised to discuss the Marine Mammal Protection Act waiver that was issued for the proposed Project.

USACE does not have information on the reasons for the State of Louisiana's support for legislation related to the MMPA waiver. As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is neither a proponent nor an opponent of the proposed Project. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not a member of the LA TIG and is not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, or NRDA processes have been addressed solely by the LA TIG and represents the views only of the LA TIG, not USACE.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources injured by the spill. See Executive Summary and Chapter 3, Section 3.2.1.5 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan. The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin." The proposed Project will not stop all of that marsh loss; however, it is projected to create and maintain approximately 9,800 acres more than the No Action Alternative at year 2070 (see Table 4.6-4 of the EIS).

For its Restoration Plan decision, the LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Chapter 3, Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG has found that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem. The LA TIG selected the proposed Project because the LA TIG has found it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (March 2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR, §990.54. In the LA TIG's Final Restoration Plan, the LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Chapter 3, Section 3.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA would implement a suite of stewardship measures in recognition of the collateral injury that is anticipated to result from the implementation of the proposed Project. See Section 3.2.1.1.5 (Associated Stewardship Measures) of the LA TIG's Restoration Plan, and Appendix R1 (Mitigation and Stewardship Plan) of the Final EIS. The LA TIG is also committed to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. [CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input.](#) The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Concern ID: 62852**

**CPRA's mitigation proposal is inadequate and the commenters implore the USACE to consider the complete cost of the negative impacts as part of the total cost of the proposed Project before allowing this plan to advance.**

**Response ID: 16398**

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. NEPA does not require that a cost-benefit analysis be included in the EIS unless it is relevant to an agency's decision. USACE generally assumes that a permit applicant has performed its own economic evaluation of the proposed project and therefore does not consider a financial justification analysis for its permit decisions. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

CPRA expanded and refined its Final Mitigation and Stewardship Plan (Appendix R1 of the Final EIS) in response to community and resource agency input. Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Concern ID: 63015**

**There are misrepresentations in the EIS about how nutrients in the river would spread out far from the sand deposition area to lower plant biomass belowground. Increasing nutrient loads from diversions would weaken soils, not strengthen soils.**

**The modern Mississippi River has nutrient concentrations that are much higher than when the mostly organic soils were created centuries ago (Turner et al. 2007) and may weaken soils by 30 percent, resulting in less belowground biomass, and change vegetation from being comprised of perennials to annuals (Turner et al. 2011). Increased flooding inundation, which is a consequence of river diversions, also weakens the belowground biomass of wetland plants (Morris et al. 2017) that may erode during high water events or from hurricanes (Kearney et al. 2011, Howes et al. 2010). Individual roots become weaker when exposed to ambient levels of nutrients found in the river (Hollis and Turner 2019a, b; Hollis and Turner 2021). The soil becomes degraded, accumulates less biomass, and decomposes and erodes faster (Swarzenski et al. 2008, Hebert et al. 2020). The diversion of river water into the nearby marshes would almost certainly weaken soils, making them less resistant to wave energy and hurricanes. A striking example is the net loss of wetlands in the Davis Pond Diversion where increased land loss occurred beginning the year after the diversion opened (Turner et al. 2019). This is an area that has no significant sediment input.**

**Turner RE, Rabalais NN, Alexander RB, Mclsaac G, Howarth RW 2007. Characterization of nutrient and organic carbon and sediment loads and concentrations from the Mississippi River into the northern Gulf of Mexico. Estuaries Coasts 30: 773-790.**

Turner RE 2011. **Beneath the wetland canopy: loss of soil marsh strength with increasing nutrient load.** *Estuaries Coasts* 33 1084-1093.

Morris JT, Barber DC, Callaway JC, Chambers R, Hagen SC, Hopkinson CS, Johnson BJ, Megonigal P, Newbauer SC, Toxler T, Wigand C 2016. **Contributions of organic and inorganic matter to sediment volume and accretion in tidal wetlands at steady state.** *Earth's Future* 4, doi:10.1002/2015EF000334.

Kearney MS, Riter CA, Turner RE 2011. **Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area.** *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847

Hollis LO, Turner RE 2019a. **The tensile root strength of *Spartina patens* varies with soil texture and atrazine concentration.** *Estuaries and Coasts* 42: 1430-1439. doi: 10.1007/s12237-019- 00591-5

Hollis LO, Turner RE 2019b. **The tensile root strength of *Spartina patens*: response to atrazine exposure and nutrient addition.** *Wetlands* 39(4): 759-775. Doi:10.1007/s13157-019-01126-1

Hollis LO, Turner RE 2021. **The tensile root strength of *Spartina patens* declines with exposure to multiple stressors.** *Wetlands Ecology and Management* 29: 143-153. Doi: 10.1007/s11273- 020-09774-5

Howes NC, FitzGerald DM, Hughes ZJ, Georgiou IY, Kulp MA, Miner MD, Smith JM, Barras JA 2010. **Hurricane-induced failure of low-salinity wetlands.** *Proc Natl Acad Sci USA*; 107: 14014-14019.

Swarzenski CM, Doyle TW, Fry B, Hargis TG 2008. **Biogeochemical response of organic-rich freshwater marshes in the Louisiana delta plain to chronic river water influx.** *Biogeochem* 90:49-63.

Hebert ER, Schubauer, JP-Berigan, C 2020. **Effects of 10 yr of nitrogen and phosphorus fertilization on carbon and nutrient cycling in a tidal freshwater marsh.** *Limnology and Oceanography* 65: 1669-1687

Turner RE, Layne M, Mo Y, Swenson EM 2019. **Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond.** *Restoration Ecology* 27: 1231-1240. <https://doi.org/10.1111/rec.13024>

Mo Y., Kearney M, Turner RE 2020. **Excess nutrient impairs the resilience of coastal ecosystems to hurricanes: a long-term satellite and ground-based study for Louisiana coastal marshes.** *Environment International* 138: 105409. <https://doi.org/10.1016/j.envint.2019.105409>

**Response ID: 16028**

The literature cited by the commenters has been reviewed, including Turner et al. 2007, Turner et al. 2011, Morris et al. 2017, Kearney et al. 2011, Howes et al. 2010, Hollis and Turner 2019, Swarzenski et al. 2008, Hebert et al. 2020, Turner et al. 2019, and Mo et al. 2020, and Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS has been revised to include additional analysis regarding the impact of nutrient input from the proposed Project on vegetation communities and soil shear strength.

**Concern ID: 63062**



**Early model runs used in the Draft EIS predicted accelerated loss of the brackish marsh in the first 10 to 60 days as these delicate plants cannot tolerate voluminous river water inundation.**

**Response ID: 16068**

Chapter 4, Section 4.6.5.1.2.4 Land Accretion of the Final EIS has been revised to include additional analysis regarding the loss of some wetlands in the immediate outfall area due to scouring and inundation during the initial period following commencement of operations.

**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

**Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on “Effects of Low Salinity Exposure on Bottlenose Dolphins,” 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>**

**Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.**

**McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.**

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact

projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Concern ID: 63070**

**A recent study suggests that the proposed Project would not only prevent the recovery of the BBES Stock, but it would result in the functional extinction of dolphins in the West, Central, and Southeast strata of the stock area (Thomas et al., 2021). The only dolphins remaining in the basin would live adjacent to the barrier islands, and even this group would become severely reduced over the 50-year planning horizon of the proposed Project. Additionally, an expert elicitation (Booth and Thomas, 2021) building on previous studies (Garrison et al., 2020; Schwacke et al., 2017; Thomas et al., 2021) suggests that while dolphins can endure some periods of exposure to low salinity, the period of tolerable exposure shortens for dolphins exposed to acute changes in salinity, and the median time to death is 22 days with continuous exposure to water with salinity levels below 5 ppt.**

**Booth, C., and L. Thomas. 2021. An expert elicitation of the effects of low-salinity water exposure on bottlenose dolphins. *Oceans* 2(1):179-192.**

**Garrison, L.P, J. Litz, and C. Sinclair. 2020. Predicting the effects of low salinity associated with the Mid-Barataria Sediment Diversion Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, Louisiana. NOAA Technical Memorandum NOAA NMFS- SEFSC-748. 97 pages.**

**Schwacke, L.H., L. Thomas, R.S. Wells, W.E. McFee, A.A. Hohn, K.D. Mullin, E.S. Zolman, B.M. Quigley, T.K. Rowles, and J.H. Schwacke. 2017. Quantifying injury to common bottlenose dolphins from the Deepwater Horizon oil spill using an age-, sex- and class-structured population model. *Endangered Species Research* 33:265-279.**

**Thomas, L., Marques, T., Booth, C., Takeshita, R., and L. Schwacke. 2021. Predicted population consequences of low salinity associated with the proposed Mid-Barataria Sediment Diversion Project on bottlenose dolphins in the Barataria Bay Estuarine System Stock.**

**Response ID: 16593**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11.5.2 Barataria Bay Estuarine Stock. This analysis incorporated the Booth and Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) studies, and the Final EIS includes additional analyses that were completed by Thomas et al. (2021) after the Draft EIS was released for public comment. The impact conclusions in the Draft EIS were based in large part on Garrison et al. (2020), which predicts that only a remnant population of dolphins would continue to exist in Barataria Basin after diversion operations commenced. The conclusion of major, permanent, adverse impact to bottlenose dolphins is also supported by Thomas et al. (2021), which built on these earlier

studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct (defined as less than or equal to dolphin in Thomas, et al. 2022) under the Applicant's Preferred Alternative, with the remaining Island stratum being 85 percent lower [95 percent CI -28 -- -99] under the Applicant's Preferred Alternative than under the No Action Alternative. Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is projected to be 96 percent smaller (95 percent CI -80 -- -100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al. (2021).

Booth and Thomas (2021) evaluated multiple scenarios with different salinity changes, and in one of those scenarios' where bottlenose dolphins experience a change in salinity within 0 to 5 days from typical salinity environment (that is, mean 15 to 25 ppt) down to an atypical environment with salinity below 5 ppt for an extended period, the median time to death would be 22 days.

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**Concern ID: 63182**

**Proposed mitigation is insufficient and not guaranteed, and the amount of funding for mitigation is not clearly stated.**

**Response ID: 16559**

Details regarding the funding that will be available for aquatic/fisheries mitigation and stewardship measures is set forth in the Final Mitigation and Stewardship Plan, Appendix R1. Details regarding other mitigation and stewardship measures (e.g., mitigation for tidal flooding impacts) is also set forth in the Final Mitigation and Stewardship Plan, Appendix R1; however, final estimated costs for those measures continues under development. CPRA has stated that the total estimated cost of all mitigation and stewardship measures set forth in the Final Mitigation and Stewardship Plan exceeds \$300 million dollars. Details regarding the cost for the monitoring and adaptive management are set forth in Section 9 of the Final MAM Plan, Appendix R2. Section 3.2.1.2 of the Draft Restoration Plan includes estimates of project costs, including the cost for project design and construction and project monitoring. Updated cost estimates will be provided as part of the Final Restoration Plan, including project monitoring and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of

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potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63185**

**Additional development of mitigation plans and accountability for mitigation commitments is needed.**

**Response ID: 16562**

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be

implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, have been provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63726**

**Some commenters felt that the amounts allocated for mitigation were insufficient, while others felt that no amount of mitigation would suffice, for example for the more senior fishers who won't be in a good position to adapt to the changing environment.**

**Response ID: 16702**

The Draft EIS considered how changes in the commercial fisheries, both with and without implementation of the proposed Project, would impact more senior fishers in Chapter 4, Section 4.14.4 in Commercial Fisheries. In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined its fisheries mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life. The provisions of the fishery mitigation and stewardship plan, valued at approximately \$54 million, would help to achieve that goal and to mitigate the impacts of the proposed Project on oyster fishers. While not mitigation for the Project impacts, examples of other restoration/fishery improvement actions include: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, CPRA's allocation of \$2 million in adaptive management funding to support off-bottom oyster culture, the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery and the LA TIG's allocation of \$38 million in recreational use funds to support subsistence and recreational fisheries. The Final Mitigation and Stewardship Plan is included in Appendix R1 to the Final EIS.

The comments of more senior fishers who expressed concern about their ability to adapt to changing fishery conditions are acknowledged. If permitted by USACE and funded by the LA TIG, it would take CPRA approximately 5 years to complete construction of the proposed Project and to begin operations. This relatively long period provides those affected with the time and opportunity to decide how they want to go forward, ranging from taking advantage of

the adaptation opportunities offered through the Mitigation and Stewardship Plan (Appendix R1 to the EIS) to transitioning out of the fishing industry or retiring.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Concern ID: 63758**

**Commenters noted that the Deepwater Horizon (DWH) oil spill is not a primary or contributing factor in Louisiana's coastal land loss and that instead, levees built for flood control purposes, including those built by the U.S. Army Corps of Engineers, have long been a cause of land loss and subsidence. They expressed that because the DWH oil spill is not a cause of wetland loss, there is no basis for the claim that the MBSD will restore impacts caused by the oil spill, and thus NRDA funds would be inappropriately used for the Project.**

**Response ID: 16607**

The many factors contributing to land loss in Louisiana were considered in the Draft EIS. For example, Chapter 3, Section 3.6.2 in Wetland Resources and Waters of the U.S. acknowledges the multiple factors contributing to land loss in the Project area.

USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the Clean Water Act Section 404 and River and Harbors Act, Sections 10 and 14 (33 USC Section 408). USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the

process to restore damages caused by the DWH. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. Response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views, as explained in Section 2.0 Agency Roles in the Responses of this Appendix B2.

As discussed in the PDARP/PEIS, the SRP/EA #3, and the LA TIG's Final Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by levees, subsidence, and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. For example:

- The DWH oil spill resulted in over 1,100 kilometers of wetland oiling Gulf-wide. Approximately 95 percent of this marsh oiling occurred in coastal Louisiana, with the heaviest oiling in the Barataria Basin (PDARP/PEIS, Table 4.6-2; Nixon et al., 2015). The heaviest oiling occurred in marshes dominated by *Spartina alterniflora*, a perennial deciduous grass, and *Juncus roemerianus*, a flowering plant species (Visser et al., 1998; Lin and Mendelssohn, 2012; Silliman et al., 2012). These marshes provide critical habitats for estuarine-dependent species throughout the Gulf of Mexico.
- The marsh edge was severely oiled and injured, and the impacts of this oiling were documented in the Barataria Basin. Growth rates of juvenile brown and white shrimp along this oiled marsh edge were reduced by up to 50 percent compared to those collected near shorelines that did not experience oiling (for example, Rozas et al., 2014; van der Ham and de Mutsert, 2014). Growth rates of red drum along heavily oiled marsh shorelines were also reduced by approximately 50 percent in 2010 relative to non-oiled shorelines, and these reduced growth rates persisted through at least 2013 (for example, Powers and Scyphers, 2016).
- Impacts of DWH oiling were ecosystem-wide, spanning multiple trophic levels. The negative effects of oiling on plants and lower trophic levels from the nearshore food web (for example, amphipods, shrimp, snails) caused a cascade of impacts on higher trophic levels.
- Substantial injury to marsh birds likely occurred. Birds that were present in the marsh habitat during the DWH spill were likely exposed to oil via multiple pathways. Heavily oiled marsh areas had extensive oiling on vegetation and soils, and contained oil-contaminated prey.
- Marsh grasses help maintain the habitat in the Barataria Basin by protecting the marsh edge from erosion. Extensive oiling and loss of marsh vegetation in the Barataria Basin created an acceleration of land loss following the oil spill. The accelerated erosion due to the spill resulted in the permanent loss of coastal wetlands over large portions of the



Barataria Basin (see Table 2-1; Silliman et al., 2012, 2015, 2016; McClenachan et al., 2013; Zengel et al., 2015; Turner et al., 2016).

- Marsh edge serves as the gateway for the movement of organisms and nutrients between intertidal and subtidal estuarine environments. Injuries to a specific resource in the nearshore marine ecosystem could cause direct and indirect effects on offshore resources. For example, Gulf killifish, a key connector of energy between marsh and open Gulf waters, are among the largest of the Gulf forage fish and are preyed upon by wildlife, birds, and many sport fish. Water column resources injured by the spill include species from all levels in the northern Gulf of Mexico food web, including estuarine-dependent species (DWH NRDA Trustees, 2016a).

Other examples of impacts on specific species and resources, as described in the PDARP/PEIS, demonstrate that the DWH oil spill created an ecosystem-level injury to the Gulf of Mexico that necessitates an ecosystem-level restoration strategy.

Evaluating restoration strategies that could restore for injuries in the Barataria Basin, SRP/EA #3 found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” in the basin and in the broader northern Gulf of Mexico (LA TIG, 2018, page 3-32). As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the LA TIG’s Restoration Plan. The LA TIG finds that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 63959**

CPRA’s stated \$300 million fund for mitigation of Project damages is wholly inadequate to mitigate the actual damages to the State’s shrimp and shellfish industries as those speculative funds would only account for half of the seafood landings in the past 2 years.

**Response ID: 16531**

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp and oyster fisheries, in Chapter 4, Sections 4.14 Commercial Fisheries. Without the Project, adverse impacts on fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts on fisheries in the early years of the Project’s operational life.

In response to public comments and resource agency input about the proposed mitigation measures, CPRA has expanded and refined its fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA’s mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS).

The provisions of CPRA's fishery mitigation plan, valued at approximately \$54 million, along with other restoration actions and programs being funded by the LA TIG and the State through LDWF, would alleviate some impacts of the Project. CPRA's final fishery mitigation plan can be found in its Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Concern ID: 64089**

**Commenters asked that the jobs that are created by construction of the proposed Project spur inclusive and equitable economic development. The Louisiana State and local economic development authorities should focus efforts through communication, recruitment, and training activities, into creating jobs for local residents, including minority residents. The same type of focused workforce development effort is likely necessary in order for these local jobs to translate into longer term economic benefits for affected communities. Work with the community to identify future needs of this workforce, including: providing adequate emergency and routine medical care for workers, facilitating the start and growth of small business to provide services to this workforce, and educating skilled workers who can later pivot to other jobs along our coast long after construction is complete.**

**Response ID: 16234**

With respect to the award of contracts, CPRA is required to follow the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 (Public Contracts). CPRA has sought and

regularly seeks engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS.

**Concern ID: 64119**

**Commenters note that building a single acre of marshland serves no direct or positive economic purpose as opposed to the historically prolific fisheries of coastal Louisiana which generate an estimated \$2.4 billion in economic benefits for the State of Louisiana and the people of south Louisiana.**

**Response ID: 16233**

The EIS recognizes the value of commercial as well as recreational fisheries in Chapter 3, Section 3.14 Commercial Fisheries and Section 3.16 Recreation and Tourism and considers adverse impacts that may occur due to the proposed Project on these activities in Chapter 4, Section 4.14 Commercial Fisheries and Section 4.16 Recreation and Tourism. Wetlands also serve important functions, including attenuation of wave and storm surges (in particular, refer to Chapter 3, Section 3.6 and Chapter 4, Section 4.6, which discuss Wetland Resources and Waters of the U.S. and Chapter 3, Section 3.14 and Chapter 4, Section 4.14 which discuss Commercial Fisheries). Wetland building itself does not conflict with commercial fishing uses of the basin, as wetlands provide a diverse set of functions, which include providing habitat for finfish, shellfish, as well as other aquatic organisms.

As explained in Section 2.0 of this Appendix B2, USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is neither a proponent nor an opponent of the proposed MBSD Project, and USACE was not involved in the Restoration Plan. As explained in the Restoration Plan, the LA TIG is the group responsible for restoring natural resources and services within the Louisiana Restoration Area that were injured by the DWH oil spill; therefore, response content pertaining to the LA TIG's restoration planning has been addressed solely by the LA TIG, not USACE.

As part of the LA TIG's restoration planning efforts, the LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation,

replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

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**Concern ID: 64168**

**Commenter questions the viability of workplace substitutions to other fishery species or industries and notes that these types of substitutions are not likely to fully offset the adverse impacts.**

**Response ID: 16265**

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14 Commercial Fisheries of the Draft EIS discussed the potential impacts on commercial fishing activities, which includes a discussion of potential behavioral changes that fishers may make in response to changes in species availability, including substitution of fish species, taking longer trips, and upgrading gear. While substitution of species may occur, such changes have costs that the fishers would incur.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review,

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Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64171**

**Comments were received suggesting that the MBSD would have negative impacts on the fishing industry due to further accelerations in exits from the industry especially for older members of the workforce for whom job retraining may not be as easily undertaken and the fact that there are less young fisherman coming into the fishing industry to replace the aging fisherman. The invaluable traditional ecological knowledge that has been passed down from generations could be lost.**

**Response ID: 16267**

Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential behavioral responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, increasing the length of fishing trips, as well as exiting the industry.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)

- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64180**

**The Draft EIS treated likely damage from implementation and operation of this massive freshwater flood project as “collateral” and just another cost of doing business, well worth the proposed Project’s \$2 billion price tag.**

**Response ID: 16399**

As discussed in Chapter 1, Section 1.6 Scope of the EIS, this EIS has been developed in accordance with applicable NEPA, CEQ, and USACE regulations and guidance to identify the direct and indirect impacts that would likely occur if the proposed Project were to be approved. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits.

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is neither a proponent nor an opponent of the proposed Project. USACE’s involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not a member of the LA TIG and is not evaluating the proposed Project for compliance with OPA and is not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG’s Draft Restoration Plan, OPA, or NRDA processes have been addressed solely by the LA TIG and reflect only the views of the LA TIG, not USACE.

With respect to the Restoration Plan, the LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR, §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Chapter 3, Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 in OPA Evaluation of the Alternatives of the LA TIG’s Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems, and necessarily entails re-introducing freshwater flows that had historically characterized the Barataria Basin before the construction of levees.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the LA TIG’s Preferred Alternative.

**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court**

**Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.****Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the "assessment of natural resource damages." See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter "NRDA regulations" at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG's Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be



adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.

The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 63064**

**Marsh flora and fauna would die once the proposed Project operation begins and river water fills the estuary. Clarify how long it would take for other species to inhabit the area and how much land would wash away once the saltwater marsh that is currently present dies.**

**Response ID: 16070**

Chapter 4, Section 4.6.5.1 in Wetland Resources and Waters of the U.S. indicated that the fresh water transported by the diversion may result in the loss of some wetlands in the immediate outfall area due to inundation during the initial period following commencement of operations; however, those impacts would be offset by marsh building in the delta formation area. However, salt- and brackish marsh vegetation would not be adversely affected by the lower salinity of transported water. Chapter 4, Section 4.6.5.1.2.4 Land Accretion of the Final

EIS has been revised to include additional analysis regarding the extent and timing of wetland changes in the immediate outfall area.

As summarized in Chapter 4, Section 4.10.5 in Aquatic Resources of the EIS, the proposed Project would have both adverse and beneficial impacts on the flora and fauna of the Barataria Basin, based on the specific life history and habitat preferences of a given species.

**Correspondence ID:40557**

Christine Stonbely

To Whom it may Concern:

While I have been living in the NY metropolitan area in recent decades, I grew up in Shreveport LA and I had family in New Orleans and children who went to Tulane University so have spent much time in southern Louisiana. I am sadly aware that this vast wetland Delta that is so important to the protection of coastal communities and its natural resources is deteriorating. A primary reason, as I understand it, is lack of sediment inputs with the Mississippi River levees preventing the River's sediments getting into the Delta. Since the Mid-Barataria Basin Sediment Diversion is designed to help rectify this situation by providing a means for sediment from the River to get into the Basin, I want to indicate my strong support for this project and its permitting by the Corps of Engineers.

Thank you for your attention.

Sincerely yours,

Christine Stonbely

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**Concern ID: 61737**

**The construction of levees along the Mississippi River precluded land-building sediments from entering Louisiana estuaries, which has caused a loss of Louisiana's coastal wetlands and other problems, such as making properties more vulnerable to hurricane damage and decreasing property values.**

**Response ID: 16024**

The impacts raised by the commenters were considered in the Draft EIS. Information about historic causes of land loss can be found in Chapter 3, Section 3.1.4 Overview and History of the Project Area and Section 3.6.2 in Wetland Resources and Waters of the U.S. The importance of maintaining wetlands for the protection of coastlines, coastal communities, and wildlife resources is discussed in Sections 3.6 Wetland Resources and Waters of the U.S. and 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Applicant's Preferred Alternative is to implement a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 63334**

**The proposed MBSD Project would maintain and restore coastal lands and should move forward.**

**Response ID: 16291**

The commenter's statement of support is acknowledged. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the

LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40558**

National Wildlife Federation

Jessie Ritter

Louisiana Trustee Implementation Group

Re: Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion Project, USACE Project MVN-2021-2806-EOO and Draft Phase II Restoration Plan#3.2: Mid-Barataria Sediment Diversion, Deepwater Horizon Natural Resource Damage Assessment Louisiana Trustee Implementation Group

Mr. Laborde and Mr. Landry:

On behalf of the National Wildlife Federation (NWF) and its six million members and supporters, I write today to urge adoption of the Preferred Alternative in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

For 85 years NWF has been a leader in the fight to protect and enhance American wildlife and natural habitat. Toward that end we have dedicated resources and staff to the restoration of critically important landscapes including our western public lands, the Great Lakes, the Chesapeake, the Everglades, and the Mississippi River Delta.

No single restoration project in our nation's history is poised to have a greater positive impact on our nation's wildlife. The Mid-Barataria Sediment Diversion will begin the transition of the river's great delta from one that is sinking and eroding away to one that is once again allowed to begin patterns of growth and renewed vigor. The project is of critical importance for this transformation to waterfowl utilizing the Mississippi Flyway, to neotropical migratory birds crossing the Gulf of Mexico each spring and fall, to our nation's largest concentrations of nesting waders and seabirds, to a host of wetland species from alligators to river otters, and to one of our nation's most productive fisheries.

It is also of critical importance for the communities of the Louisiana coast, who face an existential threat from the combined forces of subsidence and climate change—rising seas, increased storm intensity and more frequent and catastrophic flooding from the river and local rainfall. A revived and growing delta, fed by the river, will provide natural and sustainable green infrastructure, to help buffer communities during the challenging times to come.

For our more detailed comments on the Draft Environmental Impact Statement and Draft Restoration Plan, please see the comments of the Restore the Mississippi River Delta campaign.

Sincerely,

Jessie Ritter

Director, Water Resources and Coastal Policy National Wildlife Federation

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**Concern ID: 62089**

**The Barataria Estuary would be more productive as a result of the increased input of carbon and the vital building blocks of life, which would mean opportunities for increased seafood harvest. The proposed MBSD Project is of critical importance for this transformation to one of our nation's most productive fisheries.**

**Response ID: 16250**

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The commenter's support of the proposed Project is acknowledged. Chapter 4, Section 4.10 Aquatic Resources in the Draft EIS describes anticipated impacts from the proposed Project on aquatic species. As described, impacts would range from adverse to beneficial, depending on the species.

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**Concern ID: 62233**

**Restoration of coastal habitat and the delta would provide protection from storm damage.**

**Response ID: 15752**

While the intent of the proposed Project is to reestablish deltaic processes to restore resources injured by the DWH oil spill, the Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the ancillary benefit of storm damage risk reduction on communities north of the proposed diversion due to the creation and maintenance of wetland habitat and increases in topography and land acreage within the delta formation area. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height

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**Concern ID: 62415**

**Commenter requested USACE and LA TIG review more detailed comments on the Draft Environmental Impact Statement and Draft Restoration Plan in the comments of the Restore the Mississippi River Delta campaign.**

**Response ID: 15866**

The comments of the Restore the Mississippi River Delta have been considered.

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**Concern ID: 62892**

**The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.**

**Response ID: 16191**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

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The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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David Muth

June 1, 2021

U.S. Army Corps of Engineers  
New Orleans District  
Attn: **CEMVN-ODR-E; MVN-2012-2806-EOO**  
7400 Leake Avenue  
New Orleans, LA 70118

Louisiana Trustee Implementation Group (LaTIG) c/o of NOAA

Re: **Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)**

Mr. Laborde and Mr. Landry:

**I support the preferred alternative: Alternative 1, Variable Flow up to 75,000 CFS for the Mid-Barataria Sediment Diversion**--I write today to urge adoption of the Preferred Alternative in the Corps' Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's (TIG) Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

**This Project is Long Overdue**--For 40 years I have been waiting, with increasing frustration and a sense of helplessness, for my state and Federal governments to begin implementation of major diversions from the Mississippi River into its collapsing delta. It was clear in 1981, as it is clear now, that only nature can build a delta, and that we needed to once again allow nature to begin to replace the one we allowed to die, carelessly, foolishly, indeed, *recklessly*. In order for that to happen without massive dislocation of human communities—some combination of a diversion the approximate size of the Wax Lake Outlet, combined with some level of control at the point of outflow, would be necessary.

All of that was already abundantly clear to me and many others in the first decade of coastal restoration planning. And yet nearly four decades have gone by and no major new sub-delta is forming in the middle Barataria Basin, despite a long-standing consensus among policy makers and scientists that it needed to be done, and that there were no other options.

**Declining Barataria Basin**--I spent 30 years of my life, working for the National Park Service, helping to study, interpret, grow and manage a small piece of the delta, and in my first two decades at the Barataria Preserve I watched as it withered away, as the salt crept in, and the waves pounded its shorelines.

**Opening Davis Pond Reversed the Decline of the Barataria Preserve**--That changed, incredibly enough, in my final decade there. It changed because a few miles away a relatively tiny diversion (about 1% of peak flow) opened at Davis Pond just west of the Preserve boundary. I knew intellectually what *should happen* when river water was re-introduced to a moribund system, but I was unprepared for how quickly and dramatically it *did happen*. Experiencing it was bracing, uplifting and a cause for hope.

I watched as the marshes in the outfall went from thin mat *flotant* to firm, vibrant freshwater marshes, and I witnessed ponds fill with sediment and new marsh emerge. I watched recruitment of new trees colonizing the sunken fingers of natural levees of the Davis Crevasse—the first new trees to grow there in decades.



I saw Lake Cataouatche, then a murky, opaque soup churned by any wind, transformed at times of the year into a calm outdoor aquarium, with a riot of submerged aquatic vegetation growing in water so clear one could see, likely for the first time in over a century, the bottom of the lake, and schools of fish so abundant as to transform it into what was becoming one of the best largemouth bass lakes in Louisiana. In the decade before Davis Pond opened, speckled trout were creeping into Lake Cataouatche in late summer, something older fishers witnessed with astonishment and no little dread, knowing what the salt would leave in its wake.

In winter, thousands of ducks, pelicans, cormorants, gallinules, coots, loons and grebes took advantage of the bounty. Ospreys and bald eagles feasted on the explosion of forage fish. In spring alligators and white pelicans covered the surface of the flowing water, creating a vision that looked like a documentary filmed in the Okavango of Africa for public television, but was there in Louisiana before our eyes—though with different species of crocodilians and pelicans. In the outfall flocks of migrant shorebirds wheeled over the new mudflats, a spring phenomenon I had seen before in the Birdsfoot and Wax Lake.

I watched submerged vegetation migrate down-estuary through bayous Villars and Couba into Lake Salvador, and the explosion of life that followed. I watched as the shallow lake margins filled with vegetation, as waves were dampened, and shorelines of defenseless organic soils that had been eroding at a rate of 10-30 feet a year suddenly stabilized, and began to accrete.

I watched live oaks on lakeside middens and baldcypress in sunken swamps, formerly struggling to hang on in the increasingly saline soils, barely growing, now spring back to life, greening with renewed vitality. Measurements of leaf drop and tree rings proved that my impressions were correct—trees were growing faster.

**Renewal of Estuarine Vigor**--And Davis Pond was not an aberration. I have seen the same phenomenon at numerous small man-made and natural crevasses in the Birdsfoot, and at larger crevasses like West Bay, Fort St. Phillip, Mardi Gras Pass, Caernarvon, the Jaws, and Wax Lake: fecundity and life returning to systems that had laid dormant or dying, waiting for an ecological release.

In these landscapes now once again showing the species diversity that freshwater brings, I've also witnessed the magic of the deltaic estuarine process, as each summer and fall, when the river levels drop, as they do on an annual cycle that has played out for eons, the redfish, speckled trout, bottlenose dolphins and tens of thousands of birds—locally breeding waders and terns, herons, egrets, ibis and spoonbills, and southbound fall migrant shorebirds-- swoop in to devour the bounty as the brackish Gulf waters re-occupy the bays and marshes for a few months before the late fall rise in the river. Even in saline marshes dominated by *Spartina alterniflora* along the lower East Bank of the river and in western Terrebonne Parish, the spring influx brings plant vigor and soil stability. Because of the riverine cycle, saltwater plants continue to out-compete the freshwater vegetation because of the fall marine influx, supporting saltmarsh dependent species, like clapper rails and seaside sparrows.

**150,000 CFS and Adaptive Management**--For much of the last four decades government scientists and planners have touted a commitment to innovative ideas of “adaptive management,” but then have set up regulatory and policy guidance that renders the idea essentially meaningless, by hobbling restoration projects with myopic limitations preventing future modifications. Short-sighted to begin with, since the point of monitoring and adaptive management is to learn by doing and modify actions accordingly, such limitations are crippling in dynamic systems like deltas. In a delta facing climate change and accelerated

sea level rise, they are ruinous and completely contrary to the purposes of the acts of Congress upon which regulators are given authority.

The obvious benefits of a larger diversion are outlined in the DEIS, benefits that will only increase as future sea level rise accelerates at an unknown rate. Essentially, land building will track diversion size at a roughly one-to-one ratio: 150,000 cubic feet per second (cfs) builds about twice as much land as a 75,000 cfs diversion.

On the other hand, adverse effects are only marginally increased—you *can't freshen fresh water, and if you have mitigated for 100 days of induced flooding, you've mitigated for 200 days*. Indeed, mitigating for more flooding now will only increase the resilience of communities in the future, when the flooding is coming, diversion or not.

While I am not arguing for the 150,000 cfs alternative at this time given the political and bureaucratic reality, I would urge the TIG to build future adaptive management requirements into the current design to the extent it is affordable, so that if the need arises in the coming decades, regulatory authority for releases above 75,000 cfs could be sought and granted without incurring many hundreds of millions more in construction costs. Gates have their advantage.

**Shifting Baseline Syndrome**--I got a degree in history at the University of New Orleans in 1976. My lifetime study has been the Mississippi River delta, with a long concentration while with the National Park Service on the Barataria Basin.

My thesis, based on long study and observation, is this: *we don't even know what we have lost*. Because of man-made levees which date to the 1720s; distributary closures; meander cut-offs; dams and channel training upstream; channelization and jetties at the passes of the river and the bays; canal, road, and levee construction; drainage projects everywhere; dumping of toxic and harmful chemicals and effluents into the soil, water and air; and over two hundred years of slaughter of any creature that could be shot, trapped, netted or otherwise caught (only becoming effectively regulated in the middle of the last century), we today have no idea of what wildlife and fisheries abundance this delta is capable of supporting.

Our conceptual baseline of abundance has been shifting downward since European arrival, and is now so degraded by 300 years of short-sighted management that we have no conception of what it could be. But studying its history we have a glimpse of what it was like 300 years ago. If we let the river be the river, if we let the deltaic system be the deltaic system, if we let nature play itself out, we are going to be astonished. We can allow a new delta to flourish that is *more productive* than the physical delta we measure our losses from ninety years ago.

**Dolphins.** Concerns have been raised about the possible fate of bottlenose dolphins in Barataria Bay. The hypothesis is that exposure to prolonged freshwater pulses will result in the decline or even the extirpation of dolphins from the bay. I am not a scientist, but I have a lifetime of experience observing dolphins in the delta region. More importantly I know the history of the bay and its wildlife. I regard with extreme skepticism the idea that dolphins living in the delta region are ill-adapted to living there. I find the claim that dolphins will die from exposure to freshwater pulses based upon Bonnet Carré opening in 2019 logically wanting. If it were true, then dolphins should have died in previous spillway openings in the 12 major openings that occurred prior to 2019.

The argument that it was the duration of the opening in 2019 is also baseless since the Unexplained Mortality Event (UME) began *before* the spillway was opened in 2019 (UME began February 1, Bonnet Carré opened February 27)<sup>iii</sup>, and the UME was past its peak (June 1) long before the duration of the opening set any sort of record. At no time was the flow of water through Bonnet Carré in 2019 anywhere near the peak flows seen in 2011. Yet the UME affected dolphins from the Sabine River to Taylor County, Florida. Rainfall was near normal or below normal in the Spring of 2019 in all river systems draining to the area of the Gulf affected by the UME except the Mississippi River and Sabine-Calcasieu, and most of the unusual discharge came after the UME peaked. Indeed, portions of the Gulf experiencing the UME in Alabama and the Florida Panhandle were in drought. To suggest that unexplained dolphin mortality was the result of Mississippi River discharge stretches this layman's credulity.<sup>iii</sup>

**Barataria Bay, like all deltaic estuaries, routinely sees wild swings in salinity**--More importantly, for Barataria Bay itself, as any oyster farmer knows only too well, prolonged freshening events are routine, caused by everything from periods of excessive rainfall to winds and currents driving the Mississippi River's freshwater plume that flows from Southwest and Grand passes into the Barataria Bight and then back into the bay. In the last fifty years the bay has experienced numerous so-called "100 year" rainfall events, and has experienced years in which cumulative rainfall was well above normal for months on end (as we are experiencing this spring).

Until 1906 Barataria Bay was receiving riverine discharge from both Bayou Lafourche on the west and the western passes of the Birdsfoot on the east and south. Because of frequent levee breaks along both Bayou Lafourche and the mainstem, spring influxes of freshwater and sediment came often enough to sustain an estuarine balance. Marine processes and man-made canals severely disrupting hydrology had not yet occurred, so rainfall was retained and tidewater was still confined to waters near the passes.

**Barataria Bay is an Anthropogenic Creation**--What is now called Barataria Bay was a discrete embayment, separated from Bay Caminada, Bay des Ilettes, Bay Ronquille and other smaller embayments by marsh platforms which reached to or near the barrier islands and headlands. Human activity—perfecting the levee system after 1927; building of the jetties and armoring the river banks; dredging canals for navigation and oil and gas access and pipelines in the 1960s, 70s, and 80s; continuously extending jetties at Southwest Pass, Tiger Pass, the Empire Canal, Barataria Pass, Caminada Pass, and Belle Pass; and subsurface withdrawal of hydrocarbons leading to increased subsidence, fundamentally altered both the hydrology and ecology. Natural processes had little to do with the rapid changes of the 20<sup>th</sup> century. Anthropogenic changes caused massive land loss, and allowed oysters, brown shrimp, speckled trout and bottlenose dolphins to colonize the expanding bay.

All of these organisms are highly adaptable, as they must be to thrive in a deltaic environment where conditions can change in a geological instant—a saline embayment can freshen overnight and begin to fill with sediment after an avulsion on the river, or a freshwater wetland can be cut off from the river due to a course change. Nothing lives here that has not adapted to those conditions, except a few stubborn humans and their dependents and commensals.<sup>iv</sup>

**Congress acted in the best interest of dolphins when it mandated the issuance of a waiver**—*In my opinion, formed after review of the literature, a lifetime of wildlife observation, and a deep knowledge of the history of Barataria: few if any individual dolphins will be harmed by this project. But the failure to build this project, and many diversions after it, will unquestionably harm generations of dolphins, not*

just in Barataria Bay, but in the entire northern Gul of Mexico, because loss of the Barataria Estuary to sea level rise will result in the collapse of their prey base—not to mention the food web supporting arguably the single most important estuarine system in North America.

*I agree therefore with Congress—in order to fulfill the purpose of the Marine Mammal Protection Act, this project must go forward.*

*I have devoted my life to promoting the welfare of native species and the habitats that sustain them. I have not the slightest doubt about the need to build the Mid-Barataria Sediment Diversion for the benefit of dolphins.*

**Fisheries**--I fully realize that there is very real fear and concern among many residents of the Barataria Basin, especially those whose livelihood is tied up in harvesting seafood species that benefit from the ongoing conversion of the basin to a marine system. These fears and concerns are completely understandable. Though for the reasons outlined above I believe the fears of fisheries collapse will prove to be groundless, and indeed that the opposite will occur, there is no question but that species' abundance and location will shift, and that economic hardship might result unless the groundwork is laid by both government and fishers to facilitate a transition to the new fisheries reality.

**Davis Pond as an Adaptive Manage Tool**--One way to facilitate gradual estuarine transition to lower average salinities, if a favorable Record of Decision is reached, would be to begin to operate the Davis Pond diversion as an adaptive management tool, to gradually freshen the basin and monitor the response of estuarine organisms, including brown shrimp, oysters and, yes, bottlenose dolphins. The Water Resources Development Act of 2007 authorizes operational changes to Davis Pond.

**Public Investment Requires Public Access**—If public funds are spent to acquire rights to private property in the receiving basin, then the right to free and unfettered public access must be acquired as well. There is no question but that the water bottom in the network of distributary channels carved by the diversion will be state-owned, allowing for public access. The question of access to wetlands created or sustained by the diversion will presumably depend upon prior ownership. Private landowners that succeed in requiring the purchase of rights such as flowage easements in order to allow a project that will prevent their land from disappearing should not be allowed to profit from this massive beneficial investment beyond sale of their property to the people in fee simple at fair market value.

The DEIS identifies minor land-loss acceleration affecting public land in the Birdsfoot. The loss of Delta NWR and Pass a Loutre WMA is inevitable, given extreme local rates of subsidence and accelerating sea level rise. The recreational and ecological resource provided by these properties can be replaced as land is built, sustained and *acquired* in the MBSD receiving basin, beginning with one-to-one mitigation for the anticipated induced losses.

**Public Access and Educational Opportunities at the Diversion**—The MBSD diversion structure, outfall channel, and outfall area will constitute the world's single largest engineered restoration project. The opportunity for public education, recreation and enjoyment is unprecedented. The project should not be locked behind fences, barbed wire, and "No Trespassing" signs, the "welcome" that now greets the taxpayers who paid for the Caernarvon and Davis Pond diversions.

**Delta Communities.** People who live in communities outside the Federal levee systems are already experiencing the costs of land loss, and are, in a real sense, facing an existential threat because of our

historical mismanagement of the river, canal building and sub-surface mineral extraction throughout the marsh zone, all of which have led to the basin's precarious situation in the face of a changing climate, also brought about by human action. As is always the case, this burden falls most heavily upon those basin communities and individuals marginalized by historic economic and political injustice, including chronic mistreatment of Indigenous Americans and racism practiced towards many, including immigrants to the basin, and especially, formerly enslaved people.

This project will not change that reality—no single project could. But this project will increase, in the near term, the frequency of low-level flooding in some basin communities, which include low income residents and an American Indian village. Most of the residents of these communities are well adapted to life in the tidal zone. Their culture is based upon living with the rhythms, challenges and opportunities of the natural system of which their community is a part, and, in many cases, has been for generations. They will adapt, but the project is an opportunity for LaTIG to facilitate the adaptation for future change with mitigation funding now. Few contemporary communities have that opportunity.

Flooding in the basin has been increasing for decades, and will continue to increase with or without the project, as more land erodes, the land sinks, and the seas rise. Dealing with that *now* rather than incrementally in the coming decades would actually strengthen the resilience of those communities, and the mitigation funding offered by this project is a once in a lifetime opportunity to do something proactively. This project will, over the long term, decrease flooding in nearby basin communities, as well as in adjacent leveed communities like Ironton.

Justice and redress of past and ongoing wrongs requires a special commitment to many individuals and communities in the basin. That same commitment requires an honest assessment of what can be physically accomplished, all questions of cost and fairness aside. If we immediately and without reservation undid every transgression and mistake of the past, every imbalance in the current allocation of resources, the irreversible physical reality is that delta lands will continue to sink, the sea will continue to rise for decades (as the air and ocean reach temperature equilibrium), and land, including that which supports people's homes and is the source of their livelihood, will continue to be lost. This is because of climate change already guaranteed by the carbon long since released into the atmosphere.

Only by reversing the *process*, the deltaic process, from the riverine abandonment and re-occupation by the sea now underway, to riverine re-occupation and delta building, pushing back the sea, which this project can begin, is there any hope of a future for delta communities and the people that call them home.

In the meantime, *all* communities in southeast Louisiana, inside and outside levee systems, on both sides of the river and well up into the basins, will enjoy storm surge benefits in the long-term—the alternative is to be swallowed by the Gulf of Mexico.

**Mitigation**--LaTIG is to be commended for earmarking funds now to help both commercial fishers and the communities outside the levee system. Both will be better able to adapt and thrive in the coming decades if those funds are used appropriately to the maximum advantage. For that to happen, commercial fishers and communities must be convinced, and must be willing, to enter into a productive dialogue with the state, and everyone, regulators included, must also be willing to do more than just pay lip service to adaptive management and innovation.

**A Duty to Future Generations--** There is a way forward, if we make a commitment to cooperate, and nature gives us respite for a few years. We in southeast Louisiana had forty years between Hurricane Betsy in 1965 and Hurricane Katrina in 2005 to learn how to live with nature on a disappearing coast. We squandered those forty years, increasing our vulnerability and the number of people exposed to danger by expanding the footprint of development and doubling down on levees and pumps, and we've paid the price as storm after storm devastates community after community.

In 2005 my family lost a home. My neighborhood was shattered and a tiny diaspora ensued. My son lost his school, his circle of childhood friends, his neighborhood, and a significant part of his life. He was not alone, but like so many other children of 2005, his strength and determination, and that of his generation that have endured hurricanes, economic recession outdone only by the Great Depression, the country's largest oil spill, and political and social upheaval not seen since the 1960s, inspires me and others today.

**Reliance on Gray Infrastructure Alone Cannot Succeed--**We can't afford to make the mistake of ignoring natural processes again, and we are culpable if we do nothing to try to prevent disaster and undo our past mistake of relying solely on gray infrastructure's ability to hold nature at bay. We have to work with nature. We must all find a way to utilize this project and to dedicate these offered mitigation funds in a way that makes a difference, and that is maximally just to those most affected and most vulnerable. We have to strive to overcome distrust with honest dialog and engagement. I will not pretend to share the feelings of those who will be most directly affected by this project, but I will ask the State and the TIG to be open to a genuine dialog with them, one that is about solutions, and one that faces our very dire reality rather than paving it over with nostrums and unfulfillable promises.

But we must be clear and honest: there is no future for Delta communities without this project and river re-introduction projects to come under the Coastal Master Planning process. These diversion projects give us a chance, but they do not guarantee anything. There is much to do, both on the political and scientific side. And there is much needed dialogue ahead. But only by overcoming distrust and listening to authentic voices, from both communities and objective scientists, engineers, economists, social scientists and planners, who have no financial stake in the outcome, can we hope to get there.

**The MBSD is critical to the long-term physical and ecological sustainability of southeast Louisiana--**The truth is that for all of us living in and near the Barataria Basin, we are just one major hurricane away from disaster. Our ability to recover from a disaster is contingent, and there are no guarantees. This is as true for those living within the levee systems as it is for those living outside in Lafourche, St. Charles, St. James, Assumption, Jefferson, Orleans, Plaquemines, and beyond to those parishes outside the basin proper but dependent upon it, all the way to the Mississippi Coast and Baton Rouge. Our ability to survive and prosper is simply not guaranteed. Importantly, our state has come together through the Coastal Master Planning process under the Coastal Protection and Restoration Authority to devote whatever resources we have available to maximize our chances, by basing our choices and actions on the best science and analysis. Key to those chances are projects that restore the river's ability to build new deltaic wetlands and sustain those that still survive, like the MBSD. Without riverine re-introduction, the Master Plan cannot succeed.

Please, issue the permits and fund the project. Build the Mid-Barataria Sediment Diversion. Operate it for the maximum benefit.

Watch nature recover a delta, and the benefits to wildlife, humans and communities large and small, inside and outside, that accrue.

May it be the first major diversion of many to come.

Sincerely,



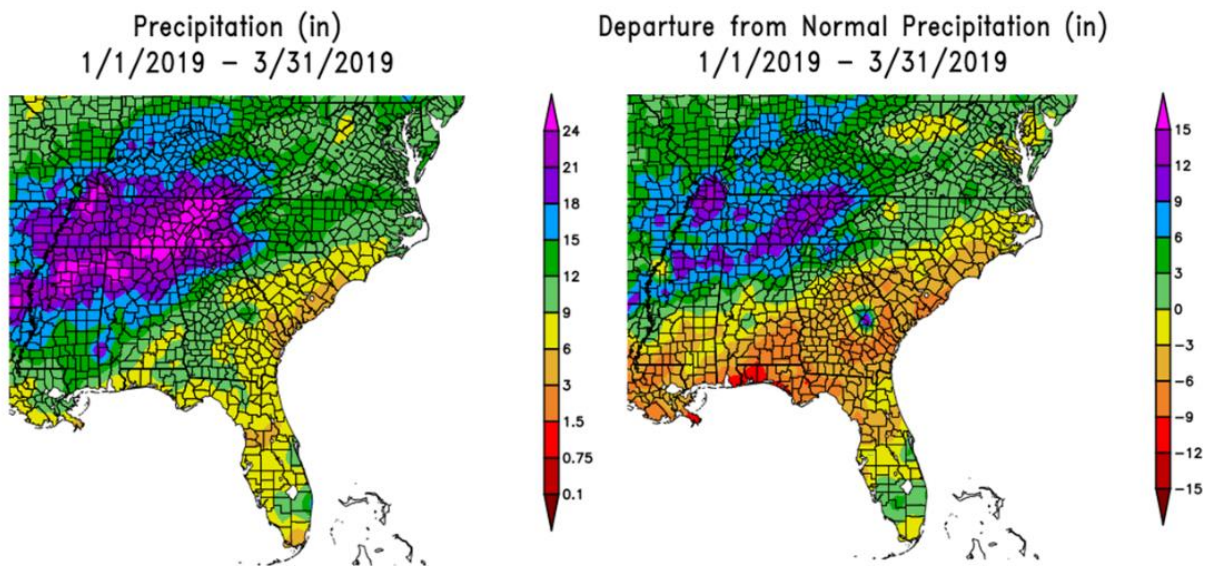
David P. Muth  
New Orleans, Louisiana

<sup>i</sup> <https://www.mvn.usace.army.mil/Missions/Mississippi-River-Flood-Control/Bonnet-Carre-Spillway-Overview/Spillway-Operation-Information/>

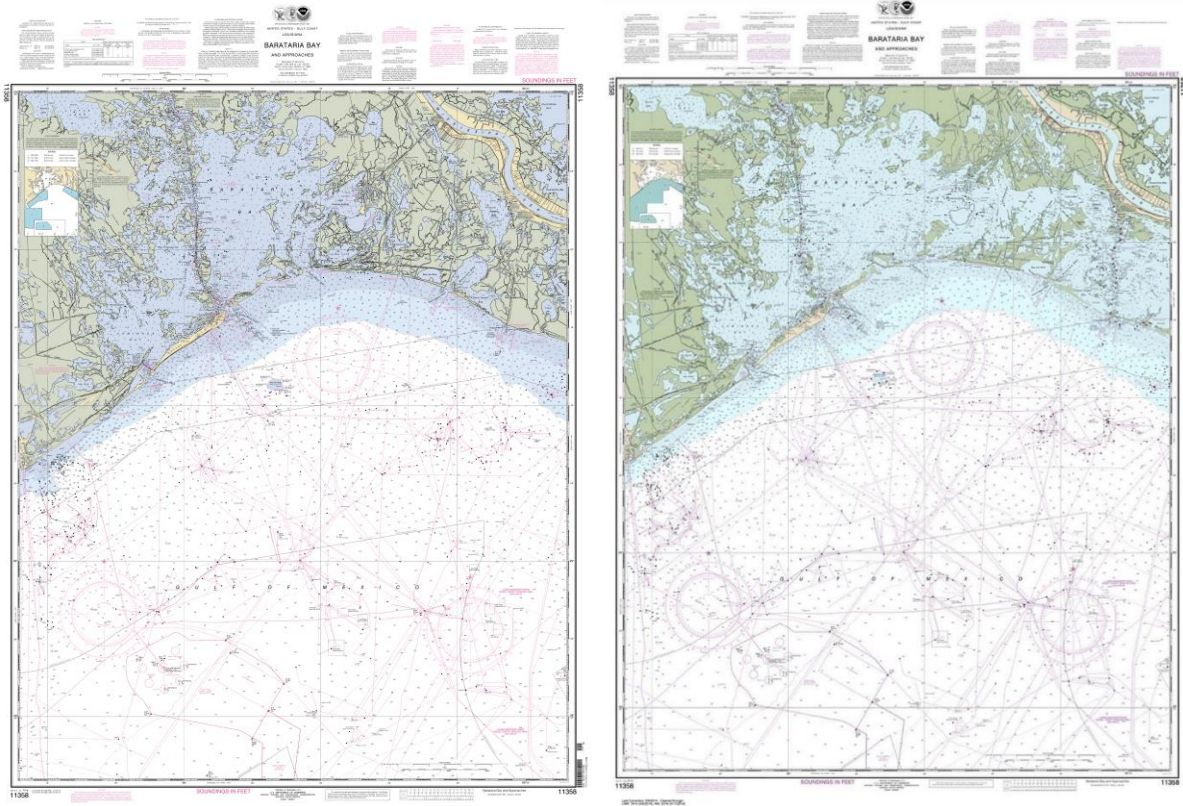
<sup>ii</sup> <https://www.fisheries.noaa.gov/national/marine-life-distress/frequent-questions-2019-bottlenose-dolphin-unusual-mortality-event#:~:text=The%20UME%20is%20defined%20as,dolphins%20stranding%20during%20this%20time.> “The UME is defined as occurring from February 1, 2019 to November 30, 2019. During this time at least 337 bottlenose dolphins stranded. Peak strandings occurred between February 1, 2019 and June 30, 2019 with 88% (297/337) of bottlenose dolphins stranding during this time.”

<sup>iii</sup> Source: [High Plains Regional Climate Center](#). The high rainfall areas in northern Mississippi and Alabama are part of the Tennessee River drainages, which flows via the Ohio into the Mississippi. Most of the river systems draining into the UME area were flowing below normal during the peak event.

## Southeast 1<sup>st</sup> Quarter 2019 Rainfall



iv Barataria Bay and Approaches, NOAA Charts. The chart on the left is 1965; 2013 is on the right.





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**Concern ID: 61737**

**The construction of levees along the Mississippi River precluded land-building sediments from entering Louisiana estuaries, which has caused a loss of Louisiana's coastal wetlands and other problems, such as making properties more vulnerable to hurricane damage and decreasing property values.**

**Response ID: 16024**

The impacts raised by the commenters were considered in the Draft EIS. Information about historic causes of land loss can be found in Chapter 3, Section 3.1.4 Overview and History of the Project Area and Section 3.6.2 in Wetland Resources and Waters of the U.S. The importance of maintaining wetlands for the protection of coastlines, coastal communities, and wildlife resources is discussed in Sections 3.6 Wetland Resources and Waters of the U.S. and 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the EIS. As stated in Chapter 1, Section 1.4 Purpose and Need of the EIS, the purpose of the Applicant's Preferred Alternative is to implement a large-scale sediment diversion in the Barataria Basin that would reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant's Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG's Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG's Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred

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Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant's Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61921**

**Commenter supports the use of adaptive management, but notes that it has been poorly used in the past. Suggests building adaptive management requirements into the current design to allow for future releases above 75,000 cfs.**

**Response ID: 16008**

The proposed MBSD Project as designed would have a maximum diversion flow capacity of 75,000 cfs when the Mississippi River flow reaches approximately 1,000,000 cfs or higher. Therefore, the proposed MBSD Project would not have the capacity to transport more than 75,000 cfs, which precludes the suggested adaptive management of flows higher than 75,000 cfs. Refer to EIS Chapter 2, Section 2.8.1.3 Project Operations in Action Alternatives Carried Forward for Detailed Analysis for additional details regarding proposed Project operations. However, CPRA does intend to adaptively manage the proposed Project. CPRA's Monitoring

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and Adaptive Management (MAM) Plan can be found in Appendix R2 of the Final EIS. CPRA's MAM Plan describes how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting Trustee goals, having a high likelihood of success, and avoiding collateral injury. While a 150k cfs diversion would be expected to deliver more ecological benefits to land creation and marsh building than the LA TIG's Preferred Alternative, it would also incur more collateral injuries and pose a greater risk to human health and safety; thus, it was not selected as preferred. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision.

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**Concern ID: 61927**

**The environmental justice aspects of the Project need further review because of the increase in flood conditions that would have disproportionate impacts on low-income or minority communities, including an American Indian village, outside of federal levee protection. These disproportionate impacts include devastating impacts on community culture.**

**Response ID: 16276**

The issues raised by the commenters were considered in the Draft EIS. The EIS Chapter 4, Section 4.15 Environmental Justice discusses potential impacts of the proposed Project on low-income and minority populations.

In addition, since the release of the Draft EIS, CPRA has engaged the public through outreach meetings with the communities projected to be impacted by the MBSD, including Grand Bayou, to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts undertaken to better understand and address potential impacts on low-income and minority populations, including cultural impacts, are discussed in Chapter 7 of the Final EIS. Refer to the Final Mitigation and Stewardship Plan in Appendix R1 for mitigation and stewardship measures that would be implemented as a result of the public involvement and engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in

the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61930**

**The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers. Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the "greater good", particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans. Both the Draft EIS and the LA TIG's Draft Restoration Plan would benefit from additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.**

**Response ID: 16281**

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the

immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62107**

**Commenters suggested that while it is understandable that residents who rely upon the current Barataria Basin fisheries have fear and concern regarding a conversion to more freshwater oriented species in the basin, these fears of collapse would prove groundless. The commenters suggest that the government should facilitate fishers' shift into the new fisheries that evolve from the shifting species and location.**

**Response ID: 16263**

The issues raised by the commenters were considered in the Draft EIS. EIS Chapter 4, Section 4.14 Commercial Fisheries discusses the potential impacts on commercial fishing activities, which includes a discussion of potential behavioral changes that fishers may make in response to changes in species availability, including substitution of fish species, taking longer trips, and upgrading gear in Section 4.14.4.2 Applicant's Preferred Alternative in

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Commercial Fisheries. While substitution of species may occur, such changes have costs that the fishers must incur.

CPRA has developed a plan to mitigate some potential adverse Project impacts. CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined its Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently

contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62233**

**Restoration of coastal habitat and the delta would provide protection from storm damage.**

**Response ID: 15752**

While the intent of the proposed Project is to reestablish deltaic processes to restore resources injured by the DWH oil spill, the Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the ancillary benefit of storm damage risk reduction on communities north of the proposed diversion due to the creation and maintenance of wetland habitat and increases in topography and land acreage within the delta formation area. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height

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**Concern ID: 62260**

**The commenter stated support for the Applicant's Preferred Alternative and expressed concern that the Draft EIS overstates adverse impacts of the proposed Project associated with the input of freshwater into the Barataria Basin. The commenter explained that in the last 50 years, the basin has experienced numerous 100-year rainfall events that caused prolonged freshening events.**

**Response ID: 16436**

The commenter's support for the proposed MBSD Project is acknowledged. The commenter's concerns about Project impacts on the salinity of the Barataria Basin waters were considered in the Draft EIS. As projected by Delft3D Basinwide Modeling conducted to assess potential impacts of the proposed Project on resources such as water quality and salinity, the Project area is projected to experience increasing salinity due to sea-level rise and subsidence, in spite of prolonged rainfall events (see Chapter 4, Section 4.5.5.1 in Surface Water and Sediment Quality). As compared to the No Action Alternative, the Applicant's Preferred Alternative would cause permanent, minor (detectable over a small area) to moderate (observable over a large area, readily detectable in local areas) reductions in salinity in the Barataria Basin and permanent, minor increases in salinity in the birdfoot delta during proposed Project operations. These Project impacts on salinity would be beneficial for some wetland types and aquatic species and adverse for others (see Section 4.6 Wetland Resources and Waters of the U.S. and Section 4.10 Aquatic Resources for

further details about the proposed Project's salinity impacts on wetlands and aquatic resources, respectively). No related edits have been made to the Final EIS.

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**Concern ID: 62267**

**The commenter expressed concern that the proposed MBSD Project's adverse impacts on wetland loss in the birdfoot delta would cause a loss of public lands in the Delta National Wildlife Refuge (NWR) and in the Pass A Loutre Wildlife Management Area (WMA). The commenter recommended that these adverse impacts on public lands be mitigated by creating state and federal public lands in the Project outfall area.**

**Response ID: 16439**

The commenter's concern that the proposed Project would cause a loss of wetlands in the Delta NWR and in the Pass A Loutre WMA, both of which are located in the birdfoot delta, was addressed in the Draft EIS in Chapter 4, Section 4.17.4 Operational Impacts in Public Lands. As part of its responsibilities under the Fish and Wildlife Coordination Act and as operator of the Delta NWR, the USFWS recommended the creation of crevasses to build land in the birdfoot delta to offset MBSD Project-induced wetland losses of 926 acres in the Delta NWR and 37 acres in the Pass A Loutre WMA (see Appendix T, USFWS Coordination Act Report (CAR), of the Final EIS). In response to USFWS' CAR Recommendation, CPRA agreed that, "Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the [Pass A Loutre] PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional funding through the CWPPRA program, through additional restoration work sponsored by the LA TIG (for example, construction of the Engineering and Design work discussed in the DWH LA TIG's Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area" (Final EIS, Appendix R1 Mitigation and Stewardship Plan, Section 4.6 Fish and Wildlife Coordination Act).

This information was updated in the Final EIS, Chapter 4, Section 4.27.1 in Mitigation Summary and in the Final EIS, Section 4.17.4.2.2 Birdfoot Delta in Public Lands.

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**Concern ID: 62410**

**Commenter asserts that if the deltaic system is fully restored, the results would be astonishing and that the new delta could be allowed to flourish that is more productive than the physical delta we measure our losses from 90 years ago.**

**Response ID: 15943**

Comment noted. Although the EIS recognizes that current conditions have changed over time, Chapter 4 Environmental Consequences of the EIS discusses how the proposed Project alternatives would affect the currently-existing natural environment, to which the human and animal populations have acclimated. Chapter 3 Affected Environment summarizes the historic context for each resource assessed in the EIS. Further, Sections 3.1.4.1 Mississippi River and 3.1.4.2 Barataria Basin of the EIS address the deltaic processes that formed the proposed Project area; these sections have been supplemented in the Final EIS to further discuss historic conditions.

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**Concern ID: 62411**



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**All of these organisms are highly adaptable, as they must be to thrive in a deltaic environment where conditions can change in a geological instant—a saline embayment can freshen overnight and begin to fill with sediment after an avulsion on the river, or a freshwater wetland can be cut off from the river due to a course change. Nothing lives here that has not adapted to those conditions.**

**Response ID: 15947**

As described throughout Chapter 4, Section 4.10 Aquatic Resources of the EIS, operation of the proposed Project would affect the existing flora and fauna of the Barataria Basin in both beneficial and adverse ways, with the overall impacts to a given species being dependent on that species' habitat preferences and tolerances.

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**Concern ID: 62412**

**If public funds are spent to acquire rights to private property in the receiving basin, then the right to free and unfettered public access must be acquired as well. Private landowners that succeed in requiring the purchase of rights such as flowage easements in order to allow a project that would prevent their land from disappearing should not be allowed to profit from this massive beneficial investment beyond sale of their property to the people in fee simple at fair market value.**

**Response ID: 15952**

Ownership of any lands created or acquired related to construction or operation of the Project would be determined in accord with current state law, including ownership of mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E). Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights of access to the public in or on private property.

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**Concern ID: 62413**

**The MBSD diversion structure, outfall channel, and outfall area would constitute the world's single largest engineered restoration project. The LA TIG and CPRA should include a recreation and education area near the diversion with a viewing platform, trails, bike paths, along with a boat launch into the diversion outfall area.**

**Response ID: 15951**

Due to concerns about safety of the public and security for the Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA is, however, planning to provide signage and other public space near the Project to educate the public regarding the purpose and functioning on the Project. Ownership of any lands created by operation of the Project would be determined in accord with current state law, including ownership of mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E). Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights of access to the public in or on private property.

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**Concern ID: 62431**

**Commenter asserts that diversion projects give Mississippi Delta communities a chance to survive, but they do not guarantee anything. Community members must overcome distrust and listen to authentic voices, from both communities and objective scientists, engineers, economists, social scientists and planners, who have no financial stake in the outcome.**

**Response ID: 15873**

Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA TIG's Restoration Plan.

Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project. For a summary of public outreach efforts related to the Draft EIS refer to Chapter 7 Public Involvement of the EIS and for restoration planning see Section 1.8 of the LA TIG's Restoration Plan.

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**Concern ID: 62662**

**The proposed Project is likely to succeed because other diversions have also built land and restored ecosystems. Specific examples of land-building projects include the Caernarvon Freshwater Diversion, Davis Pond, West Bay, Fort St. Phillip, the Jaws, Wax Lake, and Mardi Gras Pass. Many of the benefits of the Project, in terms of soil creation and microbial processes, are not captured in the engineering of the modeling. Many of the fine sediments transported by the diversion cannot be dredged but are critical soil components.**

**Response ID: 16635**

The benefits to land building of fine sediments transported by the diversion were addressed in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in 4.2.3 Geology, Topography, and Geomorphology. The Delft3D modeling conducted for the EIS distinguishes the types of sediment (sands and fine sediments) that would be deposited in the basin. Table 5.2-1 in EIS Appendix E Delft3D Modeling lists the sediment classes included in the model. As described in EIS Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics, sand and fine sediments would contribute to land building in the basin in two ways - by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment could form marsh or land. The model's physics-based computations showed that the coarser sands would settle out before the finer sediment. As the sediment builds up, discharge velocities would increase over the previously deposited sediment and resuspend it, pushing it farther into the basin. Thus, the model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed without moving it by dredging and placement. In addition, Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS discusses the geomorphic impacts of diversion operations, including the Wax Lake Outlet, the Caernarvon Freshwater Diversion, the Davis Pond Freshwater Diversion, the Bohemia Spillway, and Bonnet Carré Spillway, and Mardi Gras Pass.

The likelihood of the Project's success and its potential benefits were considered in the LA TIG's Draft Restoration Plan. As part of evaluating the Project and alternatives, the LA TIG considered the likelihood that the Project would succeed and achieve the LA TIG's goals.

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Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the LA TIG's Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, these sections note that the knowledge gained through the projects noted by the commenters has been applied in designing the Project and evaluating whether and how the Project would restore and sustain critical marshlands. A full description of the range of benefits that would be provided by the Project is also included in Section 3.2.1.6 Benefits Multiple Resources of the Restoration Plan.

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**Concern ID: 62862**

**Taking advantage of operational changes authorized in WRDA 2007, Davis Pond should be used as an adaptive management tool to achieve a gradual transition to lower estuarine salinities in the Barataria Basin. During the transition, the response of estuarine organisms, including brown shrimp, oysters and bottlenose dolphins could be monitored.**

**Response ID: 16671**

The Draft EIS did not consider using Davis Pond as an adaptive management tool. Based on the comparative size and location of the Davis Pond Freshwater Diversion relative to the Project, operational limitations on Davis Pond during low river flows and existing limitations on the flexibility of Davis Pond's operational regime, Davis Pond cannot effectively be used to ease the transition to a fresher estuary. In addition, increasing flows from Davis Pond in advance of commencement of Project operations could reduce the pre-construction time period available for fishers to continue their fishing activities while beginning to adapt to changes that occur once Project operations commence. Accordingly, no changes have been made to the Final EIS.

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**Concern ID: 62951**

**CPRA must address how it will mitigate flooding in the EIS with specific plans and adequate funding. Commenters specifically asked whether there will be funding available to raise roads, homes, and properties; to compensate property owners for lost property value; to relocate people and businesses; to address increases in flood insurance costs; to provide a fair market buyout option; to pay for flood walls, gates, and maintenance; to compensate for loss of use and enjoyment of property; and to cover increased costs of providing emergency services.**

**Response ID: 16711**

Impacts associated with inundation raised by the commenters were considered in Chapter 4, Section 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS and in Appendix R1 Mitigation and Stewardship Plan. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Concurrent with publication of the Draft EIS, CPRA held several meetings with the communities potentially affected to receive their input on how best to mitigate the Project effects on water levels. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation and stewardship measures. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of

the mitigation and stewardship measures. CPRA also plans to prepare outreach materials in easy to read and understand formats for distribution to the public.

Based in part on the feedback received, CPRA expanded the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection. This includes a combination of structural measures (for example, raising roads, boat houses, docks, and utilities) and non-structural measures (for example, Project servitudes).

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plans to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision, which would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions if the proposed Project were not constructed.

In communities south of the diversion outside levee projection from Woodpark south to Grand Bayou and Happy Jack, CPRA plans to raise the road to improve access to the properties and purchase Project servitudes from property owners that would permit CPRA to add and/or increase the water flow on landowners' properties. CPRA would attempt to negotiate with the landowners to acquire this servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to acquire these servitudes and would compensate landowners for the value of any property interest acquired. Landowners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures.

CPRA also may consider purchasing an impacted property outright if requested by the owner. Decisions regarding buyouts would be made on a case-by-case basis depending on the particular circumstances. These potential measures are described in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

As part of developing the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), CPRA considered the possibility of installing a flood gate for the Myrtle Grove community. CPRA decided not to pursue this option for several reasons. While some property owners in the Myrtle Grove Marina Estates Subdivision have suggested a flood gate, others do not support a flood gate due to the impacts that such a structure would have on immediate accessibility to the Barataria Basin. CPRA also considered a flood wall, but again,

community members were not aligned regarding this potential solution, with some objecting to a flood wall on the grounds that it would block access to the basin. CPRA has developed instead other structural mitigation and stewardship measures to address the projected impacts of the proposed Project on water levels and boat accessibility in the Final Mitigation and Stewardship Plan.

The Final EIS concludes that the proposed Project would not impact the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3 in Socioeconomics and Section 4.15.4 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63002**

**The commenter states that residents of southeast Louisiana had 40 years between Hurricane Betsy in 1965 and Hurricane Katrina in 2005 to learn how to live with nature on a disappearing coast, and have squandered those 40 years, increasing the area's vulnerability and the number of people exposed to danger by expanding the footprint of development and doubling down on levees and pumps, paying the price as storm after storm devastates community after community.**

**Response ID: 15754**

Comment noted. EIS Section 3.20 (Public Health and Safety, Including Flood and Storm Hazard Risk Reduction) provides the historical context of storm surge impacts.

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**Concern ID: 63066**

**It is not clear why the negative impacts to bottlenose dolphins are expected from the proposed Project when dolphin injuries and mortality have not been associated with other freshwater releases or diversion projects such as Wax Lake Delta. Dolphins may simply reduce their use of less saline environments as conditions change.**

**Response ID: 16589**

The potential for dolphins to simply reduce their use of damaging, less saline environments by moving to higher saline environments was considered in the Draft EIS. More specifically, Chapter 4, Section 4.11 (Marine Mammals) of the EIS describes the impacts on bottlenose dolphins from freshwater exposure; these impacts are well documented and include observations and data collected in Louisiana associated with the release of fresh water. Most recently, a freshening event in 2019 resulted in the declaration of a bottlenose dolphin unusual mortality event (UME) in the northern Gulf of Mexico. The Bonnet Carré Spillway, Pearl River, and Lower Mississippi River distributaries contributed to low salinity in the region, resulting in increased mortality and strandings of bottlenose dolphins. Existing data on low-salinity exposure were used to develop a dose-response model that forms the basis for the evaluation of impacts in the EIS (Booth et al., 2020). Existing populations of bottlenose dolphins in Louisiana are largely reflective of the predominant conditions in a given area. Within Barataria Bay, dolphins demonstrate site fidelity to small areas of the basin which, as described in the EIS, has led to the identification of distinct strata (for example, Takeshita et al., 2020). Some of the dolphins tolerate lower salinity waters within Upper Barataria Bay, but are not expected to survive the amount and duration of fresh water released from the diversion. The Barataria Bay bottlenose dolphin stocks' extreme site fidelity and estuarine nature also suggests the dolphins would not move to areas with higher salinity, such as near the barrier islands or Gulf of Mexico.

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**Concern ID: 63071**

**The dire forecasts about the near-term effects on dolphin populations in parts of Barataria Bay depend upon a number of unproven and improbable assumptions about dolphin adaptability and tolerance for living in the delta (Garrison et al., 2020). Conversely, the continued collapse of the marsh platform in the Barataria Basin will eventually reach a tipping point at which the prey base of dolphins in the bay would shrink and could eventually collapse. The long-term health of dolphins in the northern Gulf of Mexico depends on reconnecting the river to the delta and reestablishing the deltaic cycle.**

**Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p.**

**Response ID: 16594**

The Draft EIS recognized that the loss of wetlands under the No Action Alternative would result in a gradually increasing, from negligible to moderate, adverse impact on dolphins (see

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Chapter 4, Section 4.11.5.1 [Operational Impacts]). The impacts on bottlenose dolphins from freshwater exposure have been well documented, including observations and data collected in association with the release of fresh water in Louisiana (see Chapter 4, Section 4.11 [Marine Mammals] of the EIS for more details). Most recently, a freshening event in 2019 resulted in the declaration of an unusual mortality event (UME) in the northern Gulf of Mexico. Existing data on low-salinity exposure were used to develop a dose-response model that formed the basis for the evaluation of impacts in the Draft EIS (see Chapter 4, Section 4.11.3 [Overview of Impact Analysis Approach]). The dose-response model was coupled with an updated population model to evaluate potential changes in survival rates within BBES. These potential decreases in survival rates caused by the diversion were compared to future conditions without the diversion (the No Action Alternative). The analysis contained in the Draft EIS determined that there would be a major, adverse, long-term impact on the BBES Stock. That conclusion is also supported by Thomas et al. (2021), which built on earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. 2021 further concluded that after 10 the planned 50 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the remaining Island stratum being severely reduced relative to the No Action Alternative (that is, the median predicted population size of the Island stratum would be 85 percent lower [95 percent CI 28-99] under the Applicant's Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock would be 96 percent smaller (95 percent CI 80-100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al (2021). The impacts of Project-induced wetland changes on dolphins is discussed in Chapter 4, Section 4.11.5 Operational Impacts of the EIS.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed

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mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63341**

**The coastal wetland system creates multiple lines of natural defense from hurricanes and storm surge, and the ongoing wetland loss resulting from the lack of riverine input into the basin has resulted in increased storm risks to local communities (including decreases in property values and impacts to the electrical grid).**

**Response ID: 16300**

The commenter's support for the proposed Project is noted. The commenter correctly notes that coastal wetlands are natural defense against hurricanes and storm surge, and the damage they cause to local communities and infrastructure, as discussed in Chapter 3, Section 3.6 Wetland Resources and Waters of the U.S. of the Draft EIS. The causes of wetland loss in the proposed Project area were discussed in Section 3.6.2 of the Draft EIS, and included subsidence, levees, storms, canals/spoil banks, herbivory, and the DWH oil spill. Chapter 4, Sections 4.6 Wetland Waters and Resources of the U.S. and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction of the Draft EIS explained how the proposed Project would create and maintain wetlands in the Barataria Basin, and discuss the corresponding impacts on storm surge and flooding.

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**Concern ID: 63349**

**Commenters noted that it is clear that only nature can build a delta, and that nature should be allowed to begin to replace the one that was allowed to die. In order for that to happen without massive dislocation of human communities, some combination of a diversion the approximate size of the Wax Lake Outlet, combined with some level of control at the point of outflow, would be necessary.**

**Response ID: 16311**

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the Draft EIS explained how the proposed Project is designed to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. Although the proposed Project is not designed to divert the maximum capacity of water diverted by the Wax Lake Outlet (about



440,000 cfs), its operation is projected to build maximum of 17,300 acres of land in the Barataria Basin by 2050, as discussed in Chapter 4, Section 4.2.3.2 in Geology and Soils. The capacity and operational triggers considered for the proposed Project are discussed in Chapter 2, Section 2.4 Step 2: Evaluation of Operational Alternatives - Location, Operational Triggers, Capacity, and Base Flow. The purpose of the proposed Project is also discussed in Chapter 3, Section 3.2.1.1 (Alternative 1 Description) of the LA TIG's Restoration Plan.

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**Concern ID: 63631**

**A commenter questions whether the freshwater releases at Bonnet Carré Spillway led to an unusual mortality event (UME) that occurred in 2019.**

**Response ID: 16604**

Chapter 4, Section 4.11.5.2 (Barataria Bay Estuarine Stock) of the EIS summarizes the dolphin deaths, stranding numbers, and body conditions that led to the UME declaration in 2019. After analyzing various potential causes for the increase in dolphin mortality, scientists determined that the most likely cause of this UME was exposure to low-salinity waters in 2019 from the above average freshwater discharge into the Northern Gulf of Mexico. Prolonged exposure to low-salinity water (for example, less than 10ppt) has been documented to have harmful health impacts on bottlenose dolphins, ranging from skin lesions and serum electrolyte abnormalities to death.

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**Correspondence ID:40560**

Alexander Kolker

RE: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

We, the undersigned, are natural and physical scientists, and engineers, with decades of research and technical experience related to Louisiana's coast. Many of us have dedicated our careers to studying the socio-ecological system of the Mississippi River Delta. Our collective interdisciplinary work has informed the State's efforts on the Louisiana Coastal Master Plan, the Mid-Barataria Sediment Diversion Draft Environmental Impact Statement (DEIS) and other coastal restoration and protection efforts. We know all too well from our research and life experiences what is at stake for the ecosystems and people of coastal Louisiana.

There is an opportunity in Louisiana to invest in restoration to build a more climate resilient future for Louisiana's coast. Throughout the world, river deltas are under threat from rising sea levels, climate change, and other human impacts. With annual inputs of sediment and fresh water, river deltas can continue to provide valuable habitats and other benefits in the face of environmental changes. However, human activity has altered many deltas around the world and the Mississippi River Delta is no exception. Levees built along the river for flood control and navigation have severed much of the delta from the flow of sediment needed to sustain land in the face of rising sea level, changes resulting from the construction of canals, and a series of other direct and indirect impacts. The release of the DEIS for the Mid-Barataria Sediment Diversion project is a significant step forward in reintroducing flows of sediment back into the sediment-starved wetlands that are necessary for the Delta's future.

The idea of a river diversion at Myrtle Grove is not new. A diversion at this location was first explored more than 35 years ago in a 1984 feasibility study by the Army Corps of Engineers, but the concept for the project began to take firmer shape in 2001 under the Coastal Wetlands Protection and Restoration Act and in 2004 under Louisiana's Coastal Area Program. Since that time considerable research has been conducted to better understand how to maximize the land building and sustaining benefits of river diversions as well as the ecological consequences of increasing freshwater flows and sediment inputs to the basin. With the diversion there will be changes in the basin -changes in water levels, sediment accumulation, and the distribution of salinity and some species of fish and wildlife. Efforts to mitigate for these changes should be as transparent and inclusive as possible. But without the diversion major changes are also expected to occur and the ecosystem will continue to degrade with continued sea level rise and wetland loss.

The Mississippi River Delta is one of the most-studied deltas in the world, and the Mid-Barataria Sediment Diversion has been developed using the best available science and modeling, and reasonable assumptions about future conditions. However, once the diversion is built and being operated, the actual conditions will determine how complex interactions between physical, ecological and social aspects of the system play out. We must continue to invest in monitoring and research to measure the project's success and better understand the changing environment, the diversion impacts to people, and to inform the robust adaptive management program that will inform decisions related to project operations. In addition, we believe that an independent and multidisciplinary science and technical advisory group -

including physical scientists, ecologists, sociologists and other experts - should be established and engaged frequently to advise operation managers.

The future of Louisiana's deltaic wetlands depends on wise investment in restoration projects that provide long-term benefits to our coast. The Mid-Barataria Sediment Diversion will help address the injuries to wetland habitat associated with the 2010 Deepwater Horizon oil spill and is an important step towards a more climate-resilient future for Louisiana.

Signed,

Alexander S. Kolker, Associate Professor, Coastal Geologist

Donald Boesch, Professor Emeritus, Marine and Environmental Science Ehab Meselhe, Professor, Water Resources Engineer, Tulane University John Day, Professor Emeritus, Coastal Scientist, Louisiana State University Sam Bentley, Professor, Geology, Louisiana State University

Kim de Mutsert, Assistant Professor, Fish Ecology, University of Southern Mississippi

Caz Taylor, Associate Professor, Ecologist, Tulane University

Gary Shaffer, Professor, Wetland Restoration, Southeastern Louisiana University Donald Baltz, Professor Emeritus, Fish Ecology, Louisiana State University (Retired) Victor H. Rivera-Monroy, Associate Professor, Wetland Ecology

Thomas C. Michot, Research Scientist, University of Louisiana (Retired)

Torbjörn Törnqvist, Professor of Earth and Environmental Sciences, Tulane University

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Davin Wallace, Associate Professor, Marine Geology, School of Ocean Science & Engineering, University of Southern Mississippi

James Morris, Distinguished Professor Emeritus, College of Arts and Sciences, University of South Carolina

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Jorge A. Villa, Assistant Professor, Environmental Sciences, University of Louisiana at Lafayette Richard Keim, Professor of Forest and Wetland Ecohydrology, Louisiana State University Brian Roberts, Associate Director of Science, Ecosystem Ecology and Biogeochemistry

Zoe Hughes, Research Assistant Professor, Coastal Geomorphology, Boston University Piers Chapman, Research Professor, Marine Science, Texas A&M University

Denise Reed, Research Professor Gratis, Coastal Geomorphologist, University of New Orleans

James Nelson, Assistant Professor, Ecosystems Ecology, University of Louisiana Lafayette Steven Lohrenz, Professor, Marine Science & Technology, University of Massachusetts Dartmouth

Andrew Baldwin, Professor of Wetland Ecology

John T. Wells, Dean and Director, Deltaic Processes, Virginia Institute of Marine Science Peter Goodwin, President and Professor, River Morphology and Tidal Wetlands

John M. Barry, Distinguished Scholar, Tulane University School of Public health and Tropical Medicine

Donata Henry, Senior Professor of Practice, Ecology, Tulane University Sunshine Van Bael, Associate Professor, Wetland Ecology, Tulane University Stephen Formel, Microbial Ecologist, Tulane University

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Tracy Quirk, Associate Professor, Wetland Ecologist, Louisiana State University

Elizabeth Kimbrough, Ecologist, Microbial Ecology

Emily Farrer, Assistant Professor, Ecology and Evolutionary Biology, Tulane University

John Lopez, Delta Science LLC

Robert A. Thomas, Professor, Coastal Educator, Loyola University New Orleans

Peter H. Yaukey, Chair of Department of Biological and Physical Sciences and Professor of Biology, University of Holy Cross

Don Hauber, Biology Department Chair and Provost Distinguished Professor II, Loyola University New Orleans

Paul Barnes, Professor and J.H. Mullahy Chair in Environmental Biology, Plant Ecology and Global Change Biology, Loyola University New Orleans

Frank Jordan, Professor of Biological Sciences, Loyola University New Orleans

Robert Moreau, Manager of Turtle Cove Environmental Research Station, Interdisciplinary Environmental Studies, Southeastern Louisiana University

Edward B Overton, Environmental Chemist, Department of Environmental Sciences, Louisiana State University (retired)

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**Concern ID: 63201**

**Mitigation should be transparent; changes to ecosystem would occur even without the proposed Project due to continued sea-level rise and wetland loss.**

**Response ID: 16569**

The Draft EIS evaluated anticipated changes to wetland and other resources due to sea-level rise and wetland loss if the proposed Project is not implemented in its evaluation of the No Action Alternative. Any mitigation measures that would be required by USACE would be special conditions of the DA permit, if one is issued. If a permit is issued, it would be made available to the public via the USACE website.

As described in Section 1.6 (No Action Alternative) of the LA TIG's Final Restoration Plan (as well as in greater detail in the SRP/EA #3), the loss of deltaic processes in this estuarine ecosystem has resulted in a steady decline in the health of natural resources in the Barataria Basin, which is indicated by metrics such as decreased plant health, high rates of erosion, and higher salinities farther north in the basin. Without the proposed MBSD Project, deterioration of injured resources within and beyond the Barataria Basin would continue (see the No Action Alternative Analyses in Chapter 4, Sections 4.2 [Geology and Soils] and 4.6 [Wetland Resources and Waters of the U.S.] of the EIS).

The measures set forth in CPRA's Mitigation and Stewardship Plan for the Project address changes directly attributable to the proposed MBSD Project, such as changes in salinity affecting fisheries. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that

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USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63396**

**There is an opportunity in Louisiana to invest in restoration to build a more climate resilient future for Louisiana's coast. With annual inputs of sediment and fresh water, river deltas can continue to provide valuable habitats and other benefits in the face of environmental changes. However, human activity has altered many deltas around the world and the Mississippi River Delta is no exception as levees and canals have caused a series of other direct and indirect impacts. The idea of a river diversion at Myrtle Grove is not new and has undergone extensive study since it was first explored more than 35 years ago in a 1984 feasibility study by the USACE. With the diversion there would be changes in the basin; changes in water levels, sediment accumulation, and the distribution of salinity and some species of fish and wildlife. Efforts to mitigate for these changes should be as transparent and inclusive as possible. But without the diversion, major changes are also expected to occur and the ecosystem would continue to degrade with continued sea-level rise and wetland loss.**

**Response ID: 16358**

The commenter's support for the proposed Project is noted. The analyses in the EIS were developed using the best information and data available to USACE and the LA TIG at the time of writing. The impacts of both the proposed Project and the No Action Alternative are discussed throughout Chapter 4 Environmental Consequences. Appendix R of the Final EIS reflects CPRA's mitigation and stewardship strategies, which were refined based on public input received during the Draft EIS comment period.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure

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that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63809**

**The Trustees must continue to invest in monitoring and research to measure the Project's success and better understand the changing environment, the diversion impacts to people, and to inform the robust adaptive management program that will inform decisions related to Project operations. An independent and multi-disciplinary science and technical advisory group - including physical scientists, ecologists, sociologists and other experts - should be established and engaged frequently to advise operation managers.**

Response ID: 16690

USACE is not a Trustee.

The LA TIG acknowledges the comment, and notes that, the robust monitoring and adaptive management measures raised by commenters were considered in the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). In particular, the MAM Plan establishes a technical advisory group (see Section 2.2.2.3 [Technical Focus Group(s)/Peer Review] of the MAM Plan). As a result, no changes have been made to the MAM Plan included with the Final EIS in response to this comment. If the LA TIG funds the Project, the LA TIG would also fund the MAM Plan.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40561**

Mississippi Commercial Fisheries United, Inc.

Ryan Bradley

TO WHOM IT MAY CONCERN,

Please accept this letter on behalf of the Mississippi Commercial Fisheries United, Inc. ("MSCFU") regarding the Louisiana Coastal Protection and Restoration Authority's ("CPRA") application to permit activities in relation to the Mid-Barataria Sediment Diversion Project ("MBSD"). MSCFU is a non-profit 501(c) 6 business alliance of commercial fishermen, seafood businesses, and consumers of the natural resources our members provide. A large number of MSCFU members are active participants in a variety of commercial fishing activities in Mississippi and Louisiana territorial waters as well as the federally managed waters of the Gulf of Mexico. As a result, our constituents are vitally dependent on healthy marine ecosystems; especially, those estuarine systems of the Mid-Barataria Basin that are proposed to be impacted by the sediment diversion project. The Mid-Barataria Bay is essential fish habitat for a wide variety of culturally and economically significant recreational and commercial marine resources that are vital to the heritage and sustainability of coastal communities. The proposed project and subsequent impact area has a high potential to cause severe economic injury to fishing dependent communities that both fish directly in the vicinity of the impacted area and those that depended on the Barataria Bay as estuary for healthy juvenile aquatic resources that can grow and move further offshore for further recreational and commercial exploitation.

The entire Gulf Coast seafood industry has experienced devastating setbacks over the past decade from natural and man-made disasters such as hurricanes, the BP Deepwater Horizon Oil Spill, Harmful Algae Blooms, freshwater and sediment diversions, excessive rainfall, and under reported prolonged hypoxic events that have diminished, displaced, and now threatens the very livelihood of multi- generational fishing families across the Gulf Coast. The proud heritage of the seafood industry is at stake more now, than it ever has been. The average age of the U.S. commercial fisherman is getting older every year as there are less and less young fishermen coming into the industry at an early age. Without incoming commercial fishermen to replace our aging veteran fishermen; the public at large stands to lose significant access to the bountiful natural resources of the Gulf Coast waters and along with it the invaluable traditional ecological knowledge that has been passed down from generation to generation. Therefore, MSCFU, hereby respectfully presents the following concerns and recommendations on the proposed project in hopes that the ultimate decision makers will duly consider the economic, cultural, and overall importance that the proposed projects impact area has on the entire Gulf Coast seafood industry.

**CONCERNS:**

Our members express sincere concerns over the health and reproductive capacity of Louisiana's marsh estuary systems that are extremely important to commercial fisheries should the proposed MBSD project become fully implemented. Estuarine systems throughout the marsh serve as critical habitat for a variety of natural resources such as shrimp, oysters, crabs, and fish. Commercial fishermen, seafood business and seafood consumers are greatly dependent on these resources being healthy, abundant, and consistently available. The

proposed MBSD project impact area is a primary estuary for these economically important resources. It should be noted that the year 2017 produced the largest dead zone at the mouth of the Mississippi River in recorded history according to the National Oceanic and Atmospheric Administration (NOAA). There are grave concerns that sediment and water diversion into upper estuaries will cause similar hypoxic dead zones in areas that are highly important to a variety of juvenile species. Essentially, the primary concern is that the MBSD project and similar projects will cause irreparable harm to the seafood industry by destroying essential fish habitat in the impacted zones. The project's intended outcomes are perceived as long-term (decades) and will greatly reduce the biodiversity and abundance of vitally important marine resources in the short-term. This project will likely contribute to a significant loss in revenue for oyster harvesters, shrimpers, and crabbers in the areas impacted and also in surrounding areas as well.

Example: In 2011, the Army Corps of Engineers opened up the Bonnet Carré Spillway in Louisiana for several weeks. The impact to the commercial fisheries in Mississippi as a result of this spillway opening was devastating. Oysters, crabs, and shrimp harvest plummeted in the western Mississippi Sound during the months following this event. The impact was so detrimental that the oyster and crab fishery in Mississippi was declared a disaster and the U.S. Congress dedicated nearly \$10.9 million in funding to restore and conserve natural resource habitats that were directly impacted.

Mississippi's oyster reefs continue to struggle to recover from this event and similar diversions to this day. The commercial fishing interest from Mississippi have seen firsthand the impacts these diversions can have and therefore express strong concerns over any future projects that aim to divert water and/ or sediment from the Mississippi River.

In 2019, the Army Corps of Engineers operated the Bonnet Carré Spillway for a record setting number of days causing catastrophic damage to marine life, marine mammals, and essential fish habitat amounting to more than \$500 million across the states of Louisiana, Mississippi, and Alabama. Losses continue to accrue from this event.

The proposed MBSD project will have multiple impacts to fisheries that commercial harvesters are dependent upon and that have not been fully evaluated or have been grossly underestimated thus far. These impacts include (A) continual sediment displacement that will smother essential oyster and shrimp habitat; (B) severe changes in water temperature that will directly affect the normal growth of a variety of juvenile marine species; (C) substantial increases in the frequency and duration of hypoxic events that will contribute to an increase in mortality of aquatic resources; and (D) the displacement of a variety of commercially important marine resources along with the fishermen whom harvest them. Overall, this project will have a devastating impact to both the culturally important marine resources and the fishing communities whom depend upon them. There are also legitimate concerns over the general feasibility of the proposed project and questions regarding if the proposed project's ecosystem services can actually be achieved in a reasonable time frame with minimal impact to fishing dependent communities that have a long history of operating in the impacted area.

(A) The impact to sediments in essential fish habitat from the proposed MBSD project will have substantial impacts in the short-term. Species such as oysters will be completely silted over on-bottom and will experience 100 % mortality in areas directly

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impacted. Species such as shrimp which require years of undisturbed bottom habitat to be able bury in the sediments to evade depredation and to spawn.

(B) Severe changes in water temperature from the constant throttling of a cold Mississippi River discharge outflow at the maximum rate of up to 75,000 cfs will drastically alter the dynamics of essential fish habitat that is critically dependant on stable warm temperatures to optimally grow a plethora of marine species that are economically and culturally important.

(C) It is expected that a substantial increase in the frequency and duration of hypoxic events would be observed immediately following sediment discharges should this project be implemented. Similar conditions in water, sediments, and other pollutants have greatly contributed to an ever expanding dead zone. Legitimate concerns have been raised that if this diversion project is implemented that it would be expected to cause similar dead zone within vital estuarine habitat before a majority of the species could grow large enough to escape hypoxic zones in the areas directly impacted.

(D) Not only will a host of marine resources be critically displaced by this project; so will the hard working commercial fishermen and women as well as businesses whom greatly rely on healthy marine ecosystems. These seafood industry workers will bear the brunt of the proposed MBSD project and will pay severely with the loss of their livelihoods. Due to the increased distance that fishing dependent communities will have to travel to operate; expected diminished catch rates; and the inability to transition into other fisheries; these factors will culminate in a large number of fishing dependent enterprises to be essentially forced out of business.

Additional concerns include the fact that these types of sediment diversion are relatively new and untested. There is no guarantee that the proposed MBSD project will create any land at all or within any given time frame. There is also a strong argument that these types of projects will make wetlands more susceptible to erosion; especially, in the event of a hurricane. Moreover, concerns exist about the suitability for sediments from the Mississippi River to be inserted into the Mid-Barataria estuary. These concerns include the possibility for sediments to contain elevated levels of Poly-Aromatic Hydrocarbons and other chemical pollutants that have a high probability for being present in elevated levels due to the amount of shipping and industrial activities operating in the vicinity.

Lastly, the CPRA has failed to hold any meetings about the project in the State of Mississippi as they have publicly promised they would do. MSCFU argues that the detrimental impact that this project will have on Mississippi, its' residents, and business owners have not been adequately considered.

CPRA's seafood industry mitigation plan does not include mitigation measures for impacted stakeholders residing in the State of Mississippi, many of whom are duly licensed and permitted to operate in the State of Louisiana.

#### RECOMMENDATIONS:

The Mississippi Commercial Fisheries United, Inc. hereby recommends that the United States Army Corps of Engineers ("USACE") deny the Louisiana Coastal Protection and Restoration Authority's request for a permit in reference to any and all components of the Mid-Barataria Sediment Diversion project. The USACE must fully analyze and consider the direct and

lasting socio-economic impacts this proposed project would have on the seafood industry while considering the necessary approvals for this project.

Please duly consider the concerns and recommendations put forth by the Mississippi Commercial Fisheries United, Inc. regarding the proposed Mid-Barataria Sediment Diversion project being pursued by the Louisiana Coastal Protection and Restoration Authority. This project will have a devastating impact on coastal communities across the Gulf Coast. Please consider alternative methods to this sediment diversion project and similar projects. Please save the most endangered species, the commercial fishermen!

Sincerely,

Ryan Bradley/ Executive Director

Mississippi Commercial Fisheries United, Inc.

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the

screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of "marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats" (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG's Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 61964**

**CPRA has failed to hold any meetings about the proposed Project in the State of Mississippi as they have publicly promised they would do.**

**Response ID: 15909**

The joint public meetings for the Draft EIS and the LA TIG's Draft Restoration Plan in April 2021 were held virtually through an internet web-based conferencing application due to COVID-related restrictions in place at the time. Participation and comments were not geographically limited to any particular location. Anyone interested in learning more about the proposed MBSD Project and/or who wanted to participate in the NEPA or OPA processes or who wanted to provide comments on the Draft EIS or the LA TIG's Draft Restoration Plan was able to participate in the meetings via the internet and/or a toll-free telephone line – including anyone located in Mississippi.

During each of these meetings, USACE and the LA TIG played a pre-recorded presentation that included information about how to comment on the Draft EIS and/or the Draft Restoration Plan, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan and details about how to navigate and review the contents of the Draft EIS. This pre-recorded presentation was also available in several languages including Spanish, Vietnamese, and Khmer.

Further, public meetings were not the only forum through which concerns could be shared. Many means to comment during this the public review period were available including verbally during the virtual meetings, verbally by toll-free telephone number, written via the postal service, and electronically via email and on the comment portal website. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

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**Concern ID: 62019**

**The Draft EIS fails to address extended economic and community impacts of this proposed Project. The proposed MBSD Project would not only affect localized Louisiana concerns, but would impact no less than three other Gulf Coast states including Texas, Mississippi, and Alabama.**

**Response ID: 16215**

EIS Chapter 3, Section 3.1.1 Project Area identifies the area of analysis for the EIS which includes the Barataria Basin and portions of Mississippi River birdfoot delta. For socioeconomic impacts, the EIS identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche, and Jefferson Parishes, Louisiana. For commercial fisheries, the proposed Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin birdfoot delta). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4 Operational Impacts in Commercial Fisheries in the Final EIS has been revised to acknowledge this.

In response to one commenter's request for supplemental environmental review to consider potential impacts of the Project on the Texas shrimp fishery, the NOAA Technical Memorandum cited in support of that request has been reviewed. The technical memo does not confirm the comment that shrimp from the Barataria Basin migrate to Texas. While that memo does report that tagged brown shrimp released in Louisiana were recovered in Texas, those recovered shrimp were released in offshore waters south of Calcasieu Lake. Tagged shrimp that were released in the Caillou Lake estuary, which is in the Terrebonne Basin (on the western side of the Barataria Basin) were not recovered in Texas.

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described

by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA

permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)



- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD

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Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in

the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62079**

**Commenters are concerned that impacts similar to those caused by the fresh water from Bonnet Carré Spillway openings would affect fisheries in the Barataria Basin with the proposed MBSD Project.**

**Response ID: 16244**

The Project area for the MBSD EIS includes the Barataria Basin and the Mississippi River birdfoot delta. Existing operations and influences of rivers and diversions, including but not limited to the Bonnet Carré Spillway, were incorporated into the baseline conditions of the No Action Alternative and action alternatives assessed in the Draft EIS, Chapter 4 Environmental Consequences, Sections 4.2 through 4.24. Reasonably foreseeable future (but not existing) diversions, such as the Mid-Breton Diversion, were analyzed for impacts in combination with existing diversions and the proposed MBSD diversion in Chapter 4, Section 4.25 Cumulative Impacts.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS. Note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes.

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**Concern ID: 62082**

**Commenters noted that the proposed MBSD Project would have multiple impacts to fisheries that commercial harvesters are dependent upon and that have not been fully evaluated or have been grossly underestimated thus far. These impacts include (A) continual sediment displacement that would smother essential oyster and shrimp habitat; (B) severe changes in water temperature that would directly affect the normal growth of a variety of juvenile marine species; (C) substantial increases in the frequency and duration of hypoxic events that would contribute to an increase in mortality of aquatic resources; and (D) the displacement of a variety of commercially important marine resources along with the fishermen whom harvest them. Overall, this**

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**proposed Project would have a devastating impact to both the culturally important marine resources and the fishing communities whom depend upon them.**

**Response ID: 16246**

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.10.4.5 Key Species in Aquatic Resources in the Draft EIS described impacts of the proposed Project on finfish and shrimp and oyster species. As described, impacts may result from various factors, for example, increased sedimentation, changes in salinity, increased nutrients, changes in water temperature and dissolved oxygen (hypoxia) is discussed in Section 4.10.4.4 General Impacts on Habitat and the Environment in Aquatic Resources. These impacts on species and habitat conditions inform Section 4.14 Commercial Fisheries, which discussed the impacts of the proposed Project on commercial fishing activities in detail. As described, the proposed Project is anticipated to have adverse impacts on commercial shrimp and oyster fisheries, negligible to minor beneficial effects on the blue crab fishery, and a range of impacts on finfish fisheries, depending on the species. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined its Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded. Fishers who utilize the Barataria Basin would be eligible to participate in CPRA's MBSD fisheries mitigation program regardless of state

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residency. Eligibility requirements for this program would include use within the Project area and may include information from trip tickets and vessel licenses.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62084**

**Commenters believe that the proposed MBSD Project would cause economic loss annually to other Gulf Coast states. The Mississippi Gulf Coast seafood and fishing industry would be devastated.**

**Response ID: 16248**

Chapter 3, Section 3.1.1 Project Area of the Draft EIS identifies the analysis area for the EIS. This is the area in which the Project is anticipated to have discernable effects. For socioeconomic impacts, the EIS identifies the area of potential impacts as the 10-parish Project area due to indirect socioeconomic impacts. Most impacts would likely be concentrated in Plaquemines, Lafourche and Jefferson Parishes, Louisiana. For Commercial Fisheries, the Project area includes two basins (the Barataria Basin and a portion of the Mississippi River Basin). The proposed Project is not anticipated to have discernable effects on aquatic resources outside of the Project area. Commercial fishermen that travel to Barataria Basin to fish for species that would be adversely affected, particularly shrimp and oysters, could also be adversely affected by the proposed Project. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Final EIS has been revised to acknowledge this. Those commercial fishermen would be eligible to participate in the fishery mitigation programs discussed in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project. Impacts related to subsistence activities are discussed in Section 4.15 Environmental Justice.

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**Concern ID: 62105**

**Commenters expressed concerns over the health and reproductive capacity of Louisiana's marsh estuary systems that are extremely important to commercial fisheries should the proposed MBSD Project become fully implemented. The proposed MBSD Project impact area is a primary estuary for these economically important resources such as shrimp, oysters, crabs, and fish. Estuarine systems throughout the marsh serve as critical habitat for a variety of natural resources such as shrimp, oysters, crabs, and fish. Commercial fishermen, seafood business and seafood consumers are greatly dependent on these resources being healthy, abundant, and consistently available.**

**Response ID: 16260**

The EIS recognizes the value of estuarine habitats as well as the value of fisheries, and evaluated proposed Project impacts on estuarine habitats that would be adverse as well as beneficial (in particular, refer to Chapter 3, Section 3.6 and Chapter 4, Section 4.6, which discuss Wetland Resources, and Chapter 3, Section 3.14 and Chapter 4, Section 4.14, which discuss Commercial Fisheries). Beneficial impacts would include increases in primary productivity and available food sources, which could benefit or adversely affect fauna, depending on the organism's place in the food chain. However, increases in nutrient loading could also produce phytoplankton blooms, including HAB's, and die-offs of these blooms could in turn lead to decreases in dissolved oxygen. In addition, refer to the Essential Fish

Habitat (EFH) Assessment in Appendix N of the EIS for more details on the EFH in the Project area. Wetlands provide a diverse set of functions, which include providing habitat for finfish, shellfish, as well as other organisms. As such, wetland creation and commercial fishing are not mutually exclusive. The proposed Project is anticipated to have adverse effects on commercial fishing for some species (shrimp, oyster, southern flounder, spotted seatrout), primarily related to changes in salinity in the basin, the impacts of which are discussed in Chapter 4, Section 4.14 Commercial Fishing.

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**Concern ID: 62255**

**Commenters expressed concern that during proposed MBSD diversion operations, contaminated sediments from the Mississippi River may be routed to the Barataria Basin, where they would cause adverse impacts. One commenter stated concern that because the dilution capacity of the basin is less than that of the Mississippi River, contaminants routed to the basin via the diversion would reach toxic levels because basin waters would not sufficiently dilute the sediment.**

**Response ID: 16434**

Impacts related to contaminated sediment raised by the commenters were considered in the Draft EIS. As noted in Chapter 4, Section 4.5.5.10 in Surface Water and Sediment Quality, recent evaluations of Mississippi River sediments in the vicinity of the proposed Project intake structure indicate that they are free from contaminants at concentrations that would result in detrimental impacts. The dilution referenced in Chapter 3, Section 3.5.3.1 in Surface Water and Sediment Quality refers to movement along the entire length of the river from Minnesota to Louisiana and is not meant to imply that dilution is occurring or needed to dilute elevated concentrations in the proposed Project area. In response to these comments, the USACE has edited Section 3.5.3.1 in Surface Water and Sediment Quality to make this clear in the Final EIS.

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**Concern ID: 62634**

**The proposed Project would cause excessive harm to fisheries (for example, oysters and brown shrimp), dolphins, communities and recreational uses, which is unacceptable and would make its implementation a clear violation of OPA. OPA regulations states that proposed restoration actions should be evaluated by “the extent to which each alternative will prevent future injury as a result of the incident, and avoids collateral injury as a result of implementing the alternative”. Because the Project would injure species that were harmed by the Deepwater Horizon oil spill, it should not be implemented, even if it does benefit some habitats and species. Some commenters argued it was also inconsistent or in violation of the 2013 U.S. Court Consent Decree and the BP plea agreement relevant to the National Fish & Wildlife Foundation (NFWF) funds.**

**Response ID: 16650**

As explained in Section 2.0 of this Appendix B2 DEIS Public Review and Public Meetings, USACE is not evaluating the proposed Project for compliance with OPA and not involved in the process to restore damages caused by the DWH oil spill. Response content pertaining to the LA TIG's Draft Restoration Plan, OPA, or NRDA processes represent solely the views of the LA TIG, not USACE.

The potential collateral injuries of the proposed Project were considered in the LA TIG's Draft Restoration Plan.

OPA requires that Trustees develop and implement a plan for restoration, rehabilitation, replacement, or acquisition of the equivalent, of the injured natural resources under their trusteeship. See 33 U.S.C. § 2706(c). OPA further requires federal agencies to propose regulations for the "assessment of natural resource damages." See § 2706(e). Under 2707(e)(2), any assessment of natural resource damages made in accordance with these regulations creates a rebuttable presumption on behalf of a Trustee in any administrative or judicial proceeding under the Act.

As required by OPA 2706(e), NOAA developed regulations outlining a process for the assessment of natural resource damages. These regulations (hereinafter "NRDA regulations" at 15 CFR Part 990) also include a process for restoration planning, including the development and evaluation of restoration alternatives.

The 2016 U.S. Consent Decree with BP provides that monies received under the settlement for natural resource damages will be spent as outlined in restoration plans adopted by the Trustees consistent with 15 CFR 990. See Paragraph 19, and Appendix 2. The LA TIG's Restoration Plan is consistent with 15 CFR 990.

Title 15 CFR §990.54 of the regulations outlines a number of areas in which a reasonable range of alternatives should be evaluated to select the preferred alternative. Recognizing that almost all restoration comes with some potential for collateral injury, one factor for evaluation is the extent to which each alternative will prevent future injury and avoid collateral injury. The potential for collateral injury does not preclude an alternative from selection, rather the Trustees must evaluate each alternative under multiple factors, and select a preferred alternative to meet the outlined restoration objectives.

The LA TIG, in selecting the Preferred Alternative in the Restoration Plan, evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54. The LA TIG strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety. See Sections 3.2.4.7 (Identification of a Preferred Alternative), 3.2.1.5 (Alternative 1 – Avoids Collateral Injury), and 3.2.2.5 (Alternatives 2–6 – Avoids Collateral Injury) of the Restoration Plan. A project can harm species also harmed by the spill and still be an appropriate project. This is especially true for projects like sediment diversions that seek to reestablish deltaic processes that shaped the historic delta ecosystems and necessarily entails reverting the current ecosystem to a more natural state that was altered when Mississippi River flows were cut off by construction of levees. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. Given these tradeoffs, the LA TIG selected Alternative 1 as the Preferred Alternative in the Restoration Plan.



The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Alternative 1 – Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project is expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as the Preferred Alternative in the Restoration Plan because it believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project would meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the spill.

The BP Plea Agreement as it applies to NFWF funds is not relevant here as the LA TIG is not authorizing the use of those funds for this Project. Even if it were applicable, the criminal plea agreement expressly contemplates the use of criminal penalties for sediment diversion in Louisiana.

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**Concern ID: 62659**

**The proposed Project is an experiment, and it is not possible to guarantee its alleged benefits.**

**Response ID: 16632**

The uncertainties associated with the Project's success were considered in the Draft EIS. While the benefits of the Project cannot be guaranteed, the EIS uses state-of-the-art modeling, including but not limited to the Delft3D Basinwide Model, to project the Project's beneficial and adverse impacts. These modeling projections of Project impacts include uncertainties. Following standard professional practice, model uncertainties are clearly stated in the EIS with respect to the model's quantitative results. Uncertainties are incorporated into the EIS impact conclusions and are briefly summarized in EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty, and in detail in Section 8.0 Model Limitations and Uncertainties of EIS Appendix E Delft3D Modeling.

The likelihood of success of the Project was also considered in the LA TIG's Draft Restoration Plan. While recognizing the innovative nature of the proposed Project, the Restoration Plan discusses in detail the factors that would contribute to the Project's success. More specifically, Sections 3.2.1.4 (Likelihood of Success - Alternative 1) and 3.2.2.4 (Likelihood of Success - Alternatives 2-6) of the Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, such a sediment diversion has been extensively studied over several decades with the objective of designing and operating the

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proposed Project to provide a combination of land building and ecosystem benefits (see Section 3.2.1.4 [Likelihood of Success - Alternative 1] of the Restoration Plan). The Project would be monitored and adaptatively managed to meet its objectives (see the Monitoring and Adaptive Management Plan, Appendix R2 of the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62708**

**The release of polluted river water into the Barataria Basin would create harmful algal blooms and/or large areas of low dissolved oxygen that could negatively affect aquatic fauna including mortality of adults and juveniles that may not be able to escape impacted areas.**

**Response ID: 16086**

As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, the input of nutrients from the Mississippi River is generally anticipated to be beneficial to the food web, although there is an acknowledged potential for harmful algal blooms. As mentioned in Section 4.5.5.1 in Surface Water and Sediment Quality of the EIS, the majority of the Barataria Basin is shallow and well-mixed by wind and tidal action, such that it is not typically prone to stratification that promotes hypoxic (dissolved oxygen of less than 2 to 3 mg/L) conditions. Further, as discussed in Section 4.10.4.4 in Aquatic Resources, the Delft3D Basinwide Model's dissolved oxygen results do not suggest that Project implementation would result in oxygen concentrations below 5 mg/L on an average monthly basis; therefore, although sporadic and limited areas of low dissolved oxygen may occur, mainly in the

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summer months, no large or prolonged periods/layers of low dissolved oxygen are projected by the Delft3D Basinwide Model, nor anticipated based on the Barataria Basin's identification as a largely well-mixed estuary. To make this clearer in the Final EIS, language indicating that the Delft 3D Basinwide Model results do not suggest that a significant hypoxic zone will form in Barataria Basin due to Project implementation has been added to Section 4.5.5.5.2 in Dissolved Oxygen of the Final EIS.

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2), which has been updated for the Final EIS in response to public comments, includes CPRA's plan to implement a monitoring program for phytoplankton species composition, including harmful cyanobacterial/algal bloom species (and associated toxins) (see Sections 3.7.3.10 and 3.7.3.11 of Appendix R2 of the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62711**

**Sedimentation from the proposed Project would completely silt over oysters, resulting in 100 percent mortality in areas directly impacted.**

**Response ID: 16089**

As discussed in Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources of the Draft EIS, portions of the Little Lake Public Oyster Seed Ground (POSG) would experience substantial sedimentation over time, likely converting hard substrates to soft bottom in those areas over time. However, the Little Lake POSG is not currently a productive oyster reef and the areas with live/productive oyster reef (further south) would experience less sedimentation

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from the proposed Project, and at rates that the oyster reef/oysters would be expected to survive.

To address some projected adverse Project impacts, CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see CPRA's Mitigation and Stewardship Plan in Appendix R1 of the Final EIS). CPRA's mitigation and stewardship measures aimed at oyster impacts include establishment of new oyster seed grounds in appropriate areas of the basin, enhancing existing public and private seed ground, enhancement of broodstock reefs, and funding to support off-bottom oyster culture. Although not being implemented to mitigate the effects of the MBSD, the LA TIG also continues to address oil spill related injuries to oysters through various non-Project-related restoration/fishery improvement actions, including: the LA TIG's funding of \$10 million in public and private oyster reef enhancement through the Living Coastal and Marine Resources funding allocation, the LA TIG's funding of \$9.7 million in oyster broodstock reef enhancement through the Living Coastal and Marine Resources funding allocation, and the LA TIG's allocation of \$5.8 million in Living Coastal and Marine Resources funds to support the operations of the Voisin Hatchery.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62760**

**Sedimentation in EFH would have substantial impacts in the short-term.**

**Response ID: 16138**

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The impacts of sedimentation from the proposed Project on EFH are discussed in Chapter 4, Section 4.10.4.3 in Aquatic Resources and Appendix N2 (Section 6.6 [Project Effects to EFH]) of the EIS. Generally, the proposed Project would convert one type of EFH to another type. Over time, Project-related sedimentation would result in increased emergent marsh, and could affect sand/shell substrates and oyster reefs that are located higher in the basin by converting them to soft bottom EFH habitats. Both beneficial and adverse impacts from sedimentation would occur over time, with sediment building faster in the immediate outfall area. However, the effects of sediment deposition related to wetland creation and burial of structured habitat (for example shell or vegetation, which provide refugia for fauna) are not likely to be substantial in the short-term (generally defined as a 3-year period). Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62761**

**Shrimp require years of undisturbed bottom habitat to be able bury themselves in the sediments to evade depredation and to survive to spawn.**

**Response ID: 16139**

Chapter 4, Sections 4.10.4.5.2.1 (Brown Shrimp) and 4.10.4.5.2.2 (White Shrimp) of the Final EIS have been supplemented to discuss predator avoidance through burial, and how the proposed Project could affect that potential.

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**Concern ID: 62762**

**The continuous input of colder river water would drastically alter the dynamics of EFH that is critically dependent on stable warm temperatures for the optimal growth of marine species.**

**Response ID: 16140**

The impacts of decreased water temperatures from the proposed Project on EFH and managed species are discussed in Appendix N2 (Section 6.5.6 [Project Effects on Water Temperature]) of the EIS, which indicates the potential for faunal stress and mortality during opening of the diversion each year, as well as in areas near the outfall during winter. Similarly, Chapter 4, Sections 4.10.4.4 and 4.10.4.5 in Aquatic Resources discuss the potential impacts of water temperature on the water column (decreases of up to 11.9°F in certain months at mid-basin stations) and how changes in water temperature may affect aquatic fauna in general, and select managed species, respectively. However, Section 4.10.4.1.2 in Submerged Aquatic Vegetation of the Final EIS has been updated to discuss impacts on SAV from the lower temperatures associated with Mississippi River water input.

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**Concern ID: 62778**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on affected communities from flooding impacts, access issues, and cultural changes.**

**Response ID: 16360**

The commenter's opposition to the proposed Project is noted. The Draft EIS discussed impacts to the local communities from the proposed Project in Chapter 4, Section 4.13 Socioeconomics including Community Cohesion in Section 4.13.5.6. Consistent with the concern of the commenter, the Draft EIS did find potential minor to moderate, long-term

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adverse impacts on community cohesion from the proposed Project compared to the No Action Alternative. In addition, Sections 4.13 Socioeconomics and 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction discuss the increased flooding impacts, including potential flooding of homes outside of federal levee systems potentially caused by the operation of the diversion.

In Myrtle Grove, CPRA would improve the bulkhead around the Myrtle Grove Marina Estates Subdivision to reduce the incidence of tidal flooding in that community. In other communities from Woodpark to Happy Jack south of the Project site outside levee protection, CPRA would elevate the roadways and make other infrastructure improvements to maintain access and utilities within those communities. In addition, CPRA plans to acquire Project servitudes from landowners in these communities (Woodpark, Deer Range, Suzie Bayou, Hermitage, Happy Jack and Grand Bayou) whose property is projected to be impacted by increased water levels due to Project operations. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would compensate those landowners for the Project servitude. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. These property owners would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63015**

**There are misrepresentations in the EIS about how nutrients in the river would spread out far from the sand deposition area to lower plant biomass belowground. Increasing nutrient loads from diversions would weaken soils, not strengthen soils.**

**The modern Mississippi River has nutrient concentrations that are much higher than when the mostly organic soils were created centuries ago (Turner et al. 2007) and may weaken soils by 30 percent, resulting in less belowground biomass, and change vegetation from being comprised of perennials to annuals (Turner et al. 2011). Increased flooding inundation, which is a consequence of river diversions, also weakens the belowground biomass of wetland plants (Morris et al. 2017) that may erode during high water events or from hurricanes (Kearney et al. 2011, Howes et al. 2010). Individual roots become weaker when exposed to ambient levels of nutrients found in the river (Hollis and Turner 2019a, b; Hollis and Turner 2021). The soil becomes degraded, accumulates less biomass, and decomposes and erodes faster (Swarzenski et al. 2008, Hebert et al. 2020). The diversion of river water into the nearby marshes would almost certainly weaken soils, making them less resistant to wave energy and hurricanes. A striking example is the net loss of wetlands in the Davis Pond Diversion where increased land loss occurred beginning the year after the diversion opened (Turner et al. 2019). This is an area that has no significant sediment input.**

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Turner RE, Rabalais NN, Alexander RB, Mclsaac G, Howarth RW 2007. Characterization of nutrient and organic carbon and sediment loads and concentrations from the Mississippi River into the northern Gulf of Mexico. *Estuaries Coasts* 30: 773-790.

Turner RE 2011. Beneath the wetland canopy: loss of soil marsh strength with increasing nutrient load. *Estuaries Coasts* 33 1084-1093.

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Kearney MS, Riter CA, Turner RE 2011. Freshwater diversions for marsh restoration in Louisiana: twenty-six years of changing vegetative cover and marsh area. *Geophys Res Lett* 38: L16405, doi:10.1029/2011GL047847

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Hollis LO, Turner RE 2021. The tensile root strength of *Spartina patens* declines with exposure to multiple stressors. *Wetlands Ecology and Management* 29: 143-153. Doi: 10.1007/s11273- 020-09774-5

Howes NC, FitzGerald DM, Hughes ZJ, Georgiou IY, Kulp MA, Miner MD, Smith JM, Barras JA 2010. Hurricane-induced failure of low-salinity wetlands. *Proc Natl Acad Sci USA*; 107: 14014-14019.

Swarzenski CM, Doyle TW, Fry B, Hargis TG 2008. Biogeochemical response of organic-rich freshwater marshes in the Louisiana delta plain to chronic river water influx. *Biogeochem* 90:49-63.

Hebert ER, Schubauer, JP-Berigan, C 2020. Effects of 10 yr of nitrogen and phosphorus fertilization on carbon and nutrient cycling in a tidal freshwater marsh. *Limnology and Oceanography* 65: 1669-1687

Turner RE, Layne M, Mo Y, Swenson EM 2019. Net land gain or loss for two Mississippi River diversions: Caernarvon and Davis Pond. *Restoration Ecology* 27: 1231-1240. <https://doi.org/10.1111/rec.13024>

Mo Y., Kearney M, Turner RE 2020. Excess nutrient impairs the resilience of coastal ecosystems to hurricanes: a long-term satellite and ground-based study for Louisiana coastal marshes. *Environment International* 138: 105409. <https://doi.org/10.1016/j.envint.2019.105409>

**Response ID: 16028**

The literature cited by the commenters has been reviewed, including Turner et al. 2007, Turner et al. 2011, Morris et al. 2017, Kearney et al. 2011, Howes et al. 2010, Hollis and Turner 2019, Swarzenski et al. 2008, Hebert et al. 2020, Turner et al. 2019, and Mo et al. 2020, and Chapter 4, Section 4.6.5.1.2 Applicant's Preferred Alternative of the Final EIS has

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been revised to include additional analysis regarding the impact of nutrient input from the proposed Project on vegetation communities and soil shear strength.

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**Concern ID: 63945**

**The seafood industry mitigation plan does not provide mitigation measures to stakeholders in Mississippi who are licensed in Louisiana.**

**Response ID: 16585**

CPRA's Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) provides a suite of mitigation strategies applicable to fishers that may be impacted by the Project regardless of state of residence. CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The focus of those measures remains providing assistance to impacted users. Those mitigation programs will be equally available to any impacted fisher who relies on fisheries in the Barataria Basin, regardless of whether or not they reside in the Basin.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64171**

**Comments were received suggesting that the MBSD would have negative impacts on the fishing industry due to further accelerations in exits from the industry especially for older members of the workforce for whom job retraining may not be as easily undertaken and the fact that there are less young fisherman coming into the fishing**

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**industry to replace the aging fisherman. The invaluable traditional ecological knowledge that has been passed down from generations could be lost.**

**Response ID: 16267**

Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential behavioral responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, increasing the length of fishing trips, as well as exiting the industry.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact

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**Correspondence ID:40562**

Healthy Gulf Paper Petition

N/A N/A

\*\*\*\* pdf of paper petition attached

I support the Mid-Barataria Sediment Diversion, which is the cornerstone of Louisiana's Coastal Master Plan and will enhance the lifespan of other coastal restoration and protection projects.

This project will have many positive, long-term benefits for coastal communities, including increased storm surge protection from restored wetlands, job creation, and regional economic impact during construction. There are also foreseeable adverse effects possible as the project restores natural balance in a declining ecosystem. Decision makers must work with potentially impacted communities to develop and implement ideas and proposals for adaptation and mitigation.

A future without the Mid-Barataria Sediment Diversion is a future we cannot afford.

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| Name           | Email | Address | Phone | Want to Volunteer? |
|----------------|-------|---------|-------|--------------------|
| Basil Mustafa  |       |         |       |                    |
| Emma Schreier  |       |         |       |                    |
| Audrey Abizaid |       |         |       |                    |
| Emily Powers   |       |         |       |                    |
| Rachel Landis  |       |         |       |                    |
| Enca Can       |       |         |       |                    |
| Mo DiLauro     |       |         |       |                    |

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| Name            | Email | Address | Phone | Want to Volunteer? |
|-----------------|-------|---------|-------|--------------------|
| Sophie Heffer   |       |         |       |                    |
| Keik Reddy      |       |         |       |                    |
| Elena Markowitz |       |         |       |                    |
| Susan Worley    |       |         |       |                    |
| Maggie Parkerz  |       |         |       |                    |
| Ellie Wolano    |       |         |       |                    |
| Maere Maloney   |       |         |       |                    |

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| Name               | Email | Address | Phone | Want to Volunteer? |
|--------------------|-------|---------|-------|--------------------|
| Levi Andrews-Holce |       |         |       |                    |
| Olivia Lucas       |       |         |       |                    |
| Allie Williams     |       |         |       |                    |
| Jackie Scollar     |       |         |       |                    |
| Sydney Galinson    |       |         |       |                    |
| Julie Cohen        |       |         |       |                    |
| Addison Ford       |       |         |       |                    |

By signing up with your email, you agree to receive information about the Mid-Barataria Sediment Diversion and the Mississippi River Delta Campaign.



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| Name            | Email | Address | Phone | Want to Volunteer? |
|-----------------|-------|---------|-------|--------------------|
| NOA Levy        |       |         |       |                    |
| Grace Rudman    |       |         |       |                    |
| Rachel Adenar   |       |         |       |                    |
| Sarah Knicker   |       |         |       |                    |
| Addie Overend   |       |         |       |                    |
| Zoë Young       |       |         |       |                    |
| Alexa Garfinkle |       |         |       |                    |

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**A future without the Mid-Barataria Sediment Diversion is a future we cannot afford.**

| Name         | Email | Address | Phone | Want to Volunteer? |
|--------------|-------|---------|-------|--------------------|
| Barbara Head |       |         |       |                    |
| Isabel Stitt |       |         |       |                    |
| Lexi Laggan  |       |         |       |                    |
| Angelo Puma  |       |         |       |                    |
|              |       |         |       |                    |
|              |       |         |       |                    |

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| Name             | Email | Address | Phone | Want to Volunteer? |
|------------------|-------|---------|-------|--------------------|
| Julia Bullock    |       |         |       |                    |
| Taeghan Duncan   |       |         |       |                    |
| Rajat Arizer     |       |         |       |                    |
| Alma Rosenberg   |       |         |       |                    |
| KARI HOOPER      |       |         |       |                    |
| Cadence Gatterer |       |         |       |                    |
| Jennings Nelson  |       |         |       |                    |

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| Name             | Email | Address | Phone | Want to Volunteer? |
|------------------|-------|---------|-------|--------------------|
| Aaron Tegegn     |       |         |       |                    |
| Steve O'Keefe    |       |         |       |                    |
| Brianna Harris   |       |         |       |                    |
| Selin Ferhangil  |       |         |       |                    |
| Gracie Salomon   |       |         |       |                    |
| Daniella Cherner |       |         |       |                    |
| Raven Ancar      |       |         |       |                    |

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| Name                 | Email | Address | Phone | Want to Volunteer? |
|----------------------|-------|---------|-------|--------------------|
| Jenny Head           |       |         |       |                    |
| Sara Frances Knopman |       |         |       |                    |
| Lauren Kemp          |       |         |       |                    |
| Kate Jeffries        |       |         |       |                    |
| Ben Matteson         |       |         |       |                    |
| Colin Ford           |       |         |       |                    |
| Liv Vavady           |       |         |       |                    |

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| Name           | Email      | Address    | Phone      | Want to Volunteer? |
|----------------|------------|------------|------------|--------------------|
| Syona Shah     | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED]         |
| Awa Dabo       |            |            |            |                    |
| Tiara Jones    |            |            |            |                    |
| Kim Adbebe     |            |            |            |                    |
| Michele Turfik |            |            |            |                    |
| Ansen Shen     |            |            |            |                    |
| Jydney Jerniga |            |            |            |                    |

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Louisiana's Barataria Basin has experienced some of the highest rates of land loss on the planet, making our communities more vulnerable to hurricanes, threatening critical infrastructure and jobs, and decimating formerly diverse and abundant wildlife habitats.

The Mid-Barataria Sediment Diversion will build more wetlands than any other individual restoration project in the world. This project is a crucial first step in reversing the state's land loss crisis, protecting our communities from hurricanes and sea level rise, while also ensuring the long-term health of the ecosystem and wildlife.

The Army Corps is taking public comments on this project right now. **Be a voice of support for this critical restoration project! Sign up here to stay updated and help advance Louisiana's best shot at turning the tide on our land loss crisis.**

| Name               | Email | Address | Phone | Want to Volunteer? |
|--------------------|-------|---------|-------|--------------------|
| Herbert Martin     |       |         |       |                    |
| Aida Fain          |       |         |       |                    |
| Sturken<br>Daklenj |       |         |       |                    |
| Elias Perez        |       |         |       |                    |
| Angel Harris       |       |         |       |                    |
| Edmarteika         |       |         |       | ?                  |
| Brittany Shell     |       |         |       |                    |

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| Name            | Email      | Address    | Phone | Want to Volunteer? |
|-----------------|------------|------------|-------|--------------------|
| Darlene Polk    | [REDACTED] | [REDACTED] |       |                    |
| Maxine Phillips |            |            |       |                    |
| Jared Green     |            |            |       |                    |
| William Green   |            |            |       |                    |
| Paulette Green  |            |            |       |                    |
| Annia Shelton   |            |            |       |                    |
| Sonja Shelton   |            |            |       |                    |

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| Name            | Email<br><i>Last<br/>first @</i> | Address | Phone | Want to Volunteer? |
|-----------------|----------------------------------|---------|-------|--------------------|
| Frank Miranda   |                                  |         |       |                    |
| Kendra Davis    |                                  |         |       |                    |
| Tonja Jackson   |                                  |         |       |                    |
| Nancy Broussard |                                  |         |       |                    |
| Lynn West       |                                  |         |       |                    |
| Brandon Brinson |                                  |         |       |                    |
| Pebbles Martin  |                                  |         |       |                    |





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| Name                                | Email | Address | Phone | Want to Volunteer? |
|-------------------------------------|-------|---------|-------|--------------------|
| Shyoularatz Jones                   |       |         |       |                    |
| Yolanda <sup>Henderson</sup> E Hart |       |         |       |                    |
| Essie Blanchard                     |       |         |       |                    |
| LARKINS, CONSTA                     |       |         |       |                    |
| BARRON SIMON                        |       |         |       |                    |
| Joyneil Henderson                   |       |         |       |                    |
| Ireil Robins                        |       |         |       |                    |



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|-----------------------|-------|---------|-------|--------------------|
| Herman                |       |         |       |                    |
| Shirley Woodin        |       |         |       |                    |
| Jucunda<br>J Robinson |       |         |       |                    |
| Terran<br>Trotter     |       |         |       |                    |
| Susan<br>NVAEZ        |       |         |       |                    |
| Siera<br>Tafoya       |       |         |       |                    |
| Debbie Stocker        |       |         |       |                    |

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|------------------|-------|---------|-------|--------------------|
| Paul Steele      |       |         |       |                    |
| Barbara Turner   |       |         |       |                    |
| Yolanda Swford   |       |         |       |                    |
| Barbara Anderson |       |         |       |                    |
| John Yousif      |       |         |       |                    |
| Nate Doe         |       |         |       |                    |
| Frederick        |       |         |       |                    |

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| Name                | Email | Address | Phone | Want to<br>r? |
|---------------------|-------|---------|-------|---------------|
| Hazel HoeChung      |       |         |       |               |
| Renée Price         |       |         |       |               |
| Gerald Reed         |       |         |       |               |
| Ryan Merritt        |       |         |       |               |
| Elizabeth Hartselle |       |         |       |               |
| Linden Jones        |       |         |       |               |
| Kevin Hanegan       |       |         |       |               |
| Hannah Hangan       |       |         |       |               |

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|-----------------|-------|---------|-------|--------------------|
| Brianna White   |       |         |       |                    |
| Shayna Doyle    |       |         |       |                    |
| Kelwanna Hymel  |       |         |       |                    |
| Eric V. DeLoach |       |         |       |                    |
| Marion LeGard   |       |         |       |                    |
| Dennis Gottlieb |       |         |       |                    |
| Moni Jones      |       |         |       |                    |

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|-----------------|-------|---------|-------|--------------------|
| Kenya Harry     |       |         |       |                    |
| Clifford Mammie |       |         |       |                    |
| Debra P. Lee    |       |         |       |                    |
| Nathan Burns    |       |         |       |                    |
| Norma McCormick |       |         |       |                    |
| Joseph Narcisse |       |         |       |                    |
| Jean McWhite    |       |         |       |                    |

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|----------------|-------|---------|-------|--------------------|
| Carla Benfield |       |         |       |                    |
| Kendall Pilosa |       |         |       |                    |
| Sharon Norman  |       |         |       |                    |
| Taurus Tilly   |       |         |       |                    |
| Ellen Jackson  |       |         |       |                    |
| Cate MacArthur |       |         |       |                    |
| Hillary Honor  |       |         |       |                    |



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|------------------|-------|---------|-------|--------------------|
| Oneida Tpolk     |       |         |       |                    |
| WARREN TATE      |       |         |       |                    |
| Joyce Armstead   |       |         |       |                    |
| Terence E. Meyer |       |         |       |                    |
| Frank Owens      |       |         |       |                    |
| Errol Spivey     |       |         |       |                    |
| Angela...        |       |         |       |                    |

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|----------------|-------|---------|-------|--------------------|
| Heera Mitchell |       |         |       |                    |
| Cassie Johnson |       |         |       |                    |
| Aryeha Burt    |       |         |       |                    |
| Imani Smith    |       |         |       |                    |
| Brandon Lucas  |       |         |       |                    |
| JASON Picas    |       |         |       |                    |
|                |       |         |       |                    |

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|--------------------|-------|---------|-------|--------------------|
| Phillip Washington |       |         |       |                    |
| Sheldon House      |       |         |       |                    |
| Bryce Robertson    |       |         |       |                    |
| Betty Davis        |       |         |       |                    |
| Janae Williams     |       |         |       |                    |
| Troy Fleming       |       |         |       |                    |
| Elliott Powell     |       |         |       |                    |



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|---------------|-------|---------|-------|--------------------|
| Willy Gibson  |       |         |       |                    |
| Kenneth S     |       |         |       |                    |
| Bre           |       |         |       |                    |
| Mark Matthews |       |         |       |                    |
| Donna Foley   |       |         |       |                    |
| Arena Clark   |       |         |       |                    |
| Jamal Clark   |       |         |       |                    |



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| Name                | Email | Address | Phone | Want to |
|---------------------|-------|---------|-------|---------|
| NICK<br>CHRISTENSON |       |         |       |         |
| Indio               |       |         |       |         |
| Bryan Bailey        |       |         |       |         |
| John Bourgeois      |       |         |       |         |
| RACHEL CRANNA       |       |         |       |         |
| Douglas Rustin      |       |         |       |         |
| Wade M              |       |         |       |         |
| ROBERT DREW         |       |         |       |         |



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|-----------------|-------|---------|-------|--------------------|
| Merrill Prater  |       |         |       |                    |
| Lannah Sester   |       |         |       |                    |
| Eli Ackerman    |       |         |       |                    |
| Tracey Bellina  |       |         |       |                    |
| James Singleton |       |         |       |                    |
| Owen Knighten   |       |         |       |                    |
| Emils Tobias    |       |         |       |                    |

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|--------------------|-------|---------|-------|--------------------|
| Michelle Lebarde   |       |         |       |                    |
| ROBERT MACHÉ       |       |         |       |                    |
| BOB HANNIN         |       |         |       |                    |
| Joanne Ramirez     |       |         |       |                    |
| Aos Wingerle       |       |         |       |                    |
| Nicholas Broussard |       |         |       |                    |
| Justen Eason       |       |         |       |                    |

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|-----------------------|-------|---------|-------|-----------------------|
| CHARLES PACKNETT      |       |         |       |                       |
| Andrijs Tobiss        |       |         |       |                       |
| Courtney Parker       |       |         |       |                       |
| Jennifer<br>Chenevert |       |         |       |                       |
| Kai Chenevert         |       |         |       |                       |
| Paul Dilly            |       |         |       |                       |
| Laron Ridings         |       |         |       |                       |
| Colony Garne          |       |         |       |                       |

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|------------------|------------|---------|-------|--------------------|
| Meagan Davis     | [REDACTED] |         |       |                    |
| Randi Marshall   |            |         |       |                    |
| Tom Little       |            |         |       |                    |
| Nicole [unclear] |            |         |       |                    |
| Susan Nassa      |            |         |       |                    |
| Emily Dvorin     |            |         |       |                    |
| Rachel Dvorin    |            |         |       |                    |

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|-----------------|-------|---------|-------|--------------------|
| KEITH SIMONOVY  |       |         |       |                    |
| Steve Pettet    |       |         |       |                    |
| Michelle Saugue |       |         |       |                    |
| Ian Sukienik    |       |         |       |                    |
| Lizette Saugue  |       |         |       |                    |
| Allison Poyer   |       |         |       |                    |
| Laura Richards  |       |         |       |                    |

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|---------------|-------|---------|-------|--------------------|
| Camryn Souder |       |         |       |                    |
| Brooke Pizano |       |         |       |                    |
| Gregory Cole  |       |         |       |                    |
| Grace Hahcock |       |         |       |                    |
| Garrett Van   |       |         |       |                    |
| Ryan Kreiser  |       |         |       |                    |
| SHAWNA DAV    |       |         |       |                    |

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|---------------|-------|---------|-------|--------------------|
| Bobi Morris   |       |         |       |                    |
| ABBEY BYERS   |       |         |       |                    |
| Carly Sipes   |       |         |       |                    |
| April Bachtel |       |         |       |                    |
| DAMAN TATUM   |       |         |       |                    |
| DARBY SHIELDS |       |         |       |                    |
| Ben Goodson   |       |         |       |                    |

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|---------------------|-------|---------|-------|-------------------------------|
| ISSAC Henderson     |       |         |       |                               |
| Angeli@wo Hampton   |       |         |       |                               |
| DARREN Arnold       |       |         |       |                               |
| Belanda Keeler      |       |         |       |                               |
| KENNETH J. Smith II |       |         |       |                               |
| Jabrina Johnson     |       |         |       |                               |
| Jerome II           |       |         |       |                               |
| Adria Holt          |       |         |       |                               |

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|-------------------|-------|---------|-------|--------------------|
| D. Horton         |       |         |       |                    |
| S. Haney          |       |         |       |                    |
| W. Carriere       |       |         |       |                    |
| C. Williams       |       |         |       |                    |
| Jessica Fisher    |       |         |       |                    |
| Gerardo Rodriguez |       |         |       |                    |
| M. Jeanpierre     |       |         |       |                    |

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|-------------------|-------|---------|-------|--------------------|
| STEPHANIE JOHNSON |       |         |       |                    |
| Hoang Tran        |       |         |       |                    |
| Wendy Deane       |       |         |       |                    |
| Danielle Smith    |       |         |       |                    |
| Cathy Harris      |       |         |       |                    |
| Christy Williams  |       |         |       |                    |
| Christine Auls    |       |         |       |                    |

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|----------------|------------|---------|-------|--------------------|
| Russell Baulty | [Redacted] |         |       |                    |
| Mack Crayton   |            |         |       |                    |
| Javier Seive   |            |         |       |                    |
| Paul Duvemy    |            |         |       |                    |
| Ellis Smith    |            |         |       |                    |
| Arnold Jones   |            |         |       |                    |
|                |            |         |       |                    |

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|-------------------|-------|---------|-------|--------------------|
| Ashley Martin     |       |         |       |                    |
| Joe Haynes        |       |         |       |                    |
| Cynthia Williams  |       |         |       |                    |
| John LeBar        |       |         |       |                    |
| Gayle B. John     |       |         |       |                    |
| Kenneth Gustafson |       |         |       |                    |
| Conal Hill        |       |         |       |                    |

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|------------------|------------|---------|-------|--------------------|
| Eric Dangerfield | [REDACTED] |         |       |                    |
| John Mile        |            |         |       |                    |
| Tony Parley      |            |         |       |                    |
| Michael Deese    |            |         |       |                    |
| Donald Jones     |            |         |       |                    |
| Jayre Brown      |            |         |       |                    |
| Calvin Desdunes  |            |         |       |                    |

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| Catherine Smith |       |         |       |                    |
| Sarah Sullivan  |       |         |       |                    |
| Henry Winins    |       |         |       |                    |
| Azish Reno      |       |         |       |                    |
| Ignacio Roso    |       |         |       |                    |
| Tarek Nawar     |       |         |       |                    |
| Alma Cornin     |       |         |       |                    |

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| RYAN BOSCH     |       |         |       |                    |
| Iona Truinn    |       |         |       |                    |
| Madi Churchman |       |         |       |                    |
| Benjamin Smith |       |         |       |                    |
| Virgil Myers   |       |         |       |                    |
| Honny Ritard   |       |         |       |                    |

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| David           | [REDACTED] | [REDACTED] | [REDACTED] |                    |
| Dee Cox         |            |            |            |                    |
| Albert Brown    |            |            |            |                    |
| Alex Malvern    |            |            |            |                    |
| ANDREW AUGUST   |            |            |            |                    |
| Robert Thompson |            |            |            |                    |
| ERIC ABBY       |            |            |            |                    |
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|------------------|------------|------------|------------|--------------------|
| Lawrence Johnson | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED]         |
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| Shannin Camp    |       |         |       |                    |
| Linda Jones     |       |         |       |                    |
| Smith Household |       |         |       |                    |
| Travell Brown   |       |         |       |                    |
| Digna Saucedo   |       |         |       |                    |
| Letitia LeFlore |       |         |       |                    |
| Leon Williams   |       |         |       |                    |

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| Jesse J Simpson |       |         |       |                    |
| Cedrick Buford  |       |         |       |                    |
| Sandra Lee      |       |         |       |                    |
| Joyce Brown     |       |         |       |                    |
| Matthew Wilson  |       |         |       |                    |
| Kiante Wick     |       |         |       |                    |
| Brandis         |       |         |       |                    |

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| Aron Sleeps      |       |         |       |                    |
| Ann La Branche   |       |         |       |                    |
| Art Russell      |       |         |       |                    |
| LESLIE BAILEY    |       |         |       |                    |
| DURCAN MANTOOTH  |       |         |       |                    |
| Chanelle Forrest |       |         |       |                    |
| SAMUEL EVANS     |       |         |       |                    |

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|------------------|-------|---------|-------|--------------------|
| Allen Villeneuve |       |         |       |                    |
| DanelRox PAbbl   |       |         |       |                    |
| Marquette Forder |       |         |       |                    |
| Carolynn Wright  |       |         |       |                    |
| Ellen E. Hicks   |       |         |       |                    |
| Dan Taylor       |       |         |       |                    |
| TIFFANY SMITH    |       |         |       |                    |

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|-----------------|-------|---------|-------|--------------------|
| Mark Hokkaneu   |       |         |       |                    |
| Tiara Robertson |       |         |       |                    |
| Kerry Adams     |       |         |       |                    |
| DANILUS SUZZI   |       |         |       |                    |
| Sukari Theard   |       |         |       |                    |
| Leo Beaulieu    |       |         |       |                    |
| Inajea Gordon   |       |         |       |                    |

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|---------|------------|------------|------------|--------------------|
| Sarah O | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED]         |
|         |            |            |            |                    |
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| Derrine Desluz   |       |         |       |                    |
| PHUC HIEU<br>CHU |       |         |       |                    |
| TYRONE BATISTE   |       |         |       |                    |
| Janet Rayford    |       |         |       |                    |
| Janali Bautista  |       |         |       |                    |
| Rayne Brown      |       |         |       |                    |
| Danae Hughes     |       |         |       |                    |

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| K.O. Bell |       |         |       |                    |
| Miguel    |       |         |       |                    |
| Maxie     |       |         |       |                    |
| Boni      |       |         |       |                    |
| Moni      |       |         |       |                    |
| PETER     |       |         |       |                    |
| Carolyn   |       |         |       |                    |

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|--------------|-------|---------|-------|--------------------|
| Tay Ellis    |       |         |       |                    |
| Margo Duffy  |       |         |       |                    |
| Louy Joseph  |       |         |       |                    |
| Ammy Galds   |       |         |       |                    |
| Andrew Adam  |       |         |       |                    |
| Jerome Green |       |         |       |                    |
| Karon Joseph |       |         |       |                    |

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|---------------------|-------|---------|-------|--------------------|
| Aalyiah Hood        |       |         |       |                    |
| Bonnie Chatellier   |       |         |       |                    |
| Steven Mckie        |       |         |       |                    |
| Sarah Ioup          |       |         |       |                    |
| Terry Thompson      |       |         |       |                    |
| Corey Thompson      |       |         |       |                    |
| Kerwinisha Williams |       |         |       |                    |

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|------------------|-------|---------|-------|--------------------|
| Empress Erika J. |       |         |       |                    |
| Jaquel Jackson   |       |         |       |                    |
| Shem IZF         |       |         |       |                    |
| Lil Mae Mae      |       |         |       |                    |
| Bianca Brantley  |       |         |       |                    |
| Rayn             |       |         |       |                    |
| Shantel I'       |       |         |       |                    |

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40563**

Alisha Renfro

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

I writing to support selection of the preferred alternative of a 75,000 cfs variable flow for the Mid-Barataria Sediment Diversion. I also support using Natural Resource Damage Funds allocated for restoring and conserving habitat to fund construction of the project as it will build and sustain critical wetland habitat and provide ecosystem scale benefits to the northern Gulf of Mexico ecosystem.

The Barataria Basin is changing and has been for a long time. Both with and without the Mid-Barataria Sediment Diversion the basin will continue to change, but, today we have an opportunity to start down a path of change towards a more sustainable future for the basin and Louisiana's coast. We don't have time to continue to only invest in half-measures that in just a decade or two will leave us with very little to show for all of our time, effort, and investment. The Mid-Barataria Sediment Diversion is a bold solution that will bring change to the system, but it a project backed by decades and decades of scientific research. This project is the first step towards building a more climate resilient Louisiana coast.

The Mississippi River built the Mississippi River Delta from sediments, fresh water, and nutrients that were washed off of the river's one million square drainage basin. The effort to tame the river to protect against floods and provide a reliable navigation route for a growing nation, cut off much of delta from the river. There are of course many factors that have contributed to the staggering loss of 400 square miles of land in the Barataria Basin alone, including storms, rising sea levels, subsidence, and erosion by waves. However, levees stemmed the flow of sediment, fresh water, and nutrients into the wetlands have hindered the ability of the basin's wetlands to recovery from being battered by storms and waves and to adequately increase their surface elevation in response to rising sea level and subsidence.

Using diversions of sediment and fresh water are not a new concept. There are already a few freshwater diversions in place, Davis Pond and Caernarvon, which were designed, built and operated to control salinity distribution in the basin. However, despite targeting fresh water, small sub-deltas are forming in their outfalls. In addition, we can look to places like the Wax Lake Delta which shows that a steady flow of sediment into an area can not only build new land, but can maintain it and it can recover from impacts such as hurricanes. Reconnecting the river and restoring deltaic processes that bring sediment, fresh water and nutrients in the Barataria Basin is key to restoring vital coastal habitat over the long term, including habitat injured by the oil spill.

The purpose and needs statement outlined in the draft Environmental Impact Statement (DEIS) is a solid foundation against which to measures alternatives. There are those that will argue that other restoration project types, such as marsh creation or canal backfilling can provide just as much land building and sustaining benefits as a sediment diversion without also changing much else about the current system. However, that is simply not the case. Marsh creation projects are powerful at building land in strategic locations, but, at the end of the day, not only does this type of project fail to sustainably address one of the causes of land loss (lack of continued sediment input), but the scale at which marsh creation is possible is severely limited due to restricted amount of suitable sand-sized borrow. Relying only on marsh creation to build land, also wastes more than 70% of the fine sediment that the river

carries in suspension, a wasteful proposition. Backfilling canals are also a useful restoration tool and can help restore the historical flow of fresh and saltwater through wetlands, but will do nothing to build and sustain land in the face of rising sea levels. In contrast, sediment diversions, by re-establishing deltaic processes address one of the underlying causes of land loss, building and sustaining land despite some amount of continued sea level rise as well as storm events.

As the DEIS outlines, construction and operation of the Mid-Barataria Sediment Diversion will bring immediate changes to the basin by increasing water levels and altering the distribution of salinity within the basin. This will impact several nearby communities and commercial fishers. The DEIS does outline some possible mitigation measures to address the project's impacts. However, these should be viewed as a place to start and continued conversations are absolutely essential to ensure that mitigation measures address the real needs of the community and are equitable. This requires community members to come to fully come to the table, ready to engage and find solutions. Given the difficult history between the state and community members, bringing in an outside facilitator to help explore these options, and thinking of creative solutions may be helpful. These solutions may include tangible things like buyouts or building new docks, but in some cases, it may actually be policy changes that help make transition and flexibility more possible than it is today. And this will not be a onetime occurrence, but will need to be an ongoing dialog through the first few years of the project's operation.

One species that the DEIS does document as likely to be significantly adversely impacted by the project are bottlenose dolphins. The population found in the Barataria Basin were heavily impacted by the Deepwater Horizon Oil spill. Unfortunately, this population of dolphins has largely been ignored over the years until oil began washing up into Basin. Since 2010 there has been considerable research on this population through the Natural Resource Damage Assessment and the Gulf of Mexico Research Initiative. While there has been modeling done to try to estimate the impact of changing salinities on the dolphins, there are currently large gaps in knowledge that may actually over estimate or even underestimate the impacts the project could have. The investment in pre-construction monitoring for the dolphins outlined in the DEIS may help address some of these gaps and that knowledge should be used to explore possible modifications to project operation that could reduce or minimize negative impacts to the population when possible. However, it also must be acknowledged that the status quo of continued land loss will also negatively impact these animals, as prey habitat is lost, and may very well result in catastrophic decreases in their overall population. Pretending this is a static system that has always been as it is today and will always be the same without the project would be failing to grasp even the most basic realities of life in a deltaic system.

One important aspect of this project is its ability to be adaptively managed so that the project can meet the expected goals, but also so that expected negative impacts that are outlined in the DEIS may be reduced by adjusted or limited flows. Adaptive management is a buzzword that is often thrown around in the restoration world with little thought about what that actually would look like with most restoration project types, but with this project the flow of water between the river and the basin can be controlled and adjusted as necessary. Monitoring the influence of the project is critical to understanding the system change associated with the project and for identifying how and when adaptive management of the project may be useful.

This requires ongoing investment in science which is often an afterthought, but is well outlined in the DEIS.

The Mid-Barataria Sediment Diversion is not a panacea for all of Louisiana's land loss, far from it. But it is a first step in using the full suite of tools that we have on hand, including the most important - river that actually built this landscape. Change has always been part of life living on a river delta. Change has happened and will continue regardless of whether or not we build this project. That change may be the next storm or the next flood, or that change could be us taking a proactive step to reconnect the river with the delta and start to really build a future for Louisiana's coast. This project is the first step, but often that first step is the hardest. We have an opportunity now to not only invest in our future, but to take care of those that would be most impacted by the continued collapse of our wetlands.

Sincerely, Alisha Renfro

New Orleans, Louisiana

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**Concern ID: 62662**

**The proposed Project is likely to succeed because other diversions have also built land and restored ecosystems. Specific examples of land-building projects include the Caernarvon Freshwater Diversion, Davis Pond, West Bay, Fort St. Phillip, the Jaws, Wax Lake, and Mardi Gras Pass. Many of the benefits of the Project, in terms of soil creation and microbial processes, are not captured in the engineering of the modeling. Many of the fine sediments transported by the diversion cannot be dredged but are critical soil components.**

**Response ID: 16635**

The benefits to land building of fine sediments transported by the diversion were addressed in the Draft EIS in Chapter 4, Section 4.2.3.2 Operational Impacts in 4.2.3 Geology, Topography, and Geomorphology. The Delft3D modeling conducted for the EIS distinguishes the types of sediment (sands and fine sediments) that would be deposited in the basin. Table 5.2-1 in EIS Appendix E Delft3D Modeling lists the sediment classes included in the model. As described in EIS Chapter 4, Section 4.4.4 Hydrology and Hydrodynamics, sand and fine sediments would contribute to land building in the basin in two ways - by being resuspended and transported elsewhere for deposition and by forming a base layer upon which future pulses of sediment could form marsh or land. The model's physics-based computations showed that the coarser sands would settle out before the finer sediment. As the sediment builds up, discharge velocities would increase over the previously deposited sediment and resuspend it, pushing it farther into the basin. Thus, the model reproduces the natural process of delta building in which successive waves of sediment push farther out, either forming land/marsh or creating a base upon which land/marsh can be formed without moving it by dredging and placement. In addition, Chapter 4, Section 4.2.3 Geology, Topography, and Geomorphology of the EIS discusses the geomorphic impacts of diversion operations, including the Wax Lake Outlet, the Caernarvon Freshwater Diversion, the Davis Pond Freshwater Diversion, the Bohemia Spillway, and Bonnet Carré Spillway, and Mardi Gras Pass.

The likelihood of the Project's success and its potential benefits were considered in the LA TIG's Draft Restoration Plan. As part of evaluating the Project and alternatives, the LA TIG considered the likelihood that the Project would succeed and achieve the LA TIG's goals.

Sections 3.2.1.4 Likelihood of Success - Alternative 1 and 3.2.2.4 Likelihood of Success - Alternatives 2-6 of the LA TIG's Restoration Plan address the likelihood of success of the Project and other Action Alternatives. In addition, these sections note that the knowledge gained through the projects noted by the commenters has been applied in designing the Project and evaluating whether and how the Project would restore and sustain critical marshlands. A full description of the range of benefits that would be provided by the Project is also included in Section 3.2.1.6 Benefits Multiple Resources of the Restoration Plan.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63071**

**The dire forecasts about the near-term effects on dolphin populations in parts of Barataria Bay depend upon a number of unproven and improbable assumptions about dolphin adaptability and tolerance for living in the delta (Garrison et al., 2020). Conversely, the continued collapse of the marsh platform in the Barataria Basin will eventually reach a tipping point at which the prey base of dolphins in the bay would shrink and could eventually collapse. The long-term health of dolphins in the northern Gulf of Mexico depends on reconnecting the river to the delta and reestablishing the deltaic cycle.**

**Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p.**

**Response ID: 16594**

The Draft EIS recognized that the loss of wetlands under the No Action Alternative would result in a gradually increasing, from negligible to moderate, adverse impact on dolphins (see Chapter 4, Section 4.11.5.1 [Operational Impacts]). The impacts on bottlenose dolphins from freshwater exposure have been well documented, including observations and data collected in association with the release of fresh water in Louisiana (see Chapter 4, Section 4.11 [Marine Mammals] of the EIS for more details). Most recently, a freshening event in 2019 resulted in the declaration of an unusual mortality event (UME) in the northern Gulf of Mexico. Existing data on low-salinity exposure were used to develop a dose-response model that formed the basis for the evaluation of impacts in the Draft EIS (see Chapter 4, Section 4.11.3 [Overview of Impact Analysis Approach]). The dose-response model was coupled with an updated population model to evaluate potential changes in survival rates within BBES. These potential decreases in survival rates caused by the diversion were compared to future conditions without the diversion (the No Action Alternative). The analysis contained in the Draft EIS determined that there would be a major, adverse, long-term impact on the BBES Stock. That conclusion is also supported by Thomas et al. (2021), which built on earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. 2021 further concluded that after 10 the planned 50 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata,

dolphins are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the remaining Island stratum being severely reduced relative to the No Action Alternative (that is, the median predicted population size of the Island stratum would be 85 percent lower [95 percent CI 28-99] under the Applicant's Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock would be 96 percent smaller (95 percent CI 80-100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al (2021). The impacts of Project-induced wetland changes on dolphins is discussed in Chapter 4, Section 4.11.5 Operational Impacts of the EIS.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63339**

**The Mid-Barataria Sediment Diversion is the largest individual ecosystem restoration project in our country's history, which is fitting since the Barataria Basin is experiencing one of the highest rates of land loss on the planet. Large-scale projects like the Mid-Barataria Sediment Diversion are just the kind of bold actions that are needed if there is to be any hope of a truly sustainable coast.**

**Response ID: 16297**

The commenters' support for the proposed Project is noted. Land and wetland loss along coastal Louisiana is described in EIS Chapter 3, Sections 3.1.4.1 and 3.1.4.2 in Introduction.

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**Concern ID: 63348**

**The proposed MBSD Project is not a panacea for all of Louisiana's land loss, but it is a first step in using the full suite of tools on hand, including the most important tool, the Mississippi River, which actually built this landscape.**

**Response ID: 16310**

The commenter's support for the proposed Project is noted. Chapter 2, Section 2.2.1 in Steps Taken to Identify and Evaluate Reasonable Alternatives of the Draft EIS explained how

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the proposed Project is designed to reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin. This is also discussed in Chapter 3, Section 3.2.1.1 in Geology and Soils of the LA TIG's Restoration Plan.

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**Concern ID: 63615**

**While marsh creation projects are powerful at building land in strategic locations, at the end of the day they fail to sustainably address one of the causes of land loss (lack of continued sediment input), and the scale is severely limited due to restricted amounts of suitable borrow material. In addition, the types of sediment that a sediment diversion will convey highlights a marked difference with marsh creation. Therefore, it is not the case that marsh creation projects provide the same benefits as diversions.**

**Response ID: 15840**

The commenters' support for the Project is acknowledged. Table 2.3-1 in EIS Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives describes whether various alternatives, including a large-scale sediment diversion into Barataria Basin and a large-scale marsh creation project, met the screening criteria for the proposed Project. Additional information related to the marsh creation alternative has been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

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**Concern ID: 63632**

**While modeling has been done to estimate the impact of changing salinities on dolphins, there are large gaps in knowledge that may result in over- or under-estimating Project impacts. The pre-construction dolphin monitoring outlined in the Draft EIS may help address these gaps and should be leveraged to explore modifications to Project operation that could reduce negative impacts to dolphins.**

**Response ID: 16605**

The Draft EIS recognized the uncertainty inherent in the model projections used to assess impacts of the Project on various elements of the environment, including dolphins (see Chapter 4, Section 4.11 [Marine Mammals] of the Draft EIS). The LA TIG agrees that the monitoring commitments included in the MAM Plan, which include extensive pre- and post-Project operation monitoring, would help address these uncertainties and would provide information critical to potential operational modifications that could reduce negative impacts to dolphins.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one



is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project

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Correspondence ID: 40564

St. Bernard Parish

Guy McInnis



Guy McInnis  
Parish President

*St. Bernard Parish Government*

Chalmette, Louisiana, 70043  
www.sbp.net

June 1, 2021

U.S. Army Corps of Engineers  
New Orleans District  
Attn: CEMVN-ODR-E; MVN-2012-2806-EOO  
7400 Leake Avenue  
New Orleans, Louisiana 70118

Re: Mid-Barataria Sediment Diversion Draft Environmental Impact Statement

To Whom It May Concern:

As noted in the attached St. Bernard Parish Council Resolution SBPC #2124-04-21 (pages 6 & 7) and April 21, 2021 letter from Parish President Guy McInnis (page 8), St. Bernard Parish Government is opposed to the referenced project. The parish's specific concerns regarding the findings outlined in the draft environmental impact statement (EIS) are provided below.

***The stated project purpose and need are inconsistent with the actual project scope of work and likely outcomes.***

The applicant describes the project's purpose and need as follows:

...to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. The proposed Project is needed to restore habitat and ecosystem services injured in the northern Gulf of Mexico as a result of the DWH oil spill. (ES-2)

The DWH oil spill did not deprive the Barataria Basin of sediment, freshwater, or nutrients. Consequently, the diversion of these materials from the Mississippi River into the Barataria Basin will not restore habitat or ecosystem services to pre-DWH oil spill conditions or mitigate the risk associated with future industrial accidents. According to the EIS, the proposed project would instead introduce new and permanent risks to habitat, ecosystem services, and coastal communities in the affected area.

***The environmental and economic risks associated with the largescale diversion of freshwater into Louisiana’s estuaries are well documented.***

The proposed discharge of freshwater into the Barataria Basin will result in adverse impacts to aquatic resources, commercial and recreational fisheries, wildlife resources, essential fish habitat, and water quality. The discharge of freshwater at the Bonnet Carre’ Spillway during the *Gulf of Mexico Freshwater Flooding in Louisiana, Mississippi, and Alabama* (2019) federal fishery disaster recently caused over \$500 million in economic damage in less than six months. Additionally, the event triggered a NOAA-declared unusual mortality event (UME) for the *bottlenose dolphin* in the northern Gulf of Mexico. A total of 328 deceased dolphins were found throughout the region during the event. NOAA concluded its UME investigation as follows:

Based on necropsy, histopathology, and diagnostic findings and the extreme environmental conditions documented in the NGOM during this time period, the cause of the mortality event was determined to be environmentally driven by exposure to low salinity waters resulting from extreme freshwater discharge from watersheds that drain into the NGOM, including rivers in Florida, Alabama, Mississippi and Louisiana. (NOAA, 2020)

The EIS identifies project impacts that are very similar to those experienced during the 2019 fishery disaster. Many of the expected impacts on commercial and subsistence fisheries are described in the EIS as “major, permanent, and adverse” (ES-15). The EIS describes the impacts on bottlenose dolphins in the Barataria Basin as “immediate and permanent, major, adverse impacts on survival” (ES-12). The primary difference between the 2019 fishery disaster and the proposed project is the EIS describes many of the project’s adverse impacts as *permanent*.

***The EIS describes the project’s likely severe adverse impacts on the natural environment, including many that may be permanent.***

The proposed Project would result in impacts on the general character of the Barataria Basin, including but not limited to salinity, temperature, land accretion, and water quality [...] and subsequently to the people that rely on the area plants and animals for economic, recreational, and other purposes. (ES-6)

The EIS specifically references major, permanent, and adverse impacts on the shrimp fishery. The study also predicts that impacts on commercial shrimping “may also exacerbate trends in the aging workforce to leave the industry” (ES-15). According to the Louisiana Department of Wildlife and Fisheries (LDWF) (2016b), shrimp landings in the Barataria Basin averaged over 27 million pounds per year between 2000-2013. Brown shrimp landings in the basin represented 44% of all landings statewide and were the highest in Louisiana during the same period (LDWF, 2016b). The mitigation measures proposed in Appendix R would not sufficiently offset economic impacts to the Barataria Basin shrimp industry due to the proposed project.

The EIS also references major, permanent, and adverse impacts on the oyster fishery. Persistent low salinity is expected to drastically reduce oyster abundance. Additionally, “the introduction of Mississippi River water containing elevated fecal coliform concentrations into oyster propagation areas could cause permanent, major, direct adverse impacts” (ES-9). Oyster landings in the Barataria Basin averaged over 2.8 million pounds per year between 2000-2014, second only to the Pontchartrain Basin (LDWF, 2016a). Oyster value per pound (\$3.62) landed in the basin was the highest and average total annual value (over \$10.8 million) was the second highest in Louisiana during the same period (LDWF, 2016a). The mitigation measures proposed in Appendix R would not sufficiently offset economic impacts that to the Barataria Bay oyster industry due to the proposed project.

***The EIS describes the project’s likely severe adverse impacts on the socioeconomic well-being of coastal communities.***

Many coastal communities are also *fishing communities*, which the Magnuson-Stevens Fishery Conservation and Management Act defines as “geographic areas encompassing a specific locale where residents are dependent on fishery resources or are engaged in the harvesting or processing of these resources” and who are “substantially dependent on or substantially engaged in the harvest or processing of fishery resources to meet social and economic needs” (Shaw & Conway, 2007, p. 12). It has been estimated that resource-dependent communities in the United States are five to ten times less economically stable than other communities around the country (Freudenburg & Frickel, 1994). This is primarily because such communities rely heavily upon favorable environmental conditions and government regulations but are often unable to effectively control either (Shaw & Conway, 2007). The EIS appropriately points out that:

The Project area includes numerous coastal communities that rely heavily on commercial fishing activities. Community members are employed as captains or crew on fishing boats, as seafood dealers, or as employees of businesses serving the commercial seafood industry (3-184).

The health of commercial fisheries and the socioeconomic well-being of coastal communities in Louisiana are closely intertwined. Commercial fisheries have a combined annual economic impact of over \$2 billion and account for at least 22,000 jobs (State of Louisiana, 2019). Landings in Louisiana (nearly 900 million pounds in 2017) are second only to Alaska, and 70% of all oysters in the United States are harvested from the state (State of Louisiana, 2019). Twenty-five percent (25%) of all seafood consumed nationwide comes from coastal Louisiana (Jones, 2015). The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. Such impacts will undoubtedly change the commercial fishing industry and inflict economic harm on area businesses, families, and individuals.

The proposed Project is expected to cause minor to moderate, permanent, adverse impacts on economy, population, housing and property values, tax revenues, public service, and community cohesion in communities near the outfall area (ES-13).

However, the adverse economic impacts described above will not be limited to communities located near the outfall area. Entire parishes and municipalities within the affected region will face a decline in overall tax revenue and the associated consequences: poor fiscal health, a decline in public services and quality of life, and the prospect of an increased per capita tax burden.

***The EIS identifies many particularly vulnerable communities that are likely to be disproportionately impacted by the proposed project.***

*Vulnerability* has been defined as “the characteristics of a person or group and their situation that influences their capacity to anticipate, cope with, resist, and recover from the impact of a hazardous event” (Wisner et al., 2004, p. 11). Factors contributing to vulnerability include race, class, gender, political influence, and access to critical resources (Cutter, Boruff, & Shirley, 2003). The EIS identifies Myrtle Grove, Hermitage, Grand Bayou, and Happy Jack as low-income and minority communities that might experience disproportionately high and adverse economic impacts as a result of the proposed project, particularly as such impacts relate to commercial and subsistence fishing (ES-14).

The EIS also identifies vulnerable communities located outside of structural risk reduction systems as being more likely to experience the following as a result of the proposed project: 1) increased days of inundation due to tidal flooding; 2) impacts on public health and safety due to increased risk of storm surge flooding; and 3) outmigration and permanent adverse impacts on community cohesion (ES-13 & 19).

***The land-building capacity of the proposed project is likely overstated and the EIS supports previous findings regarding the possibility of the project causing land loss and increasing flood risk.***

The gradual depletion of the Mississippi River sediment budget has been well documented and increased periods of inundation have been found to adversely impact existing vegetation and contribute to land loss. Consequently, the Expert Panel on Diversion Planning and Implementation (convened by the Water Institute of the Gulf) previously expressed concerns regarding the possibility of largescale sediment diversions causing land loss during at least the first ten years of operation (<http://www.coastal.louisiana.gov/diversion-resources/>).

A modeling report recently commissioned by the USACE Engineer Research and Development Center (ERDC) similarly concluded that:

[...] diversion-induced inundation results in a reduction in plant productivity, which induces an acceleration of land loss. Significant uncertainty exists with respect to the response of the existing wetland vegetation to diversion-induced inundation. (Brown et al., 2019, p. iii)

The EIS projects that the proposed project will increase water levels in the Barataria Basin by 1.1 feet and prolong inundation periods (ES-8). With regard to communities outside of existing

structural risk reduction systems, it is expected that increased water surface elevations and tidal durations will not only have adverse impacts on public health and safety (ES-13 & 19) but will also flood local roadways and other property at grade (Appendix R, 21 & 22). Finally, it is reasonable to expect that increased periods of inundation outside of existing structural risk reduction systems will hamper the ability of responsible parties to access and maintain such systems, thereby adversely impacting system functionality and useful life.

***The operational regime for the project may evolve in a manner that exacerbates adverse impacts to the natural and human environment over time.***

CPRA's stated commitment to *adaptive management* may eventually result in the agency making substantial adjustments to the operational regime of the proposed project. CPRA has made similar adjustments to the operational regime of other diversion projects for decades (specifically the Caernarvon freshwater diversion), adversely impacting local fisheries with minimal oversight while providing virtually no recourse for affected stakeholder groups.

A list of references is provided on page 9.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Guy McInnis', is written in a cursive style.

Guy McInnis  
Parish President  
St. Bernard Parish Government

**SBPC #2124-04-21**



*St. Bernard Parish Council*



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**Kerri Callais**  
*Councilmember  
at Large*

**Richard "Richie" Lewis**  
*Councilmember  
at Large*

**Gillis McCloskey**  
*Councilmember  
District A*

**Joshua "Josh" Moran**  
*Councilmember  
District B*

**Howard Luna**  
*Councilmember  
District C*

**Wanda Alcon**  
*Councilmember  
District D*

**Fred Everhardt, Jr.**  
*Councilmember  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#16**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, APRIL 20, 2021 AT THREE O'CLOCK P.M.

On joint motion of the Chair, without objection and by unanimous consent, it was moved to **adopt** the following resolution:

**RESOLUTION SBPC #2124-04-21**

A RESOLUTION OPPOSING THE PROPOSED MID-BARATARIA SEDIMENT DIVERSION PROJECT.

**WHEREAS**, The Coastal Protection and Restoration Authority is proposing the Mid-Barataria Sediment Diversion Project; and,

**WHEREAS**, water, and the wildlife that inhabits it, does not respect parish boundaries, any project effecting Plaquemines water quality and estuaries will have similar impact on the waters and related businesses of St. Bernard Parish; and,

**WHEREAS**, while the loss of coastal wetlands is a valid concern, the resolution or remediation of that problem must avoid ancillary damages to the people and wildlife of Plaquemines and St. Bernard Parish; and,

**WHEREAS**, the Environmental Impact Statement related to the current proposed Mid-Barataria Sediment Diversion Project indicates that the project will do permanent harm to the wildlife of Plaquemines and St. Bernard Parish and their respective seafood industries; and,

**WHEREAS**, the seafood industry of Plaquemines and St. Bernard Parish are central to their respective economies, culture, and heritage; and,

**WHEREAS**, the environmental remediation efforts related to the potential harm caused by the current proposed Mid-Barataria Sediment Diversion Project is insufficient; and,

**WHEREAS**, the potential benefits in the minimal land development that is predicted are far outweighed by the unremediated damage that the Mid-Barataria Sediment Diversion Project will cause to the people and wildlife of Plaquemines and St. Bernard Parish; and,



# St. Bernard Parish Council

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**Kerri Callais**  
Councilmember  
at Large

**Richard "Richie" Lewis**  
Councilmember  
at Large

**Gillis McCloskey**  
Councilmember  
District A

**Joshua "Josh" Moran**  
Councilmember  
District B

**Howard Luna**  
Councilmember  
District C

**Wanda Alcon**  
Councilmember  
District D

**Fred Everhardt, Jr.**  
Councilmember  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #16 continued  
April 20, 2021

WHEREAS, the long term damage caused by the Mid-Barataria Sediment Diversion Project to the wildlife and fisheries of Plaquemines and St. Bernard Parish will destroy the livelihood of countless local businesses and people; and,

WHEREAS, the destruction of those livelihoods will lead to the loss of the St. Bernard tax revenues that are used to fund vital services to the people of St. Bernard Parish.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, opposes the proposed Mid-Barataria Sediment Diversion Project.

BE IT FURTHER RESOLVED, that this Resolution be forwarded to all of the following:

- Governor John Bel Edwards
- The Coastal Protection and Restoration Authority
- The House Natural Resources and Environment Committee
- The Senate Natural Resource Committee
- Representative Mack Cormier, Representative Ray Garofalo, Senator Sharon Hewitt, Senator Joseph Eouie and Senator Troy Carter
- U.S. Army Corps of Engineers, Brad Laborde

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as YEA.

And the motion was declared adopted on the 20<sup>th</sup> day of April, 2021.



**April 21, 2021 Letter from Parish President Guy McInnis**



*St. Bernard Parish Government*



[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Parish President*

April 21, 2021

At its April 20, 2021 regularly scheduled council meeting, the St. Bernard Parish Council unanimously approved Resolution SBPC #2124-04-21, "A Resolution opposing the proposed Mid- Barataria Sediment Diversion project". As Parish President, I join with the council in objecting to this proposed project. As the draft Environmental Impact Statement from the US Army Corps of Engineers confirms, this project will do irreparable harm to the wildlife and estuaries of St. Bernard and Plaquemines Parish, and therefore to our respective seafood and tourism industries. We respectfully request alternative projects be considered to rebuild our all-important coastlines in St. Bernard Parish, while preserving our economy, culture, and heritage.

Respectfully,

A handwritten signature in blue ink, appearing to read "Guy McInnis".

Guy McInnis  
Parish President  
St. Bernard Parish

## References

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**Concern ID: 61873**

**The proposed Project's impacts are in contradiction with the Project's stated purpose and need to restore habitat and ecosystems damaged by the DWH oil spill given the permanent adverse impacts on fisheries, marine mammals, and water quality. The proposed Project is incompatible with both a healthy environment and healthy economy.**

**Response ID: 15829**

USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. If implemented, the proposed Project would deliver sediment, fresh water, and nutrients into the Barataria Basin. While there would be short- and long-term, adverse and beneficial impacts to physical, biological, and socioeconomic resources in the Project area due to the proposed Project, the sediment, fresh water, and nutrients are expected to restore habitat and ecosystems services injured in the northern Gulf of Mexico as a result of the DWH oil spill.

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**Concern ID: 61875**

**The purpose and need is false and misleading and does not follow NEPA guidelines for a concise, basic, essential, and irreducible purpose. The statement is misleading by making the proposed Project itself part of the purpose. The DWH oil spill, including restoring for injuries caused by the DWH oil spill, has nothing to do with the proposed Project other than justifying its use as a source of funding.**

**Response ID: 15831**

As described in Chapter 1, Section 1.4 Purpose and Need of the EIS, NEPA regulations (40 CFR 1502.13) state that an EIS "shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." The purpose and need statement should be clear and concise in order to facilitate development of a reasonable range of alternatives. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities), and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS.

Separate from the USACE process, as discussed in the PDARP/PEIS, the SRP/EA #3, and the Restoration Plan, the LA TIG found that impacts of the injuries from the DWH oil spill were particularly detrimental to the resources of the Barataria Basin, which were already in peril as a result of the separation of sediment-loaded river water by levees, subsidence and a changing climate. In the Barataria Basin, marshes already suffering from significant coastal erosion experienced heavy oiling and subsequently experienced double or triple the rate of marsh loss. The Final PDARP/PEIS (DWH NRDA Trustees, 2016a) documented the nature, degree, and extent of injuries from the DWH oil spill to both natural resources and the

services they provide, and the nexus between those injuries and need for restoration within the Barataria Basin. Evaluating restoration strategies that could restore for injuries in the Barataria Basin, the SRP/EA #3 found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in the EIS and Restoration Plan. The LA TIG’s Restoration Plan concludes that the proposed Project would best restore for injuries caused by the DWH oil spill by reconnecting and reestablishing sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, fresh water, and nutrients to support the long-term viability of existing and planned coastal restoration efforts.

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**Concern ID: 61938**

**The EIS identifies and acknowledges that there are low-income and minority communities that might experience disproportionately high and adverse economic impacts as a result of the proposed Project, particularly as such impacts relate to commercial and subsistence fishing.**

**Response ID: 16296**

The EIS Chapter 4, Section 4.15 Environmental Justice acknowledges that disproportionately high and adverse impacts on low-income and minority populations could occur in some communities where reductions in abundance of oysters, brown shrimp, and certain fish species are anticipated as a result of the proposed Project. These impacts would depend in part on the extent to which affected populations engage in or are heavily reliant on commercial and subsistence fishing for these species. The EIS Chapter 4, Section 4.15 Environmental Justice recognizes the presence of low-income and minority populations in communities that depend on shrimp and oyster fishing in Barataria Bay, including Grand Isle, Galliano, the Lafitte area, Barataria, Belle Chasse, Live Oak, West Pointe à la Hache, Ironton, Grand Bayou, and Port Sulphur. However, as discussed in the EIS, there are insufficient data to correlate fisheries harvests with specific low-income and minority populations. Consequently, the precise extent to which impacts on shrimp and oyster fisheries would affect specific low-income and minority populations cannot be determined.

CPRa has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the EIS, since issuance of the Draft EIS and LA TIG’s Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRa and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRa had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the

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final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation,

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replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62014**

**The proposed MBSD Project would reduce tax revenue for the parishes located in the impacted area and the funds to support vital services in these areas.**

**Response ID: 16211**

The EIS considers and describes impacts on tax revenue in Chapter 4, Section 4.13.4 and 4.13.5 in Socioeconomics. There is also a discussion of Public Services and Utilities in this chapter (Section 4.13 Socioeconomics). As described, the proposed Project construction would have minor to moderate short-term benefits on sales and use taxes in local jurisdictions and the state associated with construction spending. Negligible to minor permanent adverse impacts on tax revenues from sales and use taxes, including associated with impacts on commercial fishing activities, as well as property tax collections associated with reduced property values are anticipated in Plaquemines Parish due to operation of the proposed Project. Potential adverse effects on utilities associated with reduced property taxes are also anticipated during the operations phase of the proposed Project.

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**Concern ID: 62029**

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**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures



contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62159**

**The land-building capabilities of this Project are highly exaggerated, and the EIS supports previous findings that the Project may actually accelerate land loss, increasing flood risks. The depletion of historic sediment loads of the Mississippi River is well documented. Given the projected 2000 to 3000-acre land loss in the birdfoot delta cited in the EIS, the projected land-building capabilities of the proposed Project is obviously exaggerated.**

**Response ID: 16181**

The Draft EIS has considered the commenter's concerns regarding the rates of land loss and land projected to be built during diversion operations. To help address these concerns, a discussion has been added to clarify currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations. This discussion has been added to the Executive Summary, Section ES.4.1 Geology and Soils and to Chapter 4, Section 4.2.3.2.2.1 Geology of the Final EIS.

Although the Mississippi River is carrying much less sediment than it did in the past, it still carries a massive sediment load. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year.. The possible causes of the diminished sediment load include trapping by dams, hardening of banklines, improved farming practices, and other processes. The Draft EIS Appendix E Delft3D Modeling Section 5.2.2 took this diminished sediment load into account when computing the sediment load that would be delivered to the Barataria Basin.

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**Concern ID: 62224**

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**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final

Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62709**

**The 2019 opening of the Bonnet Carré Spillway caused significant impacts to aquatic fauna from the release of river water, and resulted in a declared fisheries disaster of at least \$58 million.**

**Response ID: 16087**

A summary of select natural and man-made diversions in southeastern Louisiana, including the Bonnet Carré Spillway, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment, including area fisheries. This summary is available in Appendix U of the Final EIS. However, it is important to note that the Bonnet Carré Spillway is an emergency flood control structure that is not operated for ecological purposes. The anticipated impacts of the proposed Project on aquatic fauna from the release of river water is discussed in detail in Chapter 4, Section 4.10 Aquatic Resources.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 62836**

**What are the conditions for closure of the diversion? For example, would the diversion be shut down if there is community flooding or a large amount of wetland loss in the first 5 years? CPRA's stated commitment to adaptive management may eventually result in the agency making substantial adjustments to the operational regime of the proposed Project without providing recourse for affected stakeholder groups.**

**Response ID: 16663**

Information regarding Project operations, including the plan for when the diversion would be shut down for emergencies and storm events, is set forth in CPRA's Operations (Water Control) Plan issued with the Draft EIS (Appendix F2).

With regard to community flooding, the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) details mitigation strategies that would address increased water levels in impacted communities. With regard to ensuring Project performance, in accordance with the Monitoring and Adaptive Management (MAM) Plan, CPRA would monitor Project performance over the life of the Project and adaptively manage the Project to ensure Project success (for examples of potential adaptive management actions, see Tables 4.1-1 through 4.1-3 in the MAM Plan in Appendix R2 to the Final EIS). If the Project is implemented, CPRA would continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

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monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA). <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>**

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been

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edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63020**

**The Draft EIS highly exaggerated the land-building capabilities of the proposed Project, given that the depletion of historic sediment loads of the Mississippi River is well documented (including by the Expert Panel on Diversion Planning and Implementation [convened by the Water Institute of the Gulf] and USACE's ERDC) and that increased periods of inundation have been found to adversely impact existing vegetation and contribute to land loss. Further, significant uncertainty exists with respect to the response of the existing wetland vegetation to diversion-induced inundation (Brown et al., 2019, p. iii).**

**Response ID: 16032**

The Draft EIS considered the commenter's concerns regarding the rates of land loss and land projected to be built during diversion operations. The Mississippi River is carrying much less sediment than it did in the past. As explained in Chapter 3, Section 3.4.2.5 in Surface Water and Coastal Processes, the river formerly carried over 400 million tons of sediment annually, but a more than 50 percent reduction in annual sediment load has occurred since the early 1900s. Studies show that from 1968 through 2007 the overall annual sediment reduction has been more gradual, with the rate estimated as a loss of 1.1 million metric tons per year. The Delft3D Basinwide Modeling accounts for those sediment supply changes as described in Appendix E Delft3D Modeling of the EIS, Sections 5.2.2 and 8.

Further, the Delft3D Basinwide Model incorporates inundation depths in the critical vegetation parameters to simulate vegetation losses and gains as a result of the diversion, as well as other sources of inundation (such as subsidence and sea-level rise). The model results should be interpreted in light of the uncertainties involved. The USACE-ERDC report cited by the comment (Brown et al. 2019), which documents the development and validation of the Adaptive Hydraulics (AdH) model to simulate hydrodynamic, salinity, sedimentation, and morphodynamic processes in the Mississippi River and Delta, was reviewed and used in preparing the navigation analyses in the EIS (see Appendix Q1 Dredging Analysis). The USACE-ERDC report also describes the SEDLIB-VEG model, which is less complex than the vegetation model (LaVegMod) used to project impacts from the proposed Project. While the AdH model was not used in preparing the land-building analyses in the EIS and the SEDLIB-VEG model was not used for the assessment of vegetation impacts from the Project, uncertainties identified in the report for numerical modeling (including uncertainty in the sediment rating curve, subsidence rates, and inundation effects on vegetation) were considered. As discussed in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences and Section 8 of Appendix E Delft3D Modeling, those uncertainties include the parameters used to simulate vegetation growth and mortality. Vegetation ranges were determined by the probability of establishment and mortality of each species used in modeling simulations, based on salinity and inundation depth tolerances. Where feasible, uncertainties have been examined through sensitivity tests and model-to-model comparisons and incorporated in the conclusions. However, to further address the concern of exaggerated land building, Chapter 4, Section 4.1.3.3 in Model Limitations and Uncertainty, has been revised in the Final EIS to clarify uncertainty related to currently ongoing and future projected land loss and the amount of land that would be created, sustained, or lost due to proposed diversion operations.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**



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**Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on “Effects of Low Salinity Exposure on Bottlenose Dolphins,” 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>**

**Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.**

**McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.**

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al.2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG’s Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response

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actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID: 40565**

Restore the Mississippi River Delta  
Brian Moore

# RESTORE

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June 03, 2021

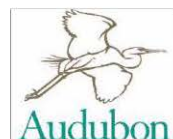
U.S. Army Corps of Engineers, New Orleans District  
Colonel Stephen F. Murphy, District Commander  
7400 Leake Avenue  
New Orleans, Louisiana 70118  
Attn: CEMVN-ODR-E, MVN-2021-2806-EOO  
Via Email: CEMVN-Midbarataria@usace.army.mil

***RE: Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion Project, USACE Project MVN-2021-2806-EOO and Draft Phase II Restoration Plan#3.2: Mid-Barataria Sediment Diversion, Deepwater Horizon Natural Resource Damage Assessment Louisiana Trustee Implementation Group (LA TIG)***

Dear Colonel Murphy,

The members of the Restore the Mississippi River Delta appreciate this opportunity to share our collective comments and recommendations on the *Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2 and Draft Environmental Impact Statement (hereon referred to as the Draft Restoration Plan and DEIS, respectively)*. We write in strong support of the Preferred Alternative, **Alternative 1, Variable Flow up to 75,000 CFS**. We submit these comments on behalf of our coalition which comprises conservation, policy, science and outreach experts from Environmental Defense Fund, National Audubon Society, the National Wildlife Federation, Coalition to Restore Coastal Louisiana and Pontchartrain Conservancy, and several other local partnering organizations. Our organizations represent thousands of Louisiana-based members and supporters, as well as many more nationally that care about the future of Louisiana's unique and nationally significant coast.

Restore the Mississippi River Delta (MRD) works to protect people, wildlife, and jobs by rebuilding coastal Louisiana's nationally significant landscape. As our region faces an ongoing and severe land loss crisis, we offer science-based solutions through a comprehensive approach to restoration. As organizations with long-standing interest in coastal projects, we commend Louisiana's Coastal Protection and Restoration Authority (CPRA), the U.S. Army Corps of Engineers (USACE) and the Louisiana NRDA Trustee Implementation Group (LA TIG), for working tirelessly on this keystone project for Louisiana's future and producing one of the most extensive scientific analysis and robust public engagement efforts we are aware of for any NEPA document.



3223

Having worked for over a decade toward the restoration of Louisiana's critical coastal ecosystems, and having participated and contributed to the scientific, socio-economic and policy analysis that led to the identification of this project as a critical component of Louisiana's coastal restoration efforts, our organizations proffer our very strong support for the preferred alternative of a 75,000 cfs sediment diversion.

The Mid-Barataria Sediment Diversion (MBSD) will reconnect the river to its shrinking delta; end our misguided reliance on only gray infrastructure; work with nature, rather than against it in a losing battle; provide a sustainable solution to our on-going land loss crisis; and help restore habitat and ecosystem services in the Barataria Basin that were injured by the Deepwater Horizon (DWH) Oil Spill.

However, based on the DEIS analysis of impacts in Alternative 5, the optimal diversion volume balancing land building against water level impacts, likely falls between 75,000 and 150,000 cfs. We, therefore, encourage the TIG to build as much capacity into the structure as possible, given cost limitations, to build and sustain land in the future, as part of a robust adaptive management strategy. Future operations beyond 75,000 cfs would of course be subject to additional NEPA analysis.

The DEIS analyzes the decades of study on the Mid-Barataria Sediment Diversion (also known as the Myrtle Grove Diversion) that has already occurred and the clear scientific support that demonstrates that reconnecting the Mississippi River's sediment, water and nutrients is the only sustainable, long-term solution to reverse the cycle of marine transgression and to build new deltaic wetlands, while sustaining existing wetlands otherwise doomed by relative sea level rise.

The MBSD is also the optimal way to restore sustainable functionality to the ecosystem injured by DWH, including providing benefits to the northern Gulf of Mexico ecosystem injured by the spill. We strongly agree with the Louisiana TIG that the proposed MBSD project is "critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River delta plain in Louisiana" (Draft Phase 3.2 Restoration Plan, pg 1-9).

Below we provide more detailed comments regarding our perspective on the importance of the MBSD, and various components of the DEIS and Draft Restoration Plan. There are also two appendices attached to this comment letter: Appendix A contains more detailed recommendations related to the draft Monitoring and Adaptive Management Plan; Appendix B contains a series of recent op-eds and other statements of support for the project from various stakeholders. We request that the materials in Appendix B be considered as part of the Army Corps' public interest review and by the LA TIG as evidencing consistency with the OPA criteria.

## **ADDITIONAL COMMENTS AND RECOMMENDATIONS:**

### **PROJECT CONTEXT**

Three hundred years ago Europeans arrived and began the settlement of the delta and set out upon a disastrous program of modification that guaranteed the eventual physical and ecological collapse of the system. We have known for nearly fifty years (if not much longer) the magnitude of their, and our, mistakes and the consequences of short-sighted philosophy and action, and yet today we are only just embarking on adopting a solution. We cannot undo the past, but because of the dynamic nature of a delta, where change is constant and, in a geological sense, instantaneous, we can take relatively straightforward action now that allows us to substantially change the future trajectory of the system.

Our predecessors made structural changes to the Mississippi River and its distributaries, which inevitably allowed marine processes to dominate as a consequence. The Gulf of Mexico has reclaimed over 2,000 square miles of Louisiana's coastal wetlands. Just as significantly, salt has fundamentally changed the very nature of most of the system from the barrier islands to our dying interior swamps. This is especially true in the Barataria Basin. Just over a century ago crops were harvested and sent to market from Grand Isle on land where saltmarsh or saline scrub grows today; there was an intact sandy barrier rim with small brackish bays confined by surrounding marsh and narrow shallow passes to the Gulf; forests grew on the natural levees of Bayou Lafourche, Bayou Barataria, Grand River and a half dozen other abandoned distributaries all the way to edge of the bays or the Gulf.

We visited vast injuries upon that system with canals, oil spills, subsurface fluid withdrawal, navigation channels, jetties, and much more, all of which contributed significantly to the loss of wetlands. But we took away its lifeblood when we cut it off from the river, its ability to heal and revive itself. We have been watching it die for a century. What is left is literally on its last legs—a system about to let go and give itself up to the Gulf of Mexico. The red maps that we have become accustomed to through Louisiana's Coastal Master Plan tell the grim story: on our current trajectory the future is virtually all loss.

Building river diversions is the only answer fit to the scale of the problem, the only means by which the system can heal and recover on its own. If we want to remain here, we can't abandon the levees and the river to its own devices, to go where it will. Instead, if we want to reap the benefit of the river and the lifeblood it carries, we need to build large diversions that we can carefully control. While we will continue to depend upon the engineering and gray infrastructure that got us into our current predicament, we cannot rely upon it alone. We need it to augment it with sustainable natural infrastructure.

But the beauty of the diversion is that once opened into the basin, the water, sediment and nutrients that the river carries will behave much like they would in a natural avulsion, and begin to rebuild, transform and sustain the system just as if there was no gray infrastructure there. For human communities that means protective natural infrastructure between them and the Gulf of Mexico. For the natural community it means ecological release, and the rich profusion of life that is a river-fed deltaic estuary. That is why building the Mid-Barataria Sediment Diversion is absolutely necessary.

To help readers understand this overall context, we feel that both the DEIS and the Draft Restoration Plan would benefit from additional reflections on the natural and human history of the project geography, including the points we raised above, that resulted in such fundamental changes to the landscape and set us on the course of the land loss crisis that Louisiana faces today.

## **PROJECT PURPOSE AND NEED**

The Proposed MBSD project-specific statement of purpose and need is: “Consistent with the LA TIG’s Strategic Restoration Plan and Environment Assessment #3 (SRP/EA #3) and the Louisiana Coastal Master Plan. The purpose is to restore for injuries caused by the DWH oil spill by implementing a large-scale sediment diversion in the Barataria Basin that will reconnect and re-establish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, freshwater, and nutrients to support the long-term viability of existing and planned coastal restoration efforts. The proposed project is needed to help restore habitat and ecosystem services injured in the northern Gulf of Mexico as a result of the DWH oil spill.” (DEIS 1-9).

The DEIS recognizes the long history of studies that have explored reintroducing sediment-laden river water into the Barataria Basin for ecosystem restoration and the plans that have identified the Mid-Barataria Sediment Diversion as a needed land-building restoration tool. In the LA TIG’s SRP/EA #3, the Mid-Barataria Sediment Diversion was identified as part of a suite of restoration projects that would provide the greatest benefit to injured wetlands and the living resources that depend on them. In that plan the TIG acknowledged that sediment diversions “are the only technique capable of producing the full suite of ecological benefits to the Gulf of Mexico ecosystem provided by the reestablishment of deltaic processes” and “have the potential to reduce impacts from relative sea level rise in the Barataria Basin, by providing a sustainable source of sediment to replenish land as it is inundated, thus contributing to long-term resiliency” (SRP/EA #3, pg xvi). **Based on this, we fully support the Purpose and Need Statement upon which the alternatives analysis is built. The statement appropriately captures the need to restore for injuries from the DWH oil spill through the reestablishment of sustainable deltaic processes between the Mississippi River and the Barataria Basin and serves as a solid foundation against which to evaluate alternatives.**

## **ALTERNATIVES ANALYSIS**

**The range of alternatives evaluated in the DEIS is reasonable, and we support the applicant’s preferred alternative of a 75,000 cfs sediment diversion.** This alternative would meet the purpose and need of the project by reconnecting and re-establishing sustainable deltaic processes between the Mississippi River and the Barataria Basin and help restore habitat and ecosystem services injured as a result of the Deepwater Horizon Oil Spill.

The DEIS considered a robust list of functional alternatives, including marsh creation, structural barriers, freshwater diversions, and barrier islands, but found that only alternatives that involved using a large-scale river diversion would meet the purpose and need of this project, which includes the need to “reconnect and re-establish sustainable deltaic processes between the Mississippi River and the Barataria Basin through the delivery of sediment, freshwater, and nutrients to support the long-term

viability of existing and planned coastal restoration efforts” (DEIS, 1-9). While other restoration project types, such as marsh creation, have been suggested in lieu of large-scale diversions, these project types would fail to build and sustain significant amounts of land in the Barataria Basin over the 50-year project lifespan due to subsidence, sea level rise, and erosion. Additionally, the acreage of marsh creation that is possible in that area is restricted due the limited number of nearby borrow areas in the Mississippi River along with the refill rate for those sites. Furthermore, dredging projects depend upon utilizing the sand fraction of the river’s sediment load, meaning they cannot get access to the approximately 75-80% of the total sediment load of the river which is carried in suspension (Allison et al. 2012). Overall, all other available restoration techniques are inadequate in the face of accelerating sea level rise, and none provide the level of ecosystem services that a naturally forming sub-delta lobe can provide.

Furthermore, as recognized in the LA TIG’s SRP/EA #3, coupling a marsh creation project with a large-scale sediment diversion can increase the lifespan of the marsh creation project. The LA TIG’s Large-Scale Barataria Marsh Creation: Upper Barataria Component project is currently headed to bid and will work in tandem with and benefit from the Mid-Barataria Sediment Diversion to build and sustain land in the Barataria Basin.

The applicant’s preferred alternative, a 75,000 cfs diversion, would build and maintain more than 13,000 acres of wetland over the next 50 years under the modeled conditions. The smaller 50,000 cfs alternative that was evaluated resulted in similar changes to salinity distribution and increased water levels in the basin, but also provided far less wetland acreage over the project’s lifespan. In contrast, the 150,000 cfs alternative would also result in similar changes in salinity distribution but would result in an additional 15,000 acres more land than the preferred alternative. However, this amount of flow would also result (in the near term) in a significant increase in water levels for some nearby coastal communities. While we understand why the 150,000 cfs alternative was not selected to move forward at this time, we do urge the TIG to take this opportunity to build in as much capacity into the structure as possible to build and sustain land in the future as part of a robust adaptive management strategy.

## **PUBLIC INVOLVEMENT**

We recognize the immense effort CPRA has committed to public engagement around Mid-Barataria Sediment Diversion. For decades, the USACE and the state of Louisiana have led public discussions around this project concept. We commend the USACE and LA TIG for their efforts to ensure robust awareness and input into this process. Such engagement is critical to a successful restoration effort, and we recognize the difficulty of designing an engagement process around a project of this scale and scope.

The more than 200 public outreach and engagement events referenced in the DEIS and NRDA plan demonstrate a notable effort made by CPRA. It is essential that CPRA continue to maintain strong levels of engagement and transparent communication with affected stakeholders as this process progresses.

We recognize that meaningful public engagement under the conditions imposed by the COVID-19 pandemic required a new approach to the public comment period and community engagement.<sup>3227</sup>



USACE and LA TIG handled the circumstances well, attending dozens of online meetings and following safety protocols for in-person meetings to ensure the public was aware of the comment period and project details, while also protecting public health. Extension of the comment period and the combination of the DEIS & Restoration Plan comment portal aided in the public's ability to participate in the comment period.

CPRA attempted to reach out to low-income and minority communities that would potentially be impacted by the project. However, these communities are historically difficult to reach, a problem compounded by COVID-19 for individuals in areas where internet access is unequally distributed. CPRA should continue to seek alternative outreach tools to reach typically hard-to-reach audiences including low-income and minority communities. In addition, the results of those meetings should be reported in the FEIS.

As noted above, public engagement should not end after this comment period, or even after the Final EIS is issued. CPRA should remain committed to engagement and open communication around the mitigation and stewardship actions that will need to be taken. A concerted effort to inform and engage in a productive dialogue with the public and impacted constituents should continue through construction, adaptive management, and operations of the sediment diversion.

As part of a long-term strategy for public engagement and involvement, we encourage the LA TIG and **CPRA to include a recreation and education area near the diversion with a viewing platform, trails, bike paths, along with a boat launch into the diversion outfall area.** This would provide amenities for the communities near the structure, provide eco-tourism opportunities, and provide an opportunity for our local communities as well as travelers to learn about coastal restoration and watch the growth of a delta over time. This area could also include educational materials such as signage, and perhaps even real-time monitoring data from the basin, to explain what the diversion is, how it operates, and what it is doing.

**In summary, we commend CPRA engagement efforts around this project to date, and recommend that CPRA make a commitment to continue regular outreach, to explore tools for co-creation of mitigation and stewardship actions for the project, as well as continue to improve engagement of low-income and minority communities. The Final EIS should include a summary of comments and responses and should uphold and further elaborate upon the commitment stated in the DEIS (Appendix R2, section 2) for regular stakeholder engagement through the adaptive management program.**

## **ENVIRONMENTAL JUSTICE**

A challenge for any project in discussing the past, present, and foreseeable considerations contributing to heightened EJ conditions/risks, is the history of forced migration, segregationist policies, or other systemic inequities entrenched at the governmental level. Elements of this history have varying degrees of responsibility for some of the existing barriers to adaptation that residents must now grapple with (i.e. economic hardships, educational background, language barriers, etc.). For example, before 1980, despite being only two miles from a pipeline carrying drinking water, the roughly 200 residents of the

African-American town of Ironton, located just south of the project, obtained their drinking water by filling containers from a truck that delivered twice a week. According to local news accounts, Plaquemines Parish afforded itself a helicopter and a golf course during that period but couldn't provide access to safe drinking water to a black community (Sneath, 2017). The analysis for this project, and virtually every other project, would be improved by such a discussion around historical context and its meanings for today.

Having said that, we do believe that this document meets the minimum requirements of EO No. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, by identifying disproportionately high and adverse human health or environmental impacts of the proposed Mid-Barataria Sediment Diversion on minority, low-income, and Tribal populations in the relevant project area.

CPRA held in-person meetings in the low-income and minority communities that potentially could be impacted by the project. **We recommend a discussion about what was learned at those meetings or CPRA's proposed response be included in the FEIS.**

We would like to make a couple of broader points relative to environmental justice, as well. A project such as this one, which seeks to restore a functional and sustainable ecosystem to an area degraded and challenged by historical management decisions, as well as climate driven impacts such as rising sea levels, will provide significant ecosystem benefits over time. Among other beneficiaries, these benefits will accrue to:

- all who use the area for recreation or commercial fishing pursuits as estuarine balance to the ecosystem is restored over time; and
- all those who need essential protection from storms and sea level rise, as existing land is sustained, and new land built. The DEIS analyzes only the effect of this project on a small suite of storms, and only at 1 in 25 and 1 in 100 frequency. It concludes there will be some small near-term adverse effects for communities downriver from the diversion canal. However, the MBSD is actually part of the larger suite of projects outlined in the Coastal Master Plan. In concert, these projects will provide very significant long-term storm surge and sustainability benefits for communities in Plaquemines and Jefferson parishes, whether within or without structural storm risk reduction systems.

Each of these benefits will be particularly helpful over time to:

- those who depend on subsistence fishing - a grouping which is made up of disproportionately poor members of minority groups; and
- those who live in particularly flood prone areas that, because of historic discriminatory settlement patterns, is a grouping which is also disproportionately poor and of color.

A healthier and more protective system -- the purpose of this project -- will have positive environmental justice outcomes, as the project goes forward, over time.

The local beneficial economic impacts associated with design or construction job opportunities from the project, while substantial, will depend, from a direct employment perspective, on focused efforts on the part of Louisiana state and local economic development authorities, through communication, recruitment and training activities, in order to be significantly translated into jobs for local residents, including minority residents. Historically, 75% of workers across all industries in Plaquemines Parish have commuted from other areas. It will take work to change that, and to make sure that minority communities are directly targeted, encouraged and supported in this effort. In addition, the same type of focused workforce development effort is likely necessary in order for these local jobs to translate into longer term economic benefits for affected communities.

**Though outside of the direct scope of this project, we would strongly encourage the broader Louisiana economic development efforts to focus and organize around the enormous and direct employment opportunities being generated by this project (thousands of jobs over multiple years), as well as recognizing and organizing around the long-term economic benefits of the coastal restoration program across south Louisiana (tens of thousands of jobs over decades) (Scott, 2019). This longer-term picture creates the direct opportunity for local jobs to translate into career opportunities, if managed for those outcomes.**

**We recommend the following for the Final EIS:**

- Describe historic, systemic inequities affecting EJ communities in the project outfall area to provide authentic and more complete context for the discussions.
- Encourage targeted economic incentive plans for contractors associated with project design or construction to prioritize economic opportunities for all interested residents in the project footprint/outfall area wherever relevant.
- Specifically include the proposed *Plaquemines Liquids Terminal* project for analysis on impacts on the preferred alternative (discussed further below).
- Consider air, water, and noise quality mitigation for people living near the construction zone, and in-community dialog during the construction process, to mitigate adverse impacts to surrounding communities and environments.

**BEST AVAILABLE SCIENCE**

The DEIS lays out the massive scientific and research effort that has been conducted to understand the benefits and the impacts of the Mid-Barataria Sediment Diversion. The DEIS and previous investigations used a combination of state-of-the-art modeling tools, increased monitoring, and extensive expertise to predict likely outcomes. The DEIS also clearly acknowledges the uncertainties in these predictions, both due to unknown future environmental conditions and also due to inherent uncertainties in the modeling.

The DEIS outlines uncertainties in the modeling that tend to underestimate salinity by 1ppt, water level by 0.1 m, and temperature by 1.5°C and the level of uncertainty varies spatially through the basin. The model limitations section in Appendix E mentions that the dilution factor is uncertain as well as the effect of the barrier islands over time on the tidal exchange. There is also uncertainty around

restoration efforts. For instance, the modeling assumes that the barrier islands are drowned with relative sea level rise, however the State has been committed to maintaining these important features, and that commitment is likely to continue, therefore reducing salinity increases. The passes, however, are likely to deepen and enlarge and increase salinity influences. Taken all together, these factors may underestimate salinity enough that the biological impacts forecasted may be a worst-case scenario for saltwater species, such as oysters and dolphins. The complexity of these uncertainties has been well handled in the DEIS and demonstrates the importance of the adaptive management program to reduce uncertainties over time.

**The Final EIS should make a continued commitment to using best available science and input from extensive external expertise to inform the decision-making process around construction, operations, and outfall management.**

### **SOCIO-ECONOMIC ANALYSIS**

We are encouraged to see the significant job creation projections, averaging 2,200 jobs annually, and both direct and indirect impacts of nearly \$300 million. A total economic impact of \$1.5 billion output over the five-year construction, on top of a \$1.4 billion construction price tag, is potentially an economic game changer for this region. We also conclude that the trades and skills the workforce will acquire will be transferable to a growing regional and state economy in the future. Additionally, with an average of 1,600 workers in the region during the construction period, other service industries will need to prepare for this influx, including retail, gas stations, restaurants, health care, housing, etc. CPRA should prepare materials on the skills needed to obtain these construction jobs, as well as the average annual salaries. It will take time to create the labor line to get workers trained, and the State should be working with our trade schools, community colleges and universities early and often to prepare a local workforce.

The DEIS cites Oxfam America’s Social Vulnerability Index from 2009, but the Water Institute of the Gulf and the Louisiana Coastal Protection and Restoration Authority have developed some work in this area through their 2017 Coastal Master Plan process. We would like to see how this more current application could be useful in analyzing this project. **In addition, we strongly suggest integrating more current data and information before the release of the Final EIS, including and especially the 2020 census data.** We believe this will show important population shifts to communities in Jefferson, Lafourche and Plaquemines Parish, as well as the major metropolitan area of Greater New Orleans.

### **CUMULATIVE IMPACTS: REASONABLY FORESEEABLE PROJECT BEARING ON MBSD –PLAQUEMINES LIQUIDS TERMINAL**

We were surprised to see minimal inclusion of the proposed Plaquemines Liquids Terminal (PLT) project as a part of the Cumulative Impacts Analysis, given its proximity to the project -- literally upriver and adjacent to the project. We are aware that permitting for PLT is not the subject of this analysis, or decision making here. But with the possible storage of 20 million barrels on the site, and the transfer of that oil through pipelines regularly connected and disconnected from large, river-borne vessels, there is

serious concern about regular oil spillage into the diversion, as well as potentially catastrophic impacts resulting from accidents, or hurricanes. Any of those could have serious impacts on the operation of the diversion. In addition, we also strongly suggest inclusion in the FEIS of data from AECOM/ARCADIS indicating that the *Tallgrass Plaquemines Liquids Terminal* project (PLT), could potentially reduce MBSD land-building significantly - possibly greater than 17%. A previous 2012 study conducted by the Water Institute of the Gulf for a proposed coal terminal on the same site also indicated a docking facility in the river upstream of the MBSD is very likely to result in decreased effectiveness of sediment capture by the diversion, and therefore decreased land-building.<sup>1</sup> The docking structure for the PLT proposal is larger than that which had been proposed for the RAM terminal.

Our overall judgement is that this project (PLT) is entirely inconsistent with MBSD, and therefore with Louisiana's Coastal Master Plan. The remedy for this situation is direct -- Executive Order 2016-09 -- which "directs all state agencies "to administer regulatory practices, programs, contracts, grants and all other functions vested in them in a manner consistent with the Louisiana Master Plan for a Sustainable Coast and the public interest to the maximum extent possible."<sup>2</sup> It is the responsibility of the Governor, through his executive assistant for coastal affairs, to exercise this authority.

## **IMPACTED RESOURCES**

### **Habitat and Wildlife**

The Mid-Barataria Sediment Diversion is critical to support future bird and wildlife populations in the region. The freshwater habitat components of Louisiana's estuaries are under tremendous threat from erosion, saltwater intrusion, and sea level rise, and are at risk of completely disappearing given physical limitations preventing inland marsh migration (Glick et al., 2013). Although the saltwater component of the estuaries also support conservation priority species, such as Brown Pelican, Sandwich Tern, Piping Plover, and others, Delft modeling indicates these habitats will continue to exist in some form under both a No Action and the 75,000 cfs alternative scenario (Appendix E; Figures VC 7 and VC 28). As such, the Mid-Barataria Sediment Diversion will ensure a sustainable future for freshwater wetland habitats and create biologically productive areas where salinities mix, critical to sustaining birds and other wildlife.

The importance of the Barataria Basin to wildlife is well documented, and much of it is covered in the DEIS (Chapter 3). The DEIS likely underestimates the value of the diversion to wildlife, and the ecological release that will likely take place in a moribund system following riverine re-introduction. This has already been seen at the sites of several new planned and accidental riverine avulsions, such as West Bay, Mardi Gras Pass, Fort St. Philip, Delta-wide Crevasses in the Birdfoot, Davis Pond, Caernarvon and Wax Lake. Biophysically, the introduction of carbon, nitrogen and phosphorus into declining marshes will automatically trigger concomitant increases in net primary productivity, with

<sup>1</sup> Lawsuits were filed to challenge issuance of RAM Coal Oil Export Terminal air and coastal use permits. Also see [https://www.nola.com/news/environment/article\\_dfb99ea7-26a4-5ac8-b923-b27bf4cc93.html](https://www.nola.com/news/environment/article_dfb99ea7-26a4-5ac8-b923-b27bf4cc93.html)

<sup>2</sup> Executive Order 2016 – 09, which directs all state agencies "to administer regulatory practices, programs, contracts, grants and all other functions vested in them in a manner consistent with the Louisiana Master Plan for a Sustainable Coast and the public interest to the maximum extent possible."

beneficial effects amplified up the trophic pyramid (Day et. al., 2021; Tupitza and Glaspie, 2020; Wissel and Fry, 2005).

The freshening of systems allows the revival and recolonization of freshwater and brackish species. This is dramatically true in the case of trees and shrubs, few of which tolerate higher salinities. In the outfall areas of existing recent diversions, early successional willows are growing in profusion (for example, see CRMS3169), and succession to longer lived species like bald cypress will very likely follow. Meanwhile, on higher ground, stressed and dying natural levee and chenier vegetation like live oak may be revived, and recruitment of new woody vegetation can begin again.

## **Birds**

As just one example, Louisiana's coastal wetlands were recently shown (Remsen et al. 2019) to support some of the most important and largest bird populations of any state in the Gulf of Mexico and Eastern United States. Yet because of the collapsing coastal ecosystem, the future of these birds is in question. The DEIS and the alternatives scenario analysis demonstrated the importance of the Mid-Barataria Sediment Diversion to birds that depend on the freshwater end of the estuary -- notably Mottled Duck and Green-winged Teal, which are representative of other important waterfowl species. Wintering waterfowl, of course, are important to hunters and birders, and therefore to the economy that supports waterfowl hunting and ecotourism (Southwick Associates, Inc., 2006).

In addition, the project will almost certainly benefit other conservation priority marsh species including King Rail, Little Blue Heron, and Bald Eagle. At present, these species are the beneficiaries of a collapsing ecosystem--organic plant biomass is being converted to animal biomass as marsh loss occurs, serving as a prey base. But there is a fixed quantity of stored organic biomass. Once it is gone, it is gone. Therefore, it is clear that a No Action scenario would have dire consequences overall for coastal bird and wildlife populations and the habitats on which they depend, because the system's energy is on a path to zero.

Only by restoring deltaic and estuarine processes through riverine diversions can a new equilibrium be achieved in the Barataria Basin -- a balance between riverine inputs coming in from the continent and marine influences pushing in from the sea. If we manage to arrest climate change and stabilize sea level over the coming decades, the river might once again be able to win the battle. But even if we remain in a losing battle, the river can buy people and wildlife several decades of continued viability and productivity.

## **Marine Mammals**

The Mid-Barataria Sediment Diversion project has an important relationship to marine mammals and marine mammal habitat. Available information indicates that while the long-term impacts of the project to dolphin populations will be beneficial, there could be significant adverse impacts on BBES dolphins in the near term. The DEIS and associated studies (Garrison et al. 2020) and other cited literature recognize this impact and fully discuss the potential consequences on the stock. In doing so, the DEIS and administrative record for the project set the stage for important efforts to monitor and minimize

those impacts and develop the measures necessary to provide the stock with the best prospects for survival and eventual recovery. Because the goal of the project is to restore natural systems and a healthy coastal and marine ecosystem, its approval and successful establishment will eventually lead to long-term benefits for marine mammals and dolphin populations. In doing so, the project advances the primary goal of the Marine Mammal Protection Act (MMPA) to bring about the health and stability of the marine environment. Consistent with the purpose and need for the project, the principal objective for project construction and operation, with regards to the resident stock, should be to take those steps that are available minimize the short-term impacts of lower salinity levels on dolphins and to assist with the sustainability of the BB stock while the long-term benefits of the estuary restoration efforts come to be realized for all marine species, including dolphins.

In considering the impacts of the project on dolphins, the record should recognize that there is a general lack of definitive information on the impacts of exposure to low salinity on dolphins in coastal ecosystems. The recent technical report by Garrison et al. 2020 simulated one scenario for the project's effects on Barataria Basin resident bottlenose dolphin stock due to changes in salinity based on the operational flow outlined in the DEIS and concluded that substantial declines in bottlenose dolphin survival rates are likely under the simplified modelled diversion operation scenario. From the results of that work, the population's survival rate is projected to decline by 15.3% to 62.7% (mean reduction in survivorship=34%) with wide uncertainty stemming from modeling salinity predictions, future conditions, and the expected relationship between salinity exposure and survival, developed through expert elicitation due to knowledge gaps about the timing and degree of low salinity effects on health.

The wide range of uncertainty in the modelling stemming from a lack of detailed information is a common issue for marine mammals, where under the MMPA Congress and the courts have recognized that little is known about the biology of many marine mammals and the effect of human activities on them (Baur et al. 2015). This general lack of knowledge calls for a cautious and conservative approach for actions that have effects on marine mammals, but also means that predictions about future effects may be inaccurate.

While Congress found the project to be consistent with the purposes of the MMPA, and has waived the MMPA take prohibition as it applies to this project and impacts on BBES dolphins, the project itself can still proceed carefully and with full attention to the ways in which impacts can be lessened. The DEIS sets the foundation for doing so by taking into account the best available science and information and supporting a rigorous pre and post construction monitoring program that can reduce key uncertainties about the population and measure project effects. The MMPA itself recognizes the importance of gathering additional scientific information, setting forth the policy declaration that "there is inadequate knowledge of the ecology and population dynamics of such marine mammals and the factors which bear upon their ability to reproduce themselves successfully." 16 U.S.C. 1361(3). With this lack of scientific information available, Congress directed that marine mammals should be protected and managed to the greatest extent feasible commensurate with sound policies of resource management and that the primary objective of their management should be to maintain the health and stability of the marine ecosystem." Id. 1361(6). Congress defined "management" to include the "entire scope of activities that constitute a modern scientific research program, including but not limited to, research, census, law enforcement and habitat acquisition and improvement." Id. 1362(2). The research program that will be undertaken as part of the project will be consistent with these MMPA policies by

calling for rigorous monitoring and follow-up research, long-term habitat improvement, and actions that are essential to the health and stability of the Gulf ecosystem.

With this information and ongoing monitoring and review of new data, project operations can be guided under an adaptive management approach to undertake actions to further reduce adverse short-term impacts, consistent with the project purpose and long-term ecosystem restoration goals and directives. **In this regard, we believe that the FEIS and supporting record should include additional information on possible operational minimization measures that may be considered through the adaptive management process, based on monitoring and new information.** For example, evaluation of constructing landscape features that might provide higher salinity refuge areas within the basin might be an option. The alternatives analysis in the DEIS, including the consideration of alternatives rejected for further review, is adequate for purpose of the FEIS and a Record of Decision, but more information on minimization measures that may be considered to address the emerging information about impacts on BBES dolphins is needed to provide a full and complete picture of how the long-term benefits of the project for the marine ecosystem can be achieved without causing avoidable and mitigatable short-term impacts.

We support the inclusion of all three additional Stewardship Measures for BB dolphins and other coastal populations throughout Louisiana, including 20 years of funding for the Statewide Stranding Program which has suffered over time from inconsistent and insufficient support. **However, we recommend that CPRA provide additional details in the FEIS regarding human interaction/anthropogenic stressor reduction stewardship measures, including details on how and by whom it might be administered and implemented, and on what timeframe.**

### **Harvestable Aquatic Resources**

As is the case with the terrestrial ecosystem, the DEIS describes but may underestimate likely increases in net primary productivity for aquatic estuarine organisms. Increases in net primary productivity will translate into more biomass, and the effect will be felt not only in Barataria Bay and the waters of the basin, but in the northern Gulf of Mexico as well. By shifting the zone of interaction between Mississippi River water, sediment and nutrients from the open Gulf of Mexico to the middle estuary, part of the Gulf's productivity will shift inland with it, perhaps ameliorating some of the imbalances which often lead to hypoxic conditions in the open Gulf. The shift will certainly lead to increases in many estuarine organisms, as the DEIS documents.

Nevertheless, as the DEIS analysis indicates, some estuarine organisms important to fishers may decline, at least in the near term, though the difference between *future with* and *future without* will decrease as sea level rises.

### **Brown Shrimp**

This near-term decline is especially true of organisms like brown shrimp which have a life cycle that will be disrupted by seasonal salinity changes. If a limiting factor on Barataria's harvestable brown shrimp populations is availability of marsh and shallow water at appropriate salinities in spring, then brown shrimp will decline. On the other hand, if other factors such as survival are the limiting factor



rather than habitat, the declines may not be as pronounced. Despite this uncertainty, the DEIS appropriately and conservatively predicts a significant decline in the brown shrimp population within the project area.

Already, many businesses in Louisiana's seafood supply chains are experiencing low to negative profit margins, a problem that is particularly true for the shrimp industry. Finding a strategy for mitigation that takes into account all of the issues facing the industry, and all of the resources that might be available beyond the mitigation funding identified by the TIG for this project available from other agencies and initiatives will be critically important for the future growth and survival of the inshore brown shrimp fishery. **We recommend a targeted mitigation effort for inshore shrimpers which includes educational training, grants to acquire necessary gear, and other mitigation identified in consultation between shrimpers and the state that could strengthen the resilience of the industry, not only to deal with the changes coming with the MBSD, but all of the other forces that will affect the ecosystem and the shrimping economy.**

## **Oysters**

For sessile oysters the area of suitable habitat conditions may actually increase as the mixing zone where ideal salinities might be found expands into the lower basin and a more reliable source of fresh water is provided by the diversion. The issue then is not habitat changes, but changes in location and loss of currently productive leases on state and private water bottoms. While oyster lease locations can eventually be moved as appropriate, the impracticality of and cost to harvesters involved with travelling longer distances from home ports becomes the issue.

Oysters in the mid-basin areas will be most adversely affected from the operation of the diversion. Appropriately, the proposed mitigation efforts for the commercial oyster industry laid out in Appendix R section 6.3.3 of the DEIS along with the initiatives in the oyster management and strategic plan provide significant resources that can help the commercial oyster industry adapt to the changes brought on by the proposed sediment diversion.

**In keeping with our environmental justice recommendations above, we suggest that specialized mitigation efforts should be targeted to economically vulnerable oyster fishers with leases that have a high probability of becoming unproductive as a result of the sediment diversion.** In this context, economically vulnerable oyster fishers are those with lower incomes that are at a higher risk of becoming unprofitable. The state should also consider giving oyster fishers who heavily rely on leases in this area alternate leases in an area that will likely be productive with the diversion.

For all impacted fisheries -- and we recognize that some of this is beyond the scope of the DEIS -- we recommend that the CPRA, working with LDWF and other appropriate state agencies:

- Continue to work with impacted fishers to identify appropriate mitigation and stewardship measures for the Final EIS, including strategies identified in Louisiana Fisheries Forward Report.<sup>3</sup>
- Adopt policies and projects that benefit the most at-risk communities in the region, including African American and Native American communities.
- Advance education and technical assistance and targeted mitigation efforts for inshore shrimpers and oyster fishermen. This could include providing educational training, grants, low interest loans and technical assistance to acquire necessary gear, so the fishers could become more resilient to the sediment diversion and other events that affect the ecosystem.
- Examine laws, policies and regulatory barriers that are not flexible enough for changing times or serve to discourage innovation and business diversification.
- Connect coastal priorities with other regional economic development and workforce initiatives, including those connected to climate, and develop pathways into the restoration economy. That way, CPRA can leverage its participation in partnerships and fund efforts strategically using existing and new resources for restoration and adaptation initiatives.

## **MONITORING AND ADAPTIVE MANAGEMENT PROGRAM: SUMMARY RECOMMENDATIONS**

A project of the size and complexity of the MBSD will require a robust monitoring program and nimble adaptive management. It is essential that the approved plan and permits allow for the full benefits of effective Monitoring and Adaptive Management Plan (MAMP). The DEIS for the Mid-Barataria Sediment Diversion Project (Appendix R2) **includes several steps and elements that would be considered appropriate for adaptive management** (as per Murray et al. 2015), such as:

- A definition that includes many essential aspects of adaptive management (see lines 272-282 from page 2 in Section 1.1.1).
- An articulation of the project's restoration objectives (see lines 354-361 from pages 3-4 in Section 1.2).
- A representation of the system and relevant pathways of effect with a conceptual ecological model (see page 6 in Figure 1.3-1 in Section 1.3).
- A description of the sources and different types of critical uncertainties of relevance to the project (see pages 9-11 in Section 1.4).
- A summary of the parameters for monitoring and evaluating performance as related to the project's restoration objectives (see pages 28-68 in Section 3.7).
- Approaches for benchmarking (see lines 2754-2778 on pages 69-70 and Table 4.2-1 in Section 4) and evaluating the data around monitoring parameters to understand project performance (see pages 70-80 in Section 4) within a broader process and schedule for annual and multi-year science synthesis and decision making (see pages 81-84 in Section 5).

<sup>3</sup><https://www.lafisheriesforward.org/louisianas-seafood-future-releases-2019-findings-report-on-fishing-industry-and-coastal-change/>

- A multi-agency governance structure and elements to oversee and guide implementation of decisions, synthesis, and evaluation of science, and adjust decisions based on the emerging science that will provide an understanding of project performance (see pages 15-20 in Section 2).

We commend CPRA for committing to a “basin-wide operations and basin monitoring data repository.” **CPRA should make this data available in a user-friendly way to the public and stakeholders, to foster a clear understanding of the project operations and measured impacts to the basin.** Development of an “information dashboard” or “clearinghouse” model for a project-specific repository, where the basin-wide data can be kept and accessed, would be useful to the public as well as diversion operators, state agencies, researchers, and other stakeholders. It could also serve as a model for similar restoration projects along the Mississippi River, or in other locations worldwide. Some of the data could even be integrated into a public facing education and recreation center on-site with the project, as has been done in other nationally significant projects around the country.

The importance of the Monitoring and Adaptive Management (MAM) Plan for this project cannot be overstated. The Barataria Basin must be continually monitored due to the complexity of the natural ecosystem, so that the impacts from this project are fully understood. This provides an opportunity for CPRA to modify project operations, if needed, to maximize restoration benefits and minimize negative impacts to fish and wildlife or communities. **Governance and decision-making should be a science-based, inclusive, and transparent process with genuine engagement and input from external experts and community stakeholders.**

Once operational, the most dramatic change resulting from MBSD will be a decrease in average salinities during operation. That change could be ameliorated by gradually decreasing average basin salinities before MBSD operation begins, and a ready tool for accomplishing that is available in the Davis Pond Freshwater Diversion. Davis Pond could be available for such an adaptive management use because of the Modification of Davis Pond feasibility study authorized in 2007 in the Water Resources Development Act (WRDA), Section 7006(e)(1)(D). A Feasibility Study was conducted, but not completed because the local sponsor (CPRA) and Corps could not agree on a preferred alternative. At the time the possibility of using Davis Pond to gradually freshen the basin was explored, and Alternative 18 which allowed this was CPRA’s Preferred Alternative. The Corps however concluded that freshening the basin in anticipation of future as-yet un-permitted diversions would be “pre-decisional”, and therefore violate NEPA. That objection will no longer apply if a favorable Record of Decision is reached for the Preferred Alternative. Using Davis Pond during the final design and construction phases of the MBSD would allow both a more gradual transition, and opportunities to study anticipated diversion effects on estuarine organisms.

In Appendix A we outline in greater detail our recommendations for a MAMP.

## **CONCLUSION**

**In conclusion, as previously articulated, we strongly support the preferred alternative of a 75,000 cfs sediment diversion, and of advancing the Mid-Barataria Sediment Diversion for funding through the LA TIG. We are grateful to USACE, the LA TIG, and the State of Louisiana for their work to advance this critical project. The future of our coast depends upon its implementation.**

A delta cannot survive without the river that built it and sustains it. That lesson has been brought home to the people of coastal Louisiana by tragedy, by the near destruction of communities by storm surge, and by ongoing deterioration of the habitats and ecosystem that sustain and define our culture. The MBSD is an important beginning to what will be an ongoing effort to re-integrate the river into the delta while preserving our precarious foothold here. Time is not on our side, and forces that we cannot control make our position more and more perilous every day. We can't continue fighting against nature--we will ultimately lose. But we can learn to better live with nature, to take advantage of what it has to offer. That road to that begins in earnest for Louisiana with the MBSD.  
Thank you for your consideration of our comments.

Sincerely,



Brian Moore  
Vice President, Gulf of Mexico Policy  
National Audubon Society



Natalie Snider,  
Senior Director, Coastal Resilience  
Environmental Defense Fund



David Muth  
Director, Mississippi River Delta and Gulf Restoration  
National Wildlife Federation



Kim Reyher,  
Executive Director  
Coalition to Restore Coastal Louisiana



Kristi Trail  
Executive Director  
Pontchartrain Conservancy



Steve Cochran  
Campaign Director  
Restore the MRD

# RESTORE

## THE MISSISSIPPI RIVER DELTA



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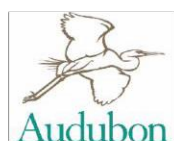
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# **APPENDIX A**

## **MONITORING AND ADAPTIVE MANAGEMENT: DETAILED RECOMMENDATIONS**

We believe there are **three fundamental improvements** to the MAMP which would increase its ability to serve the stated purpose and definition of adaptive management for the project. These improvements include: (1) clear adaptive management process, (2) better problem definition, and (3) expanding from centralized governance. These improvements can develop over time as the project is constructed, however the Final EIS should provide a roadmap for how CPRA plans to develop the AM program over the next few years prior to construction.

### **Improvement #1: Define a clear adaptive management process**

Although the MAMP includes several of the necessary and common steps / elements of adaptive management (AM), **there can be increased clarity around the adaptive management process that will be implemented.** There are a variety of different interpretations and approaches that could be adopted to support implementation of adaptive management of the project (e.g., CPRA 2017; Carruthers et al. 2020; TWIG 2020) with different programs from elsewhere tending to tailor their AM processes to suit their unique needs (e.g., Williams and Brown 2012; DSC 2013; Fischenich et al. 2016). For instance, The NRDA Monitoring and Adaptive Management Procedures and Guidelines Manual Version 1.0 (2017) (MAMPG) recommends project-level AM processes which might be suitable. The MAMP should include a similar process diagram for AM to clarify how the steps and elements described in the MAMP relate to and support the envisioned process. Lessons have been learned about some of the common elements that enable the effective implementation of AM since there is documented variability in its success (Gunderson 2015; Greig et al. 2013). Having an explicit reference to the adaptive management process to which the project is committing (i.e., the steps and supporting elements), will allow the MAMP and the envisioned AM process to be successful in serving its intended purpose.

The MAMP also **needs a clear alignment and integration of elements across steps in the envisioned AM process.** In particular, the MAMP would be strengthened by clarifying the explicit linkages between the restoration objectives (and related sub-objectives) for the project, the management actions that are within scope and will affect performance of the project, the critical management uncertainties that can be tested through adjustments in the management actions, the critical research questions that scientists can resolve through supplementary studies and learning strategies, the monitoring parameters that will be used to evaluate effectiveness of the actions and changes in status and trends of valued components, as well as the specific analytical tools, evaluation approaches, and/or learning strategies that will be used to provide answers to the critical management questions and evaluate success of project relative to its restoration objectives. The line of sight across elements can improve the AM process to provide clarity on elements and their relationship (see Improvement #2).

The MAMP can address Improvement #1 by implementing the following suggestions:

- Include a process diagram for AM which represents the process to which the MAMP is committed.
- Commit to implementing an effective AM process after the FEIS Record of Decision that draws upon experiences from elsewhere and the guidance of AM practitioners.
- Improve communication of the “line of sight” across steps and elements of the AM process to clarify how they are linked, integrated, and mutually supporting each other in the MAMP and related components of the DEIS (e.g., the impact analysis, mitigation and stewardship plan).

### **Improvement #2: Clarify the problem definition**

A second improvement in the MAMP would be to provide **clarity around the definition, scope, and framing of three fundamental elements of adaptive management**. Having a clear problem definition is fundamentally important for clarifying the focus of adaptive management for practitioners. Having a clearly defined problem was noted by Greig et al. (2013) as a fundamental enabler of success for AM programs to ensure that the approach is appropriately and clearly applied by practitioners.

A first element that can be more clearly articulated in the MAMP relates to the **measurable restoration objectives (and sub-objectives)** against which success of the project and related actions would be evaluated. The MAMP describes three objectives and then cross-references those with a list of monitoring parameters (see pages 28-68 in Section 3.7). There is an implied linkage between the restoration objectives and related monitoring parameters, but it is difficult to directly and measurably link them to the desired outcomes that are under the direct influence of the management actions within the scope of the MAMP, and relate to the valued components of most relevance to decision makers of agencies with decision authorities across the Louisiana coast. For instance, as described, the three restoration objectives do not explicitly represent the objectives of relevance to decision makers as implied in Appendix R1 (Mitigation and Stewardship Measures) which include aspects related to the decision authorities and interests of various agencies and stakeholders (e.g., marine mammals, navigation, flooding, and fisheries). The listed monitoring parameters provide a heavy emphasis on monitoring parameters related to physical conditions and it is difficult to determine how changes in these variables will relate to the outcomes that matter to relevant decision makers of affected agencies. If the performance targets and related performance measures are not clearer, it will be difficult for decision-makers to evaluate the trade-offs amongst alternative operations and effectively evaluate performance of the project.

A second element that needs to be more clearly defined involves the **decisions / management actions** to which AM would apply. Specifically, there are a range of possible interpretations



around the scope of management actions which include different points of emphasis around: (1) restoration projects as noted in the definition of AM in MAMP (see lines 272-282 from page 2 in Section 1.1.1), (2) project operations as referenced in the purpose and need in the MAMP, and (3) mitigation and stewardship strategies as listed in Appendix R1. Having agreement and a clear understanding of the scope of management actions is fundamentally important so scientists can articulate the conceptual models and related hypotheses of effect for these actions, which in turn can be tested, monitored, and evaluated through the implementation of the project by operators and decision makers.

Lastly, there should be an improved definition and additional details on the list of **critical uncertainties / questions** that affect the ability of decision makers to understand the effectiveness of their actions. Conceptual models can be a useful tool for identifying critical uncertainties. The one provided in the MAMP (see page 6 in Figure 1.3-1 in Section 1.3) could be tailored to serve this purpose and provide more detail to help identify and clarify the most important and relevant critical uncertainties for decision making. Moreover, how the modelling and assessment work from the DEIS (i.e., the impact analysis) has been or could be used to rigorously identify critical management uncertainties and how these unknowns will be evaluated / tested during the operations of the project could be clarified. The critical uncertainties are described with a mix of management uncertainties and scientific uncertainties. As noted by Nichols and Williams (2006), there is an important distinction between management uncertainties and scientific uncertainties for AM. Since it would not be appropriate to resolve all uncertainties described in the MAMP using AM, there is a need for more information about the learning strategies that are being proposed to resolve different critical uncertainties. Clearly identifying, specifying, and prioritizing the most critical uncertainties is important for an effective AM process to ensure that there is a clear focus for learning and that the proposed learning strategies can provide answers to these questions.

The MAMP can address Improvement #2 by implementing the following suggestions in the FEIS or during the development of the AM program:

- Provide greater specificity to each of the three objectives identified in the MAMP by including more specific sub-objectives that are more relevant to the valued components that matter to decision makers, are more directly measurable, and are under the influence of relevant management actions for the project (i.e., create an objectives hierarchy).
- Provide an explicit list of the specific management actions that are within scope of the MAMP.
- Use more detailed conceptual models to represent, identify, and specify the priority list of critical uncertainties that are of relevance to the management actions for the project and affect progress towards the objectives / sub-objectives. This could include development of near real-time models and decision-support tools to support the operations of the diversion after the FEIS Record of Decision but prior to operation of the diversion.

- Separate the list of identified critical uncertainties into management uncertainties or hypotheses that relate to questions about the effectiveness of management actions of relevance to the project (resolved through passive or active management experiments) and scientific uncertainties that may be important research questions for better understanding the system, but can be resolved through learning strategies other than AM (e.g., model development / application, a literature review, data synthesis / analysis, a targeted field study, long term monitoring activity, a field experiment).
- Clarify the proposed learning strategies that will be used to provide answers to the identified critical uncertainties (whether management or scientifically oriented uncertainties).

### **Improvement #3: Centralized governance**

An effective governance structure is an important ingredient for successful environmental management, generally (Dietz et al. 2003), and adaptive management, specifically (Greig et al. 2013). Effective governance structures provide an important set of functions which include: (1) trust-building, (2) knowledge generation, (3) collaborative learning, (4) preference formation, and (5) conflict resolution (Green et al. 2015). Governance systems vary in their ability to effectively provide these functions and their design has an important influence on their effectiveness. Adaptive management programs tend to require a robust governance system to effectively execute decisions, learn, and innovate in the face of uncertainty (Duit and Galaz 2008). A review of the organizational structures of four large scale AM programs across North America provides the following insights of relevance to the MAMP (Marmorek et al. 2015):

- There is no “one-size fits all” approach to effective governance since success depends on the specific context in which a governance will function.
- Statutory decision makers tend to hold the ultimate responsibility for its relevant decision authority and this decision maker can consider the views of other entities and levels of governance, but they do not relinquish their decision authority to others.
- Effective governance structures for AM tend to separate (though vertically integrate) policy, management, and technical levels of interaction and decision making with external agencies and stakeholders having roles that are integrated at one or more of these levels of interaction.
- Processes to generate technical information (i.e., synthesize the science) are separated from processes to explore preferences, resolve conflicts, and make decisions.
- The synthesis of scientific information to inform decision making tends to be completed independently by technical organizations/agencies with some form of independent peer review.

Based on this understanding of the need for effective governance and factors that contribute to its success, the proposed governance structure in the MAMP can be improved in several ways. Although there is some need for clarity about who would serve on each governance element, the

governance structure in the MAMP focuses all roles and responsibilities for project governance with CPRA (see Figure 2.1-2 on page 16). It appears that the input from any outside entities would only be provided as advisory opportunities with CPRA (i.e., a one-way dialogue). As well, the proposed governance structure seems to mix technical responsibilities with management responsibilities across multiple governance elements. For instance, the Data Management Team and AM Team both have technical responsibilities (e.g., data management, assessment/analysis, reporting). Likewise, the AM Team and Operations Team both have management responsibilities. Based on the experience of effective governance structures for AM programs elsewhere, it could be difficult for the AM Team to have responsibilities for both generating science and contributing to management recommendations. External audiences will be less likely to trust the impartiality of the science being provided to decision makers because they are one and the same. A more effective structure would include a Technical Team that is clearly tasked with managing data, analyzing it, being responsive to peer review, and providing an impartial interpretation / reporting of the evidence to decision makers. This team should comprise an interdisciplinary team of experts, both internal and more importantly external to CPRA, and include good-faith representation of traditional ecological knowledge. Traditional ecological knowledge could be included through researchers that are tasked with gathering information from a large number of fishers and community members and synthesizing information for decision-makers. The Technical Team should be designed to provide independent, science-based assessments to the other teams. In addition to the Technical team, CPRA should consider standing up an interdisciplinary group of national experts to periodically review the science and management actions. This project is of national significance and engaging experts outside of Louisiana, such as the LCA Science and Technical Board or the Coastal Master Plan Science and Engineering Board, can provide decision-makers with additional science support.

The Management Team could then be responsible for ensuring the Technical Team and any external science panel understands the management relevant science around which to focus, evaluating the evidence that emerges from that Team, considering trade-offs among different performance objectives, integrating the different perspectives and risk tolerances of different internal / external audiences, and then developing a management recommendation or a summary of options for approval by senior executives with the ultimate decision authority. Operators will also have an essential voice in iteratively developing management recommendations with a Management Team so that what is being proposed can feasibly be implemented, but decisions should be guided by a clear structure and process that considers the scientific evidence and carefully evaluates trade-offs among alternative decisions.

Over the course of 2020, Environmental Defense Fund in partnership with Restore the Mississippi River Delta coalition convened a group of local stakeholders wanting to learn more about adaptive management for a sediment diversion and how to effectively communicate this topic back to their communities. In addition, the participants provided a number of recommendations on AM

governance that are reflected in the improvements suggested as the DEIS moves forward including identifying a process for how members of the governance structure are chosen or nominated and how long they may serve in a group.

The MAMP can address Improvement #3 by implementing the following suggestions in the FEIS or during the development of the AM program:

- Provide additional clarity about the size, membership from representative organizations, and process for selecting members in the different elements of the governance structure.
- Provide additional clarity around the specific types / examples of decisions that would be considered by each element in the governance structure.
- Separate technical roles (i.e., Technical Focus Group, Peer Review, Data Management Team) from management roles (i.e., AM Team, Operations Team, Executive Team) and clarify that the responsibility of technical roles is to maintain credibility and provide impartial evidence for decision making which involves much more than just data management (e.g., data management, modelling / analysis, scientific interpretation, knowledge synthesis, reporting). Consider engaging experts external to Louisiana.
- Link activities of the Technical Focus Groups / Peer Review to the Data Management Team, as opposed to the AM Team, or provide some alternate governance arrangement that appropriately concentrates technical responsibilities and separates these responsibilities from representatives with management responsibilities.
- Decentralize management responsibilities in the governance structure to enable broader engagement, two-way dialogue, and development of joint recommendations involving multiple interests into decision making (as opposed to a one-way consideration of inputs from a Stakeholder Review Panel or Stewardship Group). Broader engagement may be more appropriate for an AM Team (those involved in recommending a decision) as opposed to an Operations Team (those involved in implementing a decision). A decentralized management structure could still retain a single entity as the ultimate decision authority (e.g., Executive Team), and could allow for an engagement process that recognizes differences in decision authority of different entities (e.g., authorities of federal agencies).
- Provide additional clarity about the engagement process and capacity that will be provided to support implementation of a multi-agency and stakeholder governance structure.
- Clarify linkages between the governance elements, annual / multi-year schedule (as noted in Figure 5.2-1 on page 82), and specific activities that would be conducted to support science and decision-making in the AM process (i.e., clarify linkages between the who, when, and what).

As illustrated by the three fundamental improvements described above, additional work can be done to strengthen and improve the effectiveness of the AM process in the MAMP. Developing a robust AM plan and committing to an effective AM process will serve the mutual interests of CPRA and other decision makers / stakeholders. An effective AM plan and process would increase

the scientific defensibility and evidence base that supports decision-making, focus costs of monitoring on parameters that are of most relevance to decision makers, ensure that investments in mitigation and stewardship measures are targeting outcomes that can be attributed to the project (as opposed to addressing outcomes that are attributable to broader ecosystem changes outside the influence of the project), and contribute to greater transparency, buy-in, and support for the project and its operations. Ultimately, a strong AM process will help reduce disagreements around the scientific evidence serving decision makers (i.e., disputes around causation) and help ensure the dialogue among interests are focused on resolving underlying disagreement in desired outcomes (i.e., disputes around preferences, see Lee 1993).

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# **APPENDIX B**



Mid-Barataria Sediment Diversion Media Resources

|                                                                                                                    | Title                                                                                                                                           | Link                                                                                                                                                                                                                                                                                                                                                          |                                    |                                   |                        |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------------|------------------------|
| <b>Blog Posts</b>                                                                                                  | <a href="#">Soaring Above Louisiana's Coast Shows How We Can Restore It</a>                                                                     |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Without the Mid-Barataria Sediment Diversion, the Future for Louisiana's Barataria Basin is Bleak</a>                               |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Seeing is Believing When It Comes to Restoring Coastal Louisiana</a>                                                                | <a href="#">Vanishing Paradise</a>                                                                                                                                                                                                                                                                                                                            |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Project Synergies: Getting the Most Bang for our Buck from Coastal Restoration</a>                                                  |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Let's Get Muddy: How A Mixture of Mud and Sand Can Help Revive Louisiana's Wetlands</a>                                             |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Helping Communities Participate in the NEPA Scoping Process</a>                                                                     |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Mid-Barataria Sediment Diversion Takes Another Step Forward</a>                                                                     |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Decoding Diversion Permitting: What the Federal Dashboard Means for Restoring Coastal Louisiana</a>                                 |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Facing Continued Land Loss, Mississippi River Delta Needs Diversions More Than Ever</a>                                             |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Legal Action from the State on Mid-Barataria Delays Will Be Necessary Without Agreement</a>                                         |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Plaquemines Gazette Letter to the Editor: River Diversions</a>                                                                      |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Can We Build Stable Land in the Mississippi River Delta with River Sediments?</a>                                                   |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">The Mississippi River is Our Greatest Force for Building Land</a>                                                                   |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">A Cornerstone for Coastal Restoration: The Mid-Barataria Sediment Diversion</a>                                                     |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">5 Places in Plaquemines Parish Building Land Because of the Mississippi River</a>                                                   |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Maurepas Swamp Diversion Selected as Priority in Gulf Restoration Plan</a>                                                          |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">New Study Shows Construction of Sediment Diversions Will Deliver Significant Economic Benefits</a>                                  |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">New report studies river diversions as an important restoration tool</a>                                                            |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Mississippi River Diversions Workshop Tackles Difficult Scientific Questions</a>                                                    |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">The Next 50 Years: Sediment diversions as a necessary restoration tool</a>                                                          |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Coastal restoration as a climate change adaptation strategy</a>                                                                     |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">NRDA Trustees should consider long-term sustainability of wetland creation projects</a>                                             |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Study looks at sediment and water flow through Mississippi River, helps scientists plan effective restoration projects</a>          |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Study demonstrates importance of sediment diversions for building land in the Mississippi River Delta</a>                           |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Study on sedimentation will help planners develop effective river diversions</a>                                                    |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Opening of Bonnet Carré Spillway provides insight into use of river sediments</a>                                                   |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">The History of the Mid-Barataria Sediment Diversion</a>                                                                             |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">The Mississippi River is America's trade artery. It's time to make it more resilient to climate change.</a>                         |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">To preserve its coast, Louisiana must plan for the future</a>                                                                       |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Amid More Frequent Bonnet Carré Spillway Openings, Upriver Diversions Can be a Solution</a>                                         |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <a href="#">A Mini-Diversion in Boston is Paving the Way for Louisiana's Boldest Coastal Project</a>               |                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <a href="#">Losing Ground and Gaining Perspective</a>                                                              |                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <a href="#">A Quick Jaunt from New Orleans Reveals the Opportunity to Restore Louisiana's Coast</a>                |                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <b>Reports</b>                                                                                                     | <a href="#">The Mississippi River is Our Greatest Force for Building Land</a>                                                                   |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">A Tale of Two Basins: Why One is Thriving While the Other is Dying</a>                                                              |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Recommendations for Operating a Sediment Diversion that Balances Ecosystem and Community Needs</a>                                  |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">What is Needed to Protect and Restore one of the Gulf Coast's Largest Swamps?</a>                                                   |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Optimizing Sediment Diversion Operations: Working Group Recommendations for Integrating Complex Ecological and Social La</a>        |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">The Geology of Land Building Using Mississippi River Sediment Diversions</a>                                                        |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Building Land in Coastal Louisiana: Supplemental Information</a>                                                                    |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <a href="#">Loren Scott - The Economic Impact of Constructing Mid-Barataria and Mid-Breton Sediment Diversions</a> |                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <a href="#">Ten Questions</a>                                                                                      |                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <b>Fact Sheets</b>                                                                                                 | <a href="#">Sediment Diversions One-Pager</a>                                                                                                   |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">MBSD One-Pager</a>                                                                                                                  | <a href="https://mississippiriverdelta.org/files/2018/09/Sediment-Diversion-factsheet-8.30.18.pdf">https://mississippiriverdelta.org/files/2018/09/Sediment-Diversion-factsheet-8.30.18.pdf</a>                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">NFWF MBSD 1</a>                                                                                                                     | <a href="https://mississippiriverdelta.org/files/2018/09/MBSD-policy-factsheet-7.27.18-FINAL.pdf">https://mississippiriverdelta.org/files/2018/09/MBSD-policy-factsheet-7.27.18-FINAL.pdf</a>                                                                                                                                                                 |                                    |                                   |                        |
|                                                                                                                    | <a href="#">NFWF MBSD 2</a>                                                                                                                     | <a href="https://mississippiriverdelta.org/files/2017/02/Mid-B.pdf">https://mississippiriverdelta.org/files/2017/02/Mid-B.pdf</a>                                                                                                                                                                                                                             |                                    |                                   |                        |
| <b>Monograph</b>                                                                                                   | <a href="#">Perspectives on the Restoration of the Mississippi River Delta, The Once and Future Delta, Day et al. ed.</a>                       |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <b>Web Links</b>                                                                                                   | <a href="#">MRD Diversions Page</a>                                                                                                             | <a href="https://mississippiriverdelta.org/restoration-solutions/sediment-diversions/">https://mississippiriverdelta.org/restoration-solutions/sediment-diversions/</a>                                                                                                                                                                                       |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Diversion Operations Expert Working Group</a>                                                                                       | <a href="https://mississippiriverdelta.org/learning/diversion-ops-report/">https://mississippiriverdelta.org/learning/diversion-ops-report/</a>                                                                                                                                                                                                               |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Envisioning Our Future Coast</a>                                                                                                    | <a href="https://www.ourfuturecoast.org/">https://www.ourfuturecoast.org/</a>                                                                                                                                                                                                                                                                                 |                                    |                                   |                        |
| <b>Videos</b>                                                                                                      | <a href="#">Coast360</a>                                                                                                                        | <a href="https://www.youtube.com/watch?v=VYsHX91RW0o">https://www.youtube.com/watch?v=VYsHX91RW0o</a>                                                                                                                                                                                                                                                         |                                    |                                   |                        |
|                                                                                                                    | <a href="#">A local's take on the Mid-Barataria Sediment Diversion</a>                                                                          | <a href="https://www.youtube.com/watch?v=KzvgMlrv_vk">https://www.youtube.com/watch?v=KzvgMlrv_vk</a>                                                                                                                                                                                                                                                         |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Visiting the Mini Mid Barataria Sediment Diversion</a>                                                                              | <a href="https://www.youtube.com/watch?v=wcW7LA0tqmo">https://www.youtube.com/watch?v=wcW7LA0tqmo</a>                                                                                                                                                                                                                                                         |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Mid Barataria sediment diversion construction proposal</a>                                                                          | <a href="https://www.youtube.com/watch?v=Rj_w1T3VP5g">https://www.youtube.com/watch?v=Rj_w1T3VP5g</a>                                                                                                                                                                                                                                                         |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Mississippi River Sediment Diversion Structure Preliminary Construction Scheme</a>                                                  | <a href="https://www.youtube.com/watch?v=UwAQ62DrQBw">https://www.youtube.com/watch?v=UwAQ62DrQBw</a>                                                                                                                                                                                                                                                         |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Mending the Marsh (2011) - The Wax &amp; Myrtle Grove</a>                                                                           | <a href="https://www.youtube.com/watch?v=gqKRWXyKRwc">https://www.youtube.com/watch?v=gqKRWXyKRwc</a>                                                                                                                                                                                                                                                         |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Last Call for the Bayou: The Duck Queen</a>                                                                                         | <a href="https://www.smithsonianchannel.com/video/series/last-call-for-the-bayou/71139">https://www.smithsonianchannel.com/video/series/last-call-for-the-bayou/71139</a>                                                                                                                                                                                     |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Last Call for the Bayou: Mud, Sweat and Fears</a>                                                                                   | <a href="https://www.smithsonianchannel.com/video/series/last-call-for-the-bayou/71137">https://www.smithsonianchannel.com/video/series/last-call-for-the-bayou/71137</a>                                                                                                                                                                                     |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Vanishing Paradise Short Film</a>                                                                                                   | <a href="https://www.vanishingparadise.org/blc/q/2018/1/release-of-vanishing-paradise-short-film">https://www.vanishingparadise.org/blc/q/2018/1/release-of-vanishing-paradise-short-film</a>                                                                                                                                                                 |                                    |                                   |                        |
|                                                                                                                    | <a href="#">A View of Restoration from the Barataria Basin</a>                                                                                  | <a href="https://www.youtube.com/watch?v=Jr3dP7W008t=42s">https://www.youtube.com/watch?v=Jr3dP7W008t=42s</a>                                                                                                                                                                                                                                                 |                                    |                                   |                        |
| <a href="#">CSED - Tour of the Lower 8th Ward</a>                                                                  | <a href="https://www.youtube.com/watch?v=ZwCNT6j-Hxs">https://www.youtube.com/watch?v=ZwCNT6j-Hxs</a>                                           |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <a href="#">Envisioning Our Future Coast</a>                                                                       | <a href="https://www.youtube.com/watch?v=396986288">https://www.youtube.com/watch?v=396986288</a>                                               |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <a href="#">NEW (2021) New Land in a Disappearing Delta</a>                                                        | <a href="https://www.youtube.com/watch?v=L3MBqVrh3Gc&amp;feature=youtu.be">https://www.youtube.com/watch?v=L3MBqVrh3Gc&amp;feature=youtu.be</a> |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <a href="#">NEW (2021) Our Best Shot at Restoring Louisiana: Take a Tour with a Local Leader</a>                   | <a href="https://www.youtube.com/watch?v=xKAww64oqts&amp;feature=youtu.be">https://www.youtube.com/watch?v=xKAww64oqts&amp;feature=youtu.be</a> |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <b>Miscellaneous</b>                                                                                               | <a href="#">Sediment Quiz</a>                                                                                                                   | <a href="https://mississippiriverdelta.org/our-coastal-crisis/wasted-sediment/challenge/">https://mississippiriverdelta.org/our-coastal-crisis/wasted-sediment/challenge/</a>                                                                                                                                                                                 |                                    |                                   |                        |
|                                                                                                                    | <a href="#">Faith Leader Sign-On Letter 2017</a>                                                                                                | <a href="https://mississippiriverdelta.org/louisiana-faith-leaders-support-coastal-restoration/">https://mississippiriverdelta.org/louisiana-faith-leaders-support-coastal-restoration/</a>                                                                                                                                                                   |                                    |                                   |                        |
| <b>Google Earth Tours</b>                                                                                          | <a href="#">A Tale of Two Basins</a>                                                                                                            | <a href="https://earth.google.com/web/@38.27113824,-92.17195838,209.71269851a,3460606.47011392d,30y,0h,0l,0r/data= Mick,IQoic,IEx,RE,RI,1NxmknctU1ZINZB5VExrOUIFSd3VkdEpfVmpFeEg">https://earth.google.com/web/@38.27113824,-92.17195838,209.71269851a,3460606.47011392d,30y,0h,0l,0r/data= Mick,IQoic,IEx,RE,RI,1NxmknctU1ZINZB5VExrOUIFSd3VkdEpfVmpFeEg</a> |                                    |                                   |                        |
|                                                                                                                    | <a href="#">River Fest 2020 - Mississippi River Tour</a>                                                                                        | <a href="https://earth.google.com/web/@38.29153635,-92.17306469,221.57506608a,3453380.73931589d,30y,0h,0l,0r/data= Mick,IQoic,IEx,ZTRUJKVVRHY4cXgEElzaDjheTaaKOUU2022WzBHo?pi=1">https://earth.google.com/web/@38.29153635,-92.17306469,221.57506608a,3453380.73931589d,30y,0h,0l,0r/data= Mick,IQoic,IEx,ZTRUJKVVRHY4cXgEElzaDjheTaaKOUU2022WzBHo?pi=1</a>   |                                    |                                   |                        |
|                                                                                                                    | <a href="#">UNR Fivover 2019</a>                                                                                                                | <a href="https://earth.google.com/web/@29.28690552,-90.6992147,-0.18831487a,139437.27203049d,30y,0h,0l,0r/data= Mick,IQoic,IEx,am,JVymczYfRSaV4VvFK4U2iNIMdxxRWRfMFRG0VpHf?pi=1">https://earth.google.com/web/@29.28690552,-90.6992147,-0.18831487a,139437.27203049d,30y,0h,0l,0r/data= Mick,IQoic,IEx,am,JVymczYfRSaV4VvFK4U2iNIMdxxRWRfMFRG0VpHf?pi=1</a>   |                                    |                                   |                        |
| <b>Delta Dispatches Episodes</b>                                                                                   |                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                               |                                    |                                   |                        |
| <b>Episode</b>                                                                                                     | <b>Topic</b>                                                                                                                                    | <b>Segment 1 Guest</b>                                                                                                                                                                                                                                                                                                                                        | <b>Segment 2 Guest</b>             | <b>Segment 3 Guest</b>            | <b>Segment 4 Guest</b> |
| 3                                                                                                                  | Diversions                                                                                                                                      | Rudy Simoneaux, Brad Barth (CPRA)                                                                                                                                                                                                                                                                                                                             | Rudy Simoneaux, Brad Barth (CPRA)  | Rudy Simoneaux, Brad Barth (CPRA) | Rebecca Triche (LWF)   |
| 10                                                                                                                 | Operations                                                                                                                                      | Natalie Peyronin (EDF)                                                                                                                                                                                                                                                                                                                                        | Natalie Peyronin (EDF)             | Jimmy Frederick (CRCL)            | Jimmy Frederick (CRCL) |
| 17                                                                                                                 | Deltas                                                                                                                                          | David Muth (NWF)                                                                                                                                                                                                                                                                                                                                              | David Muth (NWF)                   | Alex Kolker (LUMCON)              | Alex Kolker (LUMCON)   |
| 20                                                                                                                 | MBSD Scoping                                                                                                                                    | Amy Streitwieser, Teresa Chan, ELI                                                                                                                                                                                                                                                                                                                            | Amy Streitwieser, Teresa Chan, ELI | Natalie Peyronin, EDF             | Natalie Peyronin, EDF  |
| 24                                                                                                                 | Sediment                                                                                                                                        | Jim Robbins (Journalist)                                                                                                                                                                                                                                                                                                                                      | Jim Robbins (Journalist)           | Alex Kolker (LUMCON)              | Alex Kolker (LUMCON)   |

|                        |                                                                                                                                                                                     |                                                                                                                                                                                                                                                                             |                                        |                                      |                                      |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------------------------------|--------------------------------------|
| 51                     | SCIENCE STUDIES                                                                                                                                                                     | Alex Kolker (LUMCON)                                                                                                                                                                                                                                                        | Alex Kolker (LUMCON)                   | Clint Wilson (LSU)                   | Clint Wilson (LSU)                   |
| 64                     | Mythbusting Diversions                                                                                                                                                              | Alisha Renfro (NWF)                                                                                                                                                                                                                                                         | Alisha Renfro (NWF)                    | Alisha Renfro (NWF)                  | Alisha Renfro (NWF)                  |
| 86                     | Bonnet Carre Opening                                                                                                                                                                | Kristi Trail, Executive Director, LPBF                                                                                                                                                                                                                                      | Kristi Trail, Executive Director, LPBF | Chip Kline (CPRA)                    | Alisha Renfro (NWF)                  |
| 88                     | Freshwater Diversions                                                                                                                                                               | Erin Plitsch (CPRA)                                                                                                                                                                                                                                                         | Erin Plitsch (CPRA)                    | Erin Plitsch (CPRA)                  | Erin Plitsch (CPRA)                  |
| 99                     | Untaming the Mighty Mississippi                                                                                                                                                     | Tristan Baurick (Times Pic/NOLA.com)                                                                                                                                                                                                                                        | Tristan Baurick (Times Pic/NOLA.com)   | Tristan Baurick (Times Pic/NOLA.com) | Tristan Baurick (Times Pic/NOLA.com) |
| 100                    | Epsidoe 100 with The Governor                                                                                                                                                       | Governor John Bel Edwards                                                                                                                                                                                                                                                   | Governor John Bel Edwards              | Governor John Bel Edwards            | Governor John Bel Edwards            |
| 101                    | High River De-brief                                                                                                                                                                 | Alisha Renfro (NWF)                                                                                                                                                                                                                                                         | Alisha Renfro (NWF)                    | Natalie Snider (EDF)                 | Natalie Snider (EDF)                 |
| 104                    | Weather & Diversions                                                                                                                                                                | Steve Caparotta (WAFB)                                                                                                                                                                                                                                                      | Steve Caparotta (WAFB)                 | Steve Caparotta (WAFB)               | David Muth (NWF)                     |
| 105                    | Fishing with Diversions                                                                                                                                                             | Chris Macaluso (TRCP)                                                                                                                                                                                                                                                       | Chris Macaluso (TRCP)                  | Todd Masson (Writer)                 | Todd Masson (Writer)                 |
| 117                    | Diversions 2020                                                                                                                                                                     | Brad Barth (CPRA)                                                                                                                                                                                                                                                           | Brad Barth (CPRA)                      | Rudy Simoneaux (CPRA)                | Rudy Simoneaux (CPRA)                |
| 134                    | Upriver Diversions & Pontchartrain Conservancy                                                                                                                                      | Ehab Meseihe (Tulane)                                                                                                                                                                                                                                                       | Ehab Meseihe (Tulane)                  | Kristi Trail (PC)                    | Kristi Trail (PC)                    |
| 135                    | Mid-Breton Scoping                                                                                                                                                                  | Brad Laborde & Jeff Varisco (USACE)                                                                                                                                                                                                                                         | Brad Laborde & Jeff Varisco (USACE)    | Amy Reed & Stephanie Oehler (ELI)    | Amy Reed & Stephanie Oehler (ELI)    |
| <b>News Articles</b>   | <b>Title</b>                                                                                                                                                                        | <b>Link</b>                                                                                                                                                                                                                                                                 |                                        |                                      |                                      |
|                        | Scientists Sign-On Letter                                                                                                                                                           | <a href="https://drive.google.com/file/d/0B50zQJNmJStamZBNmk1d0FQn1U/view">https://drive.google.com/file/d/0B50zQJNmJStamZBNmk1d0FQn1U/view</a>                                                                                                                             |                                        |                                      |                                      |
|                        | Guest column: This is no time to give up on Louisiana's coast                                                                                                                       | <a href="https://www.theadvocate.com/baton_rouge/opinion/article_3f402a0c-a69e-11ea-a9d8-1365263788dd.htm">https://www.theadvocate.com/baton_rouge/opinion/article_3f402a0c-a69e-11ea-a9d8-1365263788dd.htm</a>                                                             |                                        |                                      |                                      |
|                        | WAX LAKE IS A TEST TUBE ON HOW TO CREATE A DELTA                                                                                                                                    | <a href="https://www.stmarynow.com/outdoor/wax-lake-test-tube-how-create-delta">https://www.stmarynow.com/outdoor/wax-lake-test-tube-how-create-delta</a>                                                                                                                   |                                        |                                      |                                      |
|                        | Scientists set out to answer a question that has plagued them since Hurricane Katrina                                                                                               | <a href="https://www.fox8live.com/story/36468527/scientists-set-out-to-answer-a-question-that-has-plagued-them-since-hurricane-katrina/">https://www.fox8live.com/story/36468527/scientists-set-out-to-answer-a-question-that-has-plagued-them-since-hurricane-katrina/</a> |                                        |                                      |                                      |
|                        | Guest column: Diversion projects critical for Louisiana coast                                                                                                                       | <a href="https://www.theadvocate.com/baton_rouge/opinion/article_d5dca016-e85a-11e8-bc7a-4f60c74f9206.html">https://www.theadvocate.com/baton_rouge/opinion/article_d5dca016-e85a-11e8-bc7a-4f60c74f9206.html</a>                                                           |                                        |                                      |                                      |
|                        | Mississippi River's high water is a missed opportunity to restore the coast   Opinion                                                                                               | <a href="https://www.nola.com/opinions/article_20588c63-9e05-5dfe-b2c2-83f7aca52d57.html">https://www.nola.com/opinions/article_20588c63-9e05-5dfe-b2c2-83f7aca52d57.html</a>                                                                                               |                                        |                                      |                                      |
|                        | In the sky with Restore the Mississippi River Delta                                                                                                                                 | <a href="https://wgno.com/on-air/in-the-sky-with-restore-the-mississippi-river-delta/">https://wgno.com/on-air/in-the-sky-with-restore-the-mississippi-river-delta/</a>                                                                                                     |                                        |                                      |                                      |
|                        | Guest column: Saving Louisiana's coast is not out of reach                                                                                                                          | <a href="https://www.theadvocate.com/baton_rouge/opinion/article_80bbeb80-a697-11ea-be0b-bbb221934d3.html">https://www.theadvocate.com/baton_rouge/opinion/article_80bbeb80-a697-11ea-be0b-bbb221934d3.html</a>                                                             |                                        |                                      |                                      |
|                        | Coastal restoration and the regional economy, post-Katrina                                                                                                                          | <a href="https://neworleanscitybusiness.com/blog/2020/08/19/coastal-restoration-and-the-regional-economy-post-katrina/">https://neworleanscitybusiness.com/blog/2020/08/19/coastal-restoration-and-the-regional-economy-post-katrina/</a>                                   |                                        |                                      |                                      |
|                        | Caernarvon Freshwater Diversion Project works to rebuild wetlands                                                                                                                   | <a href="https://www.wdsu.com/article/caernarvon-freshwater-diversion-project-works-to-rebuild-wetlands/28944312#">https://www.wdsu.com/article/caernarvon-freshwater-diversion-project-works-to-rebuild-wetlands/28944312#</a>                                             |                                        |                                      |                                      |
|                        | Old accident in Mississippi Delta holds lessons for saving Louisiana's coast                                                                                                        | <a href="https://www.nola.com/news/environment/article_da03ee50-3631-54d3-ae1c-84ff959d285f.html">https://www.nola.com/news/environment/article_da03ee50-3631-54d3-ae1c-84ff959d285f.html</a>                                                                               |                                        |                                      |                                      |
|                        | Guest column: Rebuilding coast demands commitment, and willingness to change                                                                                                        | <a href="https://www.theadvocate.com/baton_rouge/opinion/article_edb24246-e622-11ea-b191-6b2e52384907.html">https://www.theadvocate.com/baton_rouge/opinion/article_edb24246-e622-11ea-b191-6b2e52384907.html</a>                                                           |                                        |                                      |                                      |
|                        | Mid-Barataria Sediment Diversion could create, save 47 square miles of land over 50 years                                                                                           | <a href="https://www.nola.com/news/environment/article_fba3837c-28d8-11ea-844c-bf1ddc3a10e1.html">https://www.nola.com/news/environment/article_fba3837c-28d8-11ea-844c-bf1ddc3a10e1.html</a>                                                                               |                                        |                                      |                                      |
|                        | Mississippi River Diversions Could Save Louisiana's Drowning Coast                                                                                                                  | <a href="https://www.enr.com/articles/44968-mississippi-river-diversions-could-save-louisianas-drowning-coast">https://www.enr.com/articles/44968-mississippi-river-diversions-could-save-louisianas-drowning-coast</a>                                                     |                                        |                                      |                                      |
|                        | State officials defend water diversions for restoring coastline                                                                                                                     | <a href="https://www.houmatoday.com/news/20190817/state-officials-defend-water-diversions-for-restoring-coastline">https://www.houmatoday.com/news/20190817/state-officials-defend-water-diversions-for-restoring-coastline</a>                                             |                                        |                                      |                                      |
|                        | Letters: Without diversions, some coastal communities would vanish                                                                                                                  | <a href="https://www.theadvocate.com/baton_rouge/opinion/letters/article_f30e06b8-ca7a-11e9-9440-b382d85cc62c.html">https://www.theadvocate.com/baton_rouge/opinion/letters/article_f30e06b8-ca7a-11e9-9440-b382d85cc62c.html</a>                                           |                                        |                                      |                                      |
|                        | A Mini-Mississippi River May Help Save Louisiana's Vanishing Coast                                                                                                                  | <a href="https://www.nytimes.com/2020/02/25/climate/louisiana-mississippi-river-model.html">https://www.nytimes.com/2020/02/25/climate/louisiana-mississippi-river-model.html</a>                                                                                           |                                        |                                      |                                      |
|                        | Drastic Measures: Conservation and the murky future of Louisiana's embattled coast                                                                                                  | <a href="https://www.myneworleans.com/drastic-measures/">https://www.myneworleans.com/drastic-measures/</a>                                                                                                                                                                 |                                        |                                      |                                      |
| <b>Podio Resources</b> | <b>Link</b>                                                                                                                                                                         | <b>Notes</b>                                                                                                                                                                                                                                                                |                                        |                                      |                                      |
|                        | <a href="https://podio.com/edforq/mississippi-river-delta/apps/file-library/items/37">https://podio.com/edforq/mississippi-river-delta/apps/file-library/items/37</a>               | Sediment Diversions Tool-Kit (A Collection of Blogs, Videos, Articles, etc.)                                                                                                                                                                                                |                                        |                                      |                                      |
|                        | <a href="https://podio.com/edforq/mississippi-river-delta/apps/workplan-strategies/items/27">https://podio.com/edforq/mississippi-river-delta/apps/workplan-strategies/items/27</a> | Blogs/Articles/Resources related to Priority Projects Advancement Workplan Strategy                                                                                                                                                                                         |                                        |                                      |                                      |

[https://www.theadvocate.com/baton\\_rouge/opinion/letters/article\\_c40df1b4-b97c-11eb-9a7b-77e8576d875d.html](https://www.theadvocate.com/baton_rouge/opinion/letters/article_c40df1b4-b97c-11eb-9a7b-77e8576d875d.html)

# Mark Davis: More than past time to move with Mid-Barataria diversion

BY MARK DAVIS

MAY 21, 2021 - 6:00 PM

Coastal Louisiana is in trouble. The state's once vast system of coastal wetlands and estuaries has shrunk by more than 1,800 square miles and more loss is on the way. We can debate the causes for that, but what is not debatable is that our state is disappearing fast and our options for keeping any significant part of it are extremely limited.

For years, the Mid-Barataria Sediment Diversion has been a linchpin of Louisiana's coastal protection and restoration plans. Basically, the project will reintroduce the waters and sediments of the Mississippi River back into a landscape the river once built but has been divorced from. Despite all of that planning and discussion, there are still uncertainties about the project and questions about its negative impacts and who will bear them. Some of those uncertainties involve questions of science and engineering that are way beyond my expertise to



process that authorized and funded the project and there is little prospect of doing something meaningful other than the MBSD.

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The MBSD alone won't save our coast. It will need to be supplemented by a wide array of other projects and programs to help communities adapt to the changes ahead. But it is inconceivable that our coast has a fighting chance without projects of the MBSD's scale — projects that reengage the river with the coast it built and do it soon. The choice is not between dropping MBSD and keeping our coast as it is. The choice is between not doing the MBSD and losing our coast and all that entails. Because, if we are unable to find a way to move the MBSD forward, then I don't see us coming together around any other major projects in time for them to matter. That is where we are.

**MARK DAVIS**

*director, Tulane Center for Environmental Law*





## OP-ED: The Mississippi River is our strongest asset to hold onto our Coast, it

By: CityBusiness Guest Perspective © May 21, 2021 1 Comment

Throughout my life and career — growing up in Louisiana, working during college summers on a towboat pushing oil and chemical barges up the river from Baton Rouge, working to “Save Our Lake” in the early years of the Lake Pontchartrain Basin Foundation (now Pontchartrain Conservancy), and working from D.C., and now New Orleans, to rebuild our disappearing coast — I have remained in awe of the power and beauty of the Mississippi River. This river is an ecological treasure, an economic engine for the world, and it literally built the delta on which we live today.

Efforts to control the river for shipping and protect our communities from annual floods resulted in walls (levees) that severed the vital connection between the river and the land-building necessary to sustain its delta. That connection was to the sediment and freshwater delivered by the spring floods every year, which built and sustained the land outside of the river banks. While this management approach allowed us to maintain a degree of control over the river, it also created a false perception that things would remain relatively constant along our river and across our coast.

One thing about Louisiana’s coast is clear — there is no status quo. Change is the constant. There was a time when people learned to live with the nature and adapt to the changes it brought us. We built elevated homes that could withstand regular flooding events. We harvested and managed the natural cycles of our estuaries.

When prior generations leveed the river, they disrupted a natural cycle, the consequences of which we are now confronting in a big way. With climate change onto the scene, that disruption has become critical.

In a few generations, Louisiana has lost a land mass equivalent to Delaware. As those losses have continued, communities have been pushed north with each subsequent storm — confronted by increased tidal flooding during even sunny days, and more severe storm surges that have encroached further inland, throwing out of balance our estuaries and threatening the natural resources that helped shape our state, the Sportsman's Paradise.

Despite these challenges, we can still effect change for the positive. While we won't be able to get back to the coast of yesterday or have today, we have a very powerful asset to deploy as we work to maintain a sustainable coast for tomorrow.

How do we get there? Louisiana is currently advancing a powerful project to reconnect the Mississippi River to build and maintain the Barataria Basin — one of our nation's most productive, and most threatened, estuaries. The project is called the Mid-Barataria Basin, the largest individual ecosystem restoration project in U.S. history.

When operating in concert with the range of other projects in Louisiana's Coastal Master Plan, this is our greatest asset against land loss, and it is one that no other coastal region in the U.S. has at its disposal. As cities like Miami and New York confront how to protect against stronger hurricanes and rising seas, they would be so lucky to have our powerful river and its annual supply of sediment to push back the forces. Shame on us if we don't use it.

Sediment diversions are backed by decades of research, and scientists, engineers and coastal planners have all pointed to these projects as vital to maintaining a future for Louisiana's coast.

There are, of course, some opposed to the project who claim that we can somehow maintain the status quo of our coast, our fisheries without this project. That is simply not true.

A future without the Mid-Barataria Sediment Diversion will give in to massive change and disruption. And, if we don't take action, the impacts around sea level rise will significantly add to that disruption.

That's not to say that the diversion won't cause some near-term disruptions on its own, as it restores the health and balance to the ecosystem. From this perspective, "restoring" will mean moving the Barataria Basin in the direction of how it was decades ago — a healthier, more freshwater system of the restored flow of the river, rather than the more weakened, saline system of today. And this movement has direct implications for the communities that have come to depend economically on the system as it exists now. The places to harvest commercial species like oysters, shrimp and crab will most likely move in the direction of their earlier habitats supported by higher salinity levels. So growers and harvesters will need to be viable, meaning oysters leases in different places than today, and shrimp and salt water fin-fish in different areas as habitats as history have moved, so we know how to adapt, because we always have; but that doesn't mean it's easy.

To help manage these short-term changes, the state is advancing a mitigation and stewardship plan to help people and wildlife adapt, and to advance coastal monitoring systems and science. Now is the time for all parties to come to the table and be upfront about what their needs are, and their part to help meet them. Our state has to do its job to restore the coast that protects our region, and that can be done without leaving people behind.

The project will also bring desperately needed jobs and economic growth. It would spur \$1.4 billion in regional investment through the Deepwater Horizon oil spill. With that investment, Plaquemines Parish, where the project would be constructed, and the surrounding Terrebonne and Jefferson parishes — would expect to see a significant economic boost. Overall household earnings in our region could increase annually, supporting 12,400 additional local jobs and boosting sales to regional businesses by nearly \$1.5 billion.

These are exactly the types of investments that Louisiana, and other coastal areas across the country, need to confront the challenges of sea level rise and hurricanes. During this month's trip to New Orleans and Lake Charles, an area still recovering from last year's hurricanes, President Biden proposed a Jobs Plan. This plan recognizes that revitalizing our economy must include investing in natural infrastructure that can help protect our coast from sea level rise and hurricanes. In Louisiana, our coast is vital infrastructure.

We can no longer afford to sit on the sidelines as more of our coast and our future sink into the Gulf. We must accept that our coast is slipping away. However, if we make the right decisions today, future generations will still have a coast to keep.

Tagged with: MID-BARATARIA SEDIMENT DIVERSION MISSISSIPPI RIVER



## ONE COMMENT

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*John Tesvich*

May 27, 2021 at 11:13 am

Steve Cochran's column regarding the proposed \$2 billion Mid Barataria diversion project is levels that it is hard to know where to begin. His fascination with flooding southeast Louisiana polluted Mississippi River water runs far counter to his profession of love and concern for the habitat and heritage. And he conveniently ignores the fact that the people who live, work in Plaquemines and St. Bernard Parish universally condemn and oppose this project (unlike the contractors who will earn huge fees from the project or the bureaucrats who comfortably ride Baton Rouge while conceiving these things up at taxpayer expense).

Predictably, like his bureaucrat colleagues, Cochran seems more obsessed with building "the ecosystem restoration project in US history" than doing the right thing.

Perhaps most insulting about Cochran's comments is how dismissive he is of the negative Louisiana's fisheries, claiming that "near term disruptions" will be easy for the approximately 100,000 people who earn their livings off commercial fisheries to adjust to. Bottom line is that this project is bad for Louisiana and poison for our commercial fisheries and the families that make their livings off them. Alternatives exist although CPRA, Cochran and their allies have conveniently ignored them. This is a US record for creating more misery than land mass.



[https://www.theadvocate.com/baton\\_rouge/opinion/article\\_aeed71da-96fc-11eb-8091-63cd50dfce88.html](https://www.theadvocate.com/baton_rouge/opinion/article_aeed71da-96fc-11eb-8091-63cd50dfce88.html)

# Guest column: Many ways to help the coast, but sediment diversion is a big and important way

BY KIMBERLY DAVIS REYHER and KRISTI TRAIL

**APR 9, 2021 - 6:00 PM**



Just over 30 years ago, two new nonprofits sprang to life in south Louisiana, one to improve the health of Lake Pontchartrain and its basin, at a time when that body of water was closed to recreation because of pollution; the other to rally action around restoration of the state's coastal wetlands, which had been disappearing since the 1930s.

The Pontchartrain Conservancy (originally known as the Lake Pontchartrain Basin Foundation) and the Coalition to Restore Coastal Louisiana were new organizations, but the problems they sought to correct were not.

In the past three decades, our organizations have grown and evolved. We study our coastal issues and potential solutions, and we advocate for the best policies, rooted in the certainty of science. We host volunteer events during which we plant grasses and trees to anchor the fragile soil on which our communities have been built. We build oyster reefs to protect the wetlands that provide seafood and a paradise for sportsmen and women, and that buffer us from storms. There is much we can do to restore and maintain our coast.

Now the challenges and opportunities of coastal land loss are well known, and the level of restoration activity along the coast of Louisiana is at an all-time high, fueled mostly by funding resulting from the Deepwater Horizon settlement.

A guiding principle in our efforts, whether through oyster shell recycling or in taking the lake from impaired to open for recreation, has been re-establishing a natural balance. But we must do more.

Our land loss continues, and our most powerful tool in stopping it has not been deployed — yet. Just as human manipulation led to the unhealthy conditions in the lake, the artificial controlling of the Mississippi River by strictly leveeing it from one end to the other has led to unhealthy conditions in the adjacent wetlands that comprise our coast. The levees have protected our communities from flooding — usually — but they also have choked off the annual supply of sediment and nutrients that built this great delta in the first place, instead sending them downriver and into the Gulf.

Correcting this unsustainable situation is what the Mid-Barataria sediment diversion will do. The project, to be sited about 25 miles downriver from New Orleans, will build a channel that will allow water and sediment to flow from the river into adjacent wetlands when sediment levels are high. It will allow nature to return to work by feeding the starving wetlands Louisiana is losing so quickly.

We know from scientific modeling, not guesswork, that it is our best shot — *our only shot* — at stopping the disappearance of our wetlands. More than 2,000 square miles of our coast have vanished, so we have moved past the point of deciding whether we should implement this project. We are now at the point of figuring out the specifics of how to do it.

Louisiana's coast is not just a geographical area. It is the habitat for untold numbers of birds and other wildlife. It is the first line of defense between millions of people and the hurricane-fueling waters of the Gulf. It is the lifeblood of fishing. And it is where people live.

But this isn't about just the environment. It's also about jobs. This massive public works project will create thousands of them, and it will protect thousands more. The coast of Louisiana will prosper, economically and environmentally, once it is restored.

If you want to safely live, work and play in coastal Louisiana into the future, support this project and urge state and federal officials to proceed through the permitting process without delay.

We urge you to support the sediment diversion, which is now in the public comment period, but we also urge you to ask questions about it. Just as we believe this is a project that will benefit all south Louisiana residents, we want all voices to be part of the solution. This problem of coastal land loss is ours, and it is our responsibility to solve it.

*Kimberly Davis Reyher is executive director of the Coalition to Restore Coastal Louisiana. Kristi Trail is executive director of Pontchartrain Conservancy.*

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**Guest column: Mid-Barataria Sediment Diversion will build land, and economy**

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# Louisiana's shrinking wetlands puts communities and cultures at risk | Charles Allen

*Vulnerable populations need to provide input on the Mid-Barataria Sediment Diversion*

By **Charles Allen** - May 11, 2021



*The Louisiana Highway 1 Bridge, also known as the Gateway to the Gulf Expressway, rises above the marshland and coastal waters on August 25, 2019, in Leeville. Louisiana has been losing its coastal landscape at the rate of almost a football fields worth of land every hour.. (Photo by Drew Angerer/Getty Images)*

Last year, I had the opportunity to board a small plane and fly over Louisiana's coast. Taking off from the New Orleans Lakefront Airport, recognizable landmarks like the Louisiana Superdome quickly faded into the background, and in only 20-30 minutes, we were flying over open water. We often hear that our wetlands are vanishing, but to see firsthand how sparse they are is shocking.



Communities in South Louisiana are the poster children for climate change, and our state's future is at a pivotal turning point. For decades, we've been losing land at an alarming rate from coastal erosion, sea-level rise and other threats. And communities of color are right on the front lines. New Orleans is a majority-Black city, where the people most at risk are also vital to its sense of place. We need systemic change and environmental restoration to protect our people and culture. Often people of color are left out of the conversation, denied the opportunity to discuss possible solutions or provide insight into how they're affected.

We now have an opportunity to turn the tide by raising our voices in support of the single-largest restoration project in U.S. history, the Mid-Barataria Sediment Diversion. This game-changing project will reconnect the Mississippi River and its rich, life-giving sediment to the wetlands. The sediment diversion will mimic the natural spring floods that once replenished the marshes, benefiting birds, wildlife and fisheries.

The coastal landscape, including areas that are home to communities of Indigenous people and people of color, is dynamic and changing. The Mid-Barataria Sediment Diversion will build and sustain wetlands in the Barataria Basin that provide storm protection for countless communities in Southeast Louisiana, from small towns such as Lafitte to population centers such as Belle Chasse and the Greater New Orleans region. Healthy wetlands act as a natural buffer that, in addition to hard structures such as levees and floodwalls, protect our communities from rising seas and storm surge.

Since the 1930s, the Barataria Basin has lost nearly 295,000 acres of land. That loss has displaced communities, threatened critical infrastructure and jobs, and devastated habitat for birds and other wildlife. The Barataria Basin was also ground zero for the 2010 Deepwater Horizon oil spill, causing the wetlands there to disappear three times faster than those in the rest of the state. The levees that protect our communities are also partly to blame for this land loss; by walling in the Mississippi River, we've starved our coast of the sediment it needs to survive. We need levees to protect our communities, but if



we don't address the vanishing wetlands, we can expect to be flooded more often, which would further put our diverse and culturally rich communities at risk.



The unique cultures and way of life for millions of Louisianians are inextricably connected to the natural resources of the state's coast. With its special cuisine and traditions and its destination as a place to hunt and fish, Louisiana is world-renowned for its distinctive coastal culture, which relies on areas like wetlands and the resources they produce. In many local areas, generations of families have occupied the same communities — and even the same land and family homes — for generations. These ties to the land are woven into the history and culture of local areas and communities and are at risk of being lost as Louisiana's land loss crisis continues.

Now is the time for all of us to get involved. The U.S. Army Corps of Engineers is asking for our input on the Mid Barataria Sediment Diversion. This procedural milestone for the Mid-Barataria Sediment Diversion gives an opportunity for locals to be part of the process. A public comment period is open through June 3, offering individuals and organizations an opportunity to play an active role in the restoration process.

Like any significant issue that affects all the people in our area, it is critical that we diversify the voices who are represented and become more inclusive. The environmental movement should reflect all of the communities it serves. By offering public comment on the record, the real people impacted by and receiving benefits from this project can make their voices heard to state and federal agency officials and other decision makers. Visit [mississippiriverdelta.org](https://mississippiriverdelta.org) to add your voice to this pivotal moment for Louisiana's coast.

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**Charles Allen**

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Charles Allen is the Community Engagement Director for the Gulf Coast at the National Audubon Society, where the entire focus of his work on diversity, equity and inclusion by enhancing Audubon's reach to underrepresented communities in the Gulf Coast region.



[https://www.theadvocate.com/baton\\_rouge/opinion/article\\_fc05cf86-9160-11eb-b4ab-7b33a75702ed.html](https://www.theadvocate.com/baton_rouge/opinion/article_fc05cf86-9160-11eb-b4ab-7b33a75702ed.html)

# Guest column: Mid-Barataria Sediment Diversion will build land, and economy

BY GAY LEBRETON and BRANDON NELSON

APR 2, 2021 - 6:00 PM



The Mississippi River's West Bank levee is shown Thursday March 4, 2021, near Myrtle Grove, where Louisiana structure to divert sediment-laden water from the river, right, into a channel leading to Barataria Basin. (Staff NOLA.com | The Times-Picayune | The New Orleans Advocate)

PHOTO BY DAVID GRUNFELD DIRECTOR OF PHOTOGRAPHY

At the beginning of March, we reached a critical moment in Louisiana's battle to combat coastal land loss and rebuild our coast. The U.S. Army Corps of Engineers released its draft Environmental Impact Statement on the Mid-Barataria Sediment Diversion, a key step in permitting for a major component of the state's Coastal Master plan.

The Mid-Barataria Sediment Diversion is a game-changing coastal restoration project that must move forward if we are to turn the tide on Louisiana's land loss crisis. We are voicing support for this project, which implements an innovative and sustainable

approach to reducing our land loss, rebuilding our wetlands, and creating significant economic benefit.

Being the largest individual restoration project in U.S. history, the Mid-Barataria Sediment Diversion will build more wetlands than any other project of its kind in the world. The project, funded by the BP Deepwater Horizon settlement, will develop new land and sustain existing wetlands by using the power of the Mississippi River to move sediment and fresh water from the river into nearby basins, mimicking nature's historic land-building processes. Without this project, over the next 50 years the Barataria Basin alone could lose an additional 550 square miles of land, which is approximately one and a half times the size of the city of New Orleans. Such an outcome would jeopardize the safety and prosperity of the entire region, threaten our way of life and eviscerate coastal habitat that wildlife need to survive.

In the words of Michael Hecht, President and CEO of GNO, Inc., "Coastal restoration is truly where the economy meets the environment." Economic development and coastal restoration are intrinsically linked: By committing to restoring the coast, we protect existing and future investment in Louisiana while developing an exportable knowledge-based industry and specialized workforce. Implementation of projects outlined in Louisiana's Comprehensive Master Plan for a Sustainable Coast, such as the Mid-Barataria Sediment Diversion, will preserve our working coast, reduce hurricane storm surge, and encourage business growth.

Coastal projects foster diversity and growth for our economy, as highlighted by GNO, Inc.'s 2019 Coastal Restoration Workforce Outlook, which found that Coastal Master Plan projects will yield thousands of jobs in operations, maintenance and monitoring, as well as construction. The Army Corps of Engineers analysis indicates that the Barataria project could generate an impressive 12,400 jobs in the state, mostly in the greater New Orleans region, during its three to five-year construction period. Particularly if coupled with training, these jobs will expand opportunities for locals to enter good-paying career paths as dredge operators, carpenters, plumbers, pipefitters, drafters, engineers, architects, computer analysts and programmers, and more. In a 2017 report, Dr. Stephen Barnes of LSU found that coastal restoration and protection jobs yield an average wage of \$59,000/year, significantly higher than the state's median wage of \$34,9000/year.

Businesses will benefit, too. According to a 2019 report by economist Dr. Loren Scott, construction of the Mid-Barataria and Mid-Breton Sediment Diversion projects will support an increase in regional business sales by \$3.1 billion.

While the Mid-Barataria Sediment Diversion is the right step in the right direction, we recognize that there will be inevitable environmental impacts that will have to be addressed. We are encouraged that the state has outlined mitigation strategies and designated significant resources to lessen the potential impacts, such as job training programs and startup financial assistance for impacted industry members. Along those same lines, organizations such as GNO, Inc. are postured to serve as connectors to bring together industry and higher education/workforce development training partners to aid those seeking to transition.

Coastal restoration and protection is a cornerstone to securing a thriving economy in the greater New Orleans region, presently and for future generations. We support the construction of the Mid-Barataria Sediment Diversion, as it is our best shot at protecting vulnerable communities, reducing hurricane storm surge, and fostering economic growth for years to come. The Mid-Barataria Sediment Diversion is where the economy meets the environment, and thrives.

*Gay LeBreton is chair of the GNO Inc. Board. Brandon Nelson is chair of GNO Inc.'s Coalition for Coastal Resilience and Economy.*

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**Our Views: More money needed for coast**

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**OPINION** *This piece expresses the views of its author(s), separate from those of this publication.*

## Guest column: River diversion important to Louisiana coast

**Ted Falgout** Guest Columnist

Published 6:03 p.m. CT Mar. 16, 2021

As a fourth generation Louisianaian living in the Barataria Basin for my entire life, some of my fondest memories involve trapping, hunting, fishing and alligatoring with my grandfather, father, siblings, and now my own sons and grandchildren. But this way of life and Louisiana's bounty -- its fisheries, wildlife habitat, and abundant natural resources -- are at risk of complete collapse without large-scale coastal restoration projects like the Mid-Barataria Sediment Diversion.

The urgency to build the Mid-Barataria Sediment Diversion cannot be overstated. Without this project the future for our coast, communities, economy and wildlife is dire. The Barataria Basin alone could lose an additional 550 square miles of land over the next 50 years, a nightmare scenario that would jeopardize the safety and prosperity of not only Lafourche Parish, but our entire

region, threatening our unique culture and our status as Sportsman's Paradise.

With an extensive educational background in fisheries biology and Louisiana's coastal zone, I understand the science behind the basin and its current collapse. As the former executive director of Port Fourchon, I was also directly involved in building offshore breakwaters, coastal dune and beach restoration projects and the creation of thousands of acres of marsh and maritime forest ridges by beneficial use of hydraulic dredge material. As a landowner of over a thousand acres of Barataria's wetlands, I personally have a huge stake in its survival.

**More:** Study marks major milestone for river diversion and Louisiana coastal plan

These experiences have shaped my views on what it will take to address Louisiana's very dire land loss crisis. Today, as a retiree, my "office" is now the basin as I get to enjoy full-time the natural treasures that have sustained me and my family for generations. I know that unless bold and aggressive measures are taken, future generations will not get to experience this bounty or live where we have lived unless we act with urgency and commitment. Both time and the tide are not on our side.

However, we have an opportunity to avoid this worst-case scenario. Louisiana has a resource that many other states, and even other regions of our own coast, would kill for – the Mighty Mississippi



and its land-building sediment. This river built our great delta, producing an unparalleled abundance of natural resources, and it is our best hope of hanging onto all we know and love of our coast.

**More:** State plan outlines coastal work underway or soon to get started in Terrebonne and Lafourche

For decades, scientists and engineers have considered all the tools available and overwhelmingly agree the Mid-Barataria project is the best long-term solution necessary to match the challenges we face from land loss, sea level rise and climate change. No project that has the capability to be such a game changer will be without impacts, but these impacts can be managed and pale in significance to what is at stake if we squander this opportunity. A “future without action” would mean a future without South Louisiana, and that is something we owe to future generations.

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**Concern ID: 61716**

**The ongoing loss of Louisiana’s coastal wetlands makes communities increasingly vulnerable to stronger hurricanes and sea-level rise and threatens the health and stability of the entire Barataria Basin upon which a number of communities, wildlife, fish nurseries, sportsman culture, economy, and vital resources depend.**

**Response ID: 16026**

The importance of maintaining wetlands for the protection of coastlines, coastal communities, wildlife resources, and recreation was considered in the Draft EIS in Sections 3.6 Wetland Resources and Waters of the U.S., 3.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, and 3.16 Recreation and Tourism.

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**Concern ID: 61848**

**Commenters expressed the opinion that the Mid-Barataria Sediment Diversion Project would help support and enhance the lifespan of other coastal restoration and protection projects.**

**Response ID: 16462**

The commenters correctly note that, as discussed in Chapter 4, Section 4.25.6 Cumulative Impacts, Wetland Resources and Waters of the U.S., “Cumulative impacts on wetland accretion from operation of the reasonably foreseeable future projects combined with operation of the MBSD Project action alternatives would likely result in fewer losses in wetlands in both the Barataria Basin and birdfoot delta, but most notably in the Barataria Basin, where implementation of the MBSD Project action alternatives would prevent the loss of an additional 26,000 acres.”

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant’s Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant’s Preferred Alternative). The EIS evaluates the Applicant’s Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE’s permit and permission decisions and the LA TIG’s NRDA decision in compliance with the statues, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG’s Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG’s Preferred Alternative, it was also expected to cause

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greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant's Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61872**

**The purpose and need Statement upon which the alternatives analysis was built meets the intentions and goals of the proposed Project and appropriately captures the need to restore injury by reestablishing deltaic processes between the Mississippi River and Barataria Basin.**

**Response ID: 15828**

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The commenter's support for and approval of the Project's purpose and need is acknowledged.

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**Concern ID: 61881**

**The Mid-Barataria Sediment Diversion has been well researched, the range of alternatives evaluated in the Draft EIS is reasonable and meets the purpose and need, and seems a prudent plan of action versus the choice of doing nothing.**

**Response ID: 15837**

The commenter's support of the proposed Project is acknowledged.

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**Concern ID: 61910**

**The MBSD Project would help wildlife, fisherman, recreationalists, and hunters who depend on a healthy coast in the long term.**

**Response ID: 16240**

EIS Chapter 4, Sections 4.16.4.2 and 4.16.5.2 in Recreation and Tourism describe anticipated effects of the MBSD Project on wildlife viewing, recreational fishing, hunting, and other recreational activities that utilize the Project area. As compared to the No Action Alternative, long term minor to moderate adverse impacts on-site accessibility, recreational boating, and boat-based recreational fishing due to increased tidal flooding at access points at Lafitte, Myrtle Grove, and Grand Bayou, as well as introduction and spread of invasive species, are anticipated. The proposed Project would also cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum throughout the basin. Beneficial impacts on hunting and wildlife watching due to an increase in wetland habitat in some areas of the Barataria Basin are also anticipated.

CPRA has developed a suite of mitigation and stewardship measures to help address and offset Project impacts, including those related to recreation (see the Draft Mitigation and Stewardship Plan in Appendix R1 to the Draft EIS). In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61930**

**The proposed MBSD Project is an inequitable use of public funds because its negative impacts fall most directly on marginalized ethnic groups, including African American, Native American, Latin American, Asian American, Canary Islander American (Islenos), and Croatian American and unjustly places the burden on Louisiana's coastal fishers. Risks often fall disproportionately on low-income or minority communities due to ongoing institutional injustices. These low-income and minority communities, including homes, cultures, and livelihoods of Indigenous people and other people of color are often sacrificed for the benefit of the "greater good", particularly for the larger tax bases upstream of the proposed MBSD Project. For example, when the levee breached at Mardi Gras Pass, nothing was done to re-protect the mostly African American oyster farmers and fishers whose oyster farms in Breton Sound were destroyed by the fresh water from Mardi Gras Pass. But a levee breach anywhere else along the Mississippi River would be quickly rebuilt and the impacted people would be indemnified. Also, the most effective flood risk reduction solutions, like home buyouts, are not offered to low-income populations in areas south of New Orleans. Both the Draft EIS and the LA TIG's Draft Restoration Plan would benefit from additional reflections on the natural and human history of the Project geography that resulted in such fundamental changes to the landscape and set us on the course of the land-loss crisis that Louisiana faces today. The EIS should describe historic, systemic inequities affecting communities with environmental justice concerns in the Project area to provide authentic and more complete context for the discussions.**

**Response ID: 16281**

The Draft EIS (including Section 4.15 Environmental Justice and Appendix H, Socioeconomics Technical Report at Chapter 2) included a discussion of communities with low-income and minority populations, including information about factors that have contributed to historic and systemic inequities in southeast Louisiana. As discussed in the EIS, the Project may have disproportionately high and adverse, long-term impacts on some low-income and minority populations in communities engaged in commercial and subsistence fishing and dependent on adversely impacted fisheries, as well as communities located near the immediate outfall area (within approximately 10 miles north and 20 miles south) and outside of federal levee protection. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton. Commenters also raised concerns about Mardi Gras Pass; however, the closure of Mardi Gras Pass is outside of the scope of the EIS.

CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61934**

**Commenters asked that the EIS provide details about the in-person meetings that CPRA held in the low-income and minority communities potentially impacted by the Project.**

**Response ID: 16287**

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts were undertaken to better understand and address potential impacts on communities impacted by the MBSD, including those with environmental justice concerns, such as low-income and minority populations, that may be disproportionately impacted by the Project; these are discussed in Chapter 7 of the Final EIS. CPRA has expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and the LA TIG Draft Restoration Plan based on community and resource agency input. The updated mitigation and stewardship measures now provide additional detail regarding

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specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61935**

**Commenters noted that the MBSD Project would have positive environmental justice outcomes, as the Project goes forward, over time. The proposed MBSD Project is actually part of the larger suite of projects outlined in the Coastal Master Plan. In concert, these projects will provide very significant long-term storm surge and sustainability benefits for communities in Plaquemines and Jefferson parishes, whether within or without structural storm risk reduction systems. Each of these benefits would be particularly helpful over time to those who depend on subsistence fishing and those who live in particularly flood prone areas that, because of historic discriminatory settlement patterns, is made up of disproportionately poor members of minority groups.**

**Response ID: 16290**

The EIS evaluated anticipated impacts of the action alternatives and a No Action Alternative over a 50-year analysis period. The Delft3D model production runs also projected conditions over a 50-year period. Anticipated impacts beyond that timeframe were not evaluated in the EIS.

As discussed in Chapter 4, Section 4.15 Environmental Justice, the EIS acknowledges that low-income and minority populations in areas north of the diversion and inside of federal risk

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reduction levees would experience some beneficial impacts related to additional protection from storm hazards due to reduced storm surge and wave heights as a result of the Project's land building. Low-income and minority populations within 10 miles to the north and 20 miles to the south of the diversion outside federal risk reduction levees would experience increased tidal flooding relative to the No Action Alternative, particularly in the first 2 decades of operations. Low-income and minority populations south of the diversion and outside federal risk reduction levees would experience increased risk of storm surge. In addition, negligible to minor, adverse impacts related to increased risk of levee overtopping during certain 1 percent storm events south of the immediate outfall area may occur, which may impact the community of Ironton.

Low-income and minority populations that depend on subsistence fishing activities may experience both beneficial and adverse impacts depending on the specific resources and areas where subsistence activities are practiced, as discussed in Chapter 4, Section 4.15.4.2. With regards to other restoration and flood risk reduction projects, Chapter 4, Section 4.25 Cumulative Impacts discusses other restoration and flood risk reduction projects in concert with the proposed Project. The operations of those reasonably foreseeable projects combined with the MBSD Project have the potential to result in minor to moderate, adverse and minor, long-term or permanent, beneficial impacts on low-income and minority communities in the Barataria Basin.

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**Concern ID: 61939**

**The EIS meets the minimum requirements of Executive Order No. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations by identifying disproportionately high and adverse human health or environmental impacts of the proposed Mid-Barataria Sediment Diversion on minority, low-income, and Tribal populations in the relevant Project area.**

**Response ID: 16308**

Acknowledged.

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**Concern ID: 61962**

**The commenters commend the USACE and LA TIG for their efforts to ensure robust awareness and input into this process. Such engagement is critical to a successful restoration effort, and the commenters recognize the difficulty of designing an engagement process around a project of this scale and scope. The more than 200 public outreach and engagement events referenced in the Draft EIS and NRDA plan demonstrate a notable effort made by CPRA. It is essential that CPRA continue to maintain strong levels of engagement and transparent communication with affected stakeholders as this process progresses. The Final EIS should include a summary of comments and responses and should uphold and further elaborate upon the commitment stated in the Draft EIS (Appendix R2 Monitoring and Adaptive Management Plan, Section 2) for regular stakeholder engagement through the adaptive management program.**

**Response ID: 15907**

USACE and LA TIG acknowledge the comment. Public input is an integral part of the NEPA process, the OPA process, and the DWH oil spill restoration planning effort. USACE and the LA TIG undertook a coordinated and concurrent public review process for the EIS and the LA



TIG's Restoration Plan. Allowing submission of comments on either document to the same locations provided commenters a "one-stop shop" and was done to reduce confusion by commenters about where to direct their comments regarding the MBSD Project. Additionally, this ensured the LA TIG reviewed and considered all relevant comments to both the Restoration Plan and the Draft EIS in its decision-making process. All public comments received have been reviewed by both USACE and the LA TIG and will be considered as appropriate under relevant regulations by USACE and by the LA TIG, respectively, as each makes its decision on the proposed MBSD Project.

USACE and LA TIG conducted public outreach and provided public comment opportunities throughout the development of the EIS and the LA TIG's Restoration Plan. Details on USACE's and the LA TIG's outreach activities and the opportunities provided for public participation can be found in Chapter 7 Public Involvement in the Final EIS. The Final EIS includes a Public Meeting Report which includes all comments submitted and the responses to those comments.

Examples of public outreach provided by USACE for the EIS include providing special public notices for the permit application, the scoping process, and for the Draft EIS through Federal Register notices, press releases, newspapers, mail outs to distribution lists, and provision of hard copies of the Executive Summary and other materials to local libraries. USACE and the LA TIG also coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan and during the public comment period.

Language interpretation and translation in Spanish, Vietnamese, and Khmer were provided at each of the virtual public meetings on the Draft EIS and the LA TIG's Draft Restoration Plan. Also, the Public Notice to announce the Draft EIS Notice of Availability, the Executive Summary for the Draft EIS, and the Executive Summary for the LA TIG's Draft Restoration Plan, were translated into Spanish and Vietnamese. The consolidated pre-recorded public meeting presentation was also translated into Spanish, Vietnamese, and Khmer and available on the Project webpage.

Throughout the public comment period and concurrent with the preparation of the Final EIS and the LA TIG's Final Restoration Plan, CPRA has engaged the public through meetings with the communities and groups projected to be impacted by the proposed MBSD Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities and groups. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward.

In addition, the Programmatic Agreement developed for the proposed Project through the NHPA 106 consultation sets forth the alternative mitigation to be implemented by CPRA as part of implementing the Project. A website and public education materials are included as products to be developed through the alternative mitigation. See Section 4.9 of the Final Mitigation and Stewardship Plan for the proposed Project (in Appendix R1 to the Final EIS).

Refer to Appendix R1 for the Final Mitigation and Stewardship Plan which describes mitigation and stewardship measures that would be implemented as a result of the public

involvement and engagement efforts. Also refer to the Monitoring and Adaptive Management (MAM) Plan in Appendix R2 for a description of the adaptive management, governance, and monitoring that CPRA has committed to along with stakeholder engagement during the adaptive management process if the proposed MBSD Project is implemented. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to proposed Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61977**

**While other restoration project types, such as marsh creation, have been suggested in lieu of large-scale diversions, these project types would fail to build and sustain significant amounts of land in the Barataria Basin over the 50-year Project lifespan due to subsidence, sea-level rise, and erosion. Dredging alone cannot save the wetlands, the processes that originally built them must be reestablished. The power of the river**

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**allows more land-building potential to be harnessed than could be had with dredges at a fraction of the cost, and the benefits are long-lasting, even in the face of sea-level rise and hurricanes.**

**Response ID: 15977**

The commenter's support of the proposed Project is acknowledged. The EIS concludes that a large-scale sediment diversion meets the purpose and need of the proposed Project while large-scale marsh creation does not meet the purpose and need. Details on marsh creation alternatives including sustainability and the reasons for elimination from further detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. Additional information related to the marsh creation alternative have been added to Section 2.3.5 Large-Scale Marsh Creation for the Final EIS.

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**Concern ID: 62022**

**The Draft EIS lays out how many jobs would be created through construction and the proposed Project would also bring desperately needed jobs and economic growth. Plaquemines Parish, where the proposed Project would be constructed, and the surrounding region - including Orleans and Jefferson Parishes - would expect to see a significant economic boost.**

**Response ID: 16218**

The EIS describes the jobs impact from the construction of the diversion in Chapter 4, Section 4.13.4.2 in Socioeconomics. The EIS finds that moderate to major, temporary economic benefits are anticipated from proposed Project construction.

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**Concern ID: 62027**

**The Draft EIS cites Oxfam America's Social Vulnerability Index from 2009, but the Water Institute of the Gulf and the Louisiana Coastal Protection and Restoration Authority have developed some work in this area through their 2017 Coastal Master Plan process. This more current application could be useful in analyzing this proposed Project.**

**Response ID: 16223**

Chapter 3, Section 3.15 Environmental Justice of the EIS cites community social vulnerability data from NOAA from 2019. While the Coastal Master Plan is a valuable and detailed document, the NOAA data used in the EIS represents the best data available to the USACE and LA TIG since it is more recent and provides community-specific metrics for many areas near the proposed Project. The commenter is correct that the Socioeconomics Technical Report in Appendix H1 cites the older Oxfam report. For the Final EIS, Appendix H1 Socioeconomics Technical Report has been updated to be consistent with the main body of the EIS and utilize the NOAA data.

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**Concern ID: 62028**

**Commenters suggest integrating more current data and information before the release of the Final EIS, including and especially the 2020 Census data. This data would show important population shifts to communities in Jefferson, Lafourche, and Plaquemines Parish, as well as the major metropolitan area of greater New Orleans. However, the use of census data may not accurately identify the individuals and businesses economically reliant on the Barataria Basin resources and does not reflect long-term or**

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**more recent income levels of those directly involved in businesses or jobs related to the resources.**

**Response ID: 16224**

The EIS uses a variety of data sources to best describe the regional economy and populations, including relatively recently released statistics from the U.S. Census Bureau American Community Survey (ACS), data from 2010 Decennial Census, as well as a variety of state and local sources. Initial data from the 2020 Decennial Census was released in fall 2021 for Congressional redistricting purposes, with the bulk of the remaining 2020 Decennial Census data projected to be released over the next few years. The Final EIS has been revised to update the 2010 Decennial Census data to 2020 Census data. This update provides the most recent population and demographic data available for some of the very small communities described in the EIS. Data for particular industries that may be affected by the Project, such as commercial fishing, are presented using state sources or other local data as available.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)

- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62103**

**The Draft EIS does not fully address the anticipated destruction of multiple components of the commercial oyster fishery, including oyster habitat, off-bottom oyster farms, and the oyster hatchery at Grand Isle resulting from impacts to water quality and changes in salinity.**

**Response ID: 16258**

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Impacts of the proposed Project on eastern oysters are discussed in the Aquatic Resources section of the EIS in Chapter 4, Section 4.10.4.5, Key Species. The section identifies that most adverse impacts on oysters are anticipated at mid-basin locations, while some beneficial impacts may occur in the lower basin, including the Grand Isle area. The off-bottom and hatchery components of the oyster fishery would not be affected by the Project, or may benefit from it. Specifically, the only significant off-bottom oyster fisheries in Barataria Basin occurs in the lower basin. As indicated in Chapter 3, Section 3.14.6, Aquaculture, the Mike Voisin Oyster Hatchery in Grand Isle is the only commercially available source of oyster larvae and seed. These areas could benefit from the Project. Final EIS Chapter 4, Section 4.14 Commercial Fishing has been revised to discuss these effects.

CPRA's Mitigation and Stewardship Plan includes measures to increase funding for the development of broodstock reefs, enhancing public and private oyster areas, creating a new public oyster seed ground and to further develop alternative oyster culture methods, including off-bottom oyster culture. See the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62233**

**Restoration of coastal habitat and the delta would provide protection from storm damage.**

**Response ID: 15752**

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While the intent of the proposed Project is to reestablish deltaic processes to restore resources injured by the DWH oil spill, the Draft EIS Chapter 4, Section 4.20.4.2 Public Health and Safety described the ancillary benefit of storm damage risk reduction on communities north of the proposed diversion due to the creation and maintenance of wetland habitat and increases in topography and land acreage within the delta formation area. At the same time, operation of the Project would have permanent, minor to moderate, adverse impacts on storm hazards in communities south of the diversion, with anticipated increases in storm surge of up to 1.7 feet near Myrtle Grove (as compared to the No Action Alternative). Section 4.20.4.2.2.2 in Public Health and Safety of the Final EIS has been revised to include additional information and figures further explaining the impacts of the Project on storm surge and wave height

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**Concern ID: 62280**

**The Draft EIS outlines uncertainties in the modeling that tend to underestimate salinity by 1ppt, water level by 0.1 m, and temperature by 1.5°C. The level of uncertainty reported in the Draft EIS varies spatially throughout the basin. Section 8.0 (Model Limitations and Uncertainties) of Appendix E (Delft3D Basinwide Model) mentions that the dilution factor is uncertain as well as the effect of barrier islands on tidal exchange over time. The Draft EIS also describes uncertainty around other restoration efforts. For instance, the model assumes that the barrier islands are drowned by relative sea-level rise. However, the State of Louisiana has been committed to maintaining these important features, and that commitment is likely to continue, therefore reducing salinity increases. The Mississippi River birdfoot delta passes, however, are likely to deepen, enlarge, and increase salinity influences. Taken all together, these factors may underestimate salinity enough that the biological impacts forecasted may be a worst-case scenario for saltwater species, such as oysters and dolphins.**

**Response ID: 16486**

The Delft3D Basinwide Model results should be interpreted in light of the uncertainties discussed in the EIS. As discussed in the Draft EIS in Chapter 4, Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences, and in detail in Appendix E Delft3D Modeling, Section 8.0 Model Limitations and Uncertainties, those uncertainties were examined through sensitivity tests and by the use of a Base-to-Plan (No Action Alternative compared to Action Alternatives) comparison method and incorporated into the Draft EIS conclusions throughout Chapter 4 (Environmental Consequences). No related edits have been made to the Final EIS.

As part of developing the EIS, the USACE, together with the members of the LA TIG, reviewed the Delft3D Basinwide Model, including its parameters, methods of validation and calibration, inputs for the alternative production runs used in the EIS, and outputs, and concluded that the Delft3D Basinwide Model production runs and outputs were adequate and sufficient to inform the MBSD EIS impacts analysis of the alternatives.

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**Concern ID: 62331**

**The EIS is comprehensive and well-prepared, and used the best available information and data.**

**Response ID: 15782**

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Acknowledged.

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**Concern ID: 62404**

**Appendix A contains more detailed recommendations related to the draft Monitoring and Adaptive Management Plan; Appendix B contains a series of recent op-eds and other statements of support for the Project from various stakeholders. We request that the materials in Appendix B be considered as part of the Army Corps' public interest review and by the LA TIG as evidencing consistency with the OPA criteria.**

**Response ID: 15928**

The USACE and LA TIG have reviewed Appendices A and B. Revisions were made to the Monitoring and Adaptive Management Plan to respond to "Improvement #1: Define a clear adaptive management process" and "Improvement #2: Clarify the problem definition" in Appendix A of the commenter's comment letter.

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**Concern ID: 62405**

**Commenter suggested that the Final EIS should include targeted economic incentive plans for contractors associated with Project design or construction to prioritize economic opportunities for all interested residents in the Project footprint/outfall area wherever relevant.**

**Response ID: 15940**

Provision of economic incentives for contractors would be the responsibility of CPRA and therefore has not been added to the Final EIS. CPRA is required to follow the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 Public Contracts. The comment has been provided to CPRA.

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**Concern ID: 62407**

**CPRA should prepare materials on the skills needed to obtain these construction jobs, as well as the average annual salaries. It will take time to create the labor line to get workers trained, and the State should be working with our trade schools, community colleges and universities early and often to prepare a local workforce.**

**Response ID: 15858**

Comment noted.

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**Concern ID: 62408**

**It is the responsibility of the Governor, through his executive assistant for coastal affairs, to exercise this authority to stop the PLT Project as it is inconsistent with the MBSD Project and Coastal Master Plan.**

**Response ID: 15859**

While EIS Chapter 4, Section 4.25 Cumulative Impacts considers past, present, and reasonably foreseeable future structures or actions in the Project area which could affect the same resources as the proposed Project, such as the PLT, State approval of other structures or actions is outside the scope of this EIS.

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**Concern ID: 62413**

**The MBSD diversion structure, outfall channel, and outfall area would constitute the world's single largest engineered restoration project. The LA TIG and CPRA should**



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**include a recreation and education area near the diversion with a viewing platform, trails, bike paths, along with a boat launch into the diversion outfall area.**

**Response ID: 15951**

Due to concerns about safety of the public and security for the Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA is, however, planning to provide signage and other public space near the Project to educate the public regarding the purpose and functioning on the Project. Ownership of any lands created by operation of the Project would be determined in accord with current state law, including ownership of mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E). Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights of access to the public in or on private property.

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**Concern ID: 62442**

**Commenters requested that additional information about the reasonably foreseeable Plaquemines Liquids Terminal be added to the Final EIS, Chapter 4, Section 4.25 (Cumulative Impacts), such as the potential for the project to affect sediment transport capabilities of the proposed MBSD Project.**

**Response ID: 16467**

Furthermore, CPRA entered into a Memorandum of Understanding with the Plaquemines Port Harbor & Terminal District (PPHTD) and the Plaquemines Liquid Terminal, LLC (PLT) requiring PPHTD and PLT to perform sediment transport modeling and a navigation study to determine the impact, if any, that the PLT Project may have on the proposed MBSD Project, and to agree to certain terms and conditions, as needed, to ensure that the PLT, once constructed and operated, does not have unreasonable adverse impacts on the design, construction, or operation of the proposed MBSD Project. These steps would help ensure that the PLT Project remains consistent with the Louisiana Coastal Master Plan.

Since publication of the Draft EIS, the Tallgrass/PLT facility's sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

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**Concern ID: 62460**

**The commenter expressed concern that with the possible storage of 20 million barrels on the reasonably foreseeable Plaquemines Liquids Terminal and the transfer of that oil through pipelines regularly connected and disconnected from large, river-borne vessels would cause frequent oil spillage into the proposed MBSD diversion, as well as potentially catastrophic impacts resulting from accidents or hurricanes. Any of those could have serious impacts on the operation of the proposed MBSD Project.**

**Response ID: 16470**

Potential impacts of the reasonably foreseeable Plaquemines Liquids Terminal were considered in the Draft EIS in the Sediment Transport subsection of Chapter 4, Section 4.25.4.4 Cumulative Impacts. Since publication of the Draft EIS, the Tallgrass/PLT facility's

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sponsors PPHTD/PLT have withdrawn their Joint Permit application (Louisiana Department of Natural Resources Coastal Use Permit [CUP] number P20180379 and DA Permit number MVN-2012-0123-EPP), and terminated the Memorandum of Understanding (MOU) (originally dated April 24, 2019) between CPRA and PPHTD/PLT pertaining to the facility. A footnote has been added in Section 4.25.1.3.2 Reasonably Foreseeable Future Projects of the Final EIS to reflect the withdrawal of the PLT Project.

Potential oil spills from the terminal were also assessed in the Permitted Discharges Section of 4.25.5.4 Cumulative Impacts of the Draft EIS. As described in the Draft EIS in Chapter 2, Section 2.8.1.4 Project Operations and in Appendix F MBSD Design Information, in the event of oil spills and other hazardous discharges into the Mississippi River upstream of the proposed MBSD intake structure, the diversion structure would be closed. Information regarding closing the structure in the event of hazardous spills has been added to the Cumulative Impacts section, Section 4.25.5.4 of the Final EIS.

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**Concern ID: 62663**

**Decades of study demonstrate the MBSD is the optimal way to restore the sustainable functionality to the ecosystem injured by the DWH oil spill, including providing benefits to the northern Gulf of Mexico ecosystem injured by the spill. The Project would rebuild and restore coastal wetland habitat, which is vital to the health of the Gulf of Mexico ecosystem and the species that reside within it. It would address a multitude of concerns on an ecosystem-wide and economic scale, would work synergistically with ecosystem restoration projects in the basin, and would create jobs. The Draft Restoration Plan demonstrates the likely benefits of the Project, and the Project would likely help mitigate consequences of future natural disasters and climate change. Not implementing the Project would not only prevent the area from recovering, but would accelerate its degradation over time.**

**Response ID: 16622**

The LA TIG acknowledges the comment and agrees that the Project would deliver fresh water, sediment, and nutrients to the Barataria Basin; reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin (for example, sediment retention and accumulation, new delta formation); and create, restore, and sustain wetlands and other deltaic habitats and associated ecosystem services.

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**Concern ID: 62698**

**Brown shrimp are not well adapted to prolonged periods of low salinity and would experience higher mortality and lower reproductive success as a result of the proposed Project.**

**Response ID: 16076**

The commenter correctly notes the impacts on brown shrimp from low salinity, as discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources; however, as noted in the Draft EIS, brown shrimp reproduce offshore and, although the number of shrimp surviving to reproduce may change, the reproductive success of surviving shrimp is not anticipated to change. Overall, the Draft EIS anticipated a permanent, major adverse impact on brown shrimp from the proposed Project, due in part to reduced salinity in portions of the Barataria Basin.

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**Concern ID: 62710**

**The Draft EIS may underestimate likely increases in net primary productivity for aquatic estuarine organisms, which would translate into more biomass in both the proposed Project area and into the northern Gulf of Mexico.**

**Response ID: 16088**

Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS identifies the overall effects of increased nutrients to the Barataria Basin as minor to moderate and beneficial based on benefits to the food web, and Section 4.10.4.5 accounts for these food web benefits in the individual determinations for each key species. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS. The potential for nearshore and offshore ecosystem benefits are also described in Chapter 3, Section 3.2.16 in OPA Evaluation of the Alternatives of the LA TIG's Restoration Plan.

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**Concern ID: 62754**

**The proposed Project, once operating, would create a river-fed deltaic estuary with an abundance of life.**

**Response ID: 16132**

The proposed Project would have both beneficial and adverse effects on aquatic life during operations, as discussed throughout Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS. The benefits of the proposed Project are also discussed in detail in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Final Restoration Plan.

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**Concern ID: 62755**

**The diversion of nutrient delivery from the mouth of the Mississippi River to the mid-basin may ameliorate some of the imbalances which often lead to hypoxic conditions in the open Gulf, and would certainly lead to increases in many estuarine organisms.**

**Response ID: 16133**

As discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS, nutrient levels in water diverted from the Mississippi River may result in increased primary productivity in the Barataria Basin, which would lead to benefits for aquatic fauna. The birdfoot delta is projected to have negligible changes in nutrient loads. Further, Section 4.25.5 in Cumulative Impacts, Surface Water and Sediment Quality of the Final EIS has been revised to discuss the Gulf Hypoxia Action Plan, which highlights the important role that river diversions could play in reducing nutrient loads. In addition, substantial nutrient load reduction could be achieved through the measures being implemented by the other states and entities involved with the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These combined efforts could lessen the potential impacts of excess nutrient loads to Barataria Basin and the northern Gulf of Mexico.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62838**

**Near-term, long term, and real-time monitoring in the Barataria Basin will be essential to the operation of the diversion as well as to public communication about the performance, over space and time, of the diversion and its area of influence. Governance and decision making for the Project should be a science-based, inclusive, and transparent process with genuine engagement and input from external experts and community stakeholders.**

**Response ID: 16665**

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According to the LA TIG, the monitoring issues raised by the commenter were considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS), which was jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan included input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]). In response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

With specific regard to the inclusion of scientific expertise, in addition to the expertise within CPRA, the governance provisions of the MAM Plan call for establishing a Technical Focus Group/Peer Review Group with subject matter expertise to provide technical support on long-term Project planning, assist in the evaluation and interpretation of monitoring data, and evaluate the state of the science concerning adaptive management. See Section 2.2.2.3 (Technical Focus Group(s)/Peer Review) of the MAM Plan (Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62857**

**The complexity of the proposed Project, and the multitude of uncertainties that have been identified while estimating its benefits and impacts, demonstrates the importance**

**for real-time monitoring protocols in the adaptive management program to reduce uncertainties over time.****Response ID: 16667**

According to the LA TIG, the monitoring measures raised by the commenters were considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). Monitoring, including collection of real-time data, is essential for increasing the likelihood of achieving desired Project outcomes given the uncertainties inherent to predicting the Project's effects. For example, post-construction, hydrographic station readings in the Mississippi River would be posted in real time and accessible from remote networks to enable forecasting water and sediment arrival. Along the gradient from the Mississippi River through the diversion and into the basin, CPRA is planning for the use of real-time data for key hydrographic variables (turbidity, stage, velocity, and water quality). As CPRA's plan to perform real-time monitoring was included in the Draft EIS, no changes have been made in the Final EIS in response to this comment. See CPRA's MAM Plan (Appendix R2 to the EIS) for additional details regarding the monitoring efforts planned in anticipation of and during Project operations.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62859**

**The Final EIS and supporting record should include additional information about possible operational minimization measures that may be considered through the adaptive management process, based on monitoring and new information. For**

**example, evaluation of the construction of landscape features that might provide higher-salinity refuge areas within the basin might be an option.**

**Response ID: 16668**

The Draft EIS considered measures for adaptively managing the Project as part of the Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). Since issuance of the Draft EIS, CPRA modified the MAM Plan to include additional information regarding strategies for minimizing impacts through monitoring and adaptive management (see Section 3.7.1.1.7 [Topography/bathymetry of the Project Influence Area] of the MAM Plan in Appendix R2 to the Final EIS).

The EIS considered potential features in the outfall area such as canals, bayous, impoundments, weirs, and chenier-like ridges to manipulate the flow of water and sediment for water quality and sediment retention benefits, to create barriers for storm surge and wind, and to redirect waters away from oyster production and sensitive areas. However, flow-directing outfall features within the initial delta formation area were eliminated from consideration because of the potential for such features to impede the development of the delta formation. See Chapter 2, Section 2.5 Step 3: Evaluation of Sediment Diversion Outfall Features for evaluation of these alternative outfall features as part of the alternatives screening process. Because these features were previously eliminated, they will not be considered as part of future adaptive management.

As described in the MAM Plan (Appendix R2 to the Final EIS), CPRA would monitor salinities in the basin after Project operations commence to help inform potential relocation of seed grounds to more environmentally suitable areas within the basin or the establishment of broodstock reefs to address larval supply. The Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) includes a full suite of oyster mitigation measures totaling \$32 million.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62860**

**The Draft EIS Monitoring and Adaptive Management (MAM) Plan in Appendix R2 includes several steps and elements that would be considered appropriate for adaptive management and allow for full benefits of such measures.**

**Response ID: 16669**

The MAM Plan steps and elements noted and supported by the commenters were included in Appendix R2 to the Draft EIS. These measures have been further refined in CPRA's MAM Plan issued with the Final EIS (Appendix R2).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62862**

**Taking advantage of operational changes authorized in WRDA 2007, Davis Pond should be used as an adaptive management tool to achieve a gradual transition to lower estuarine salinities in the Barataria Basin. During the transition, the response of**



**estuarine organisms, including brown shrimp, oysters and bottlenose dolphins could be monitored.**

**Response ID: 16671**

The Draft EIS did not consider using Davis Pond as an adaptive management tool. Based on the comparative size and location of the Davis Pond Freshwater Diversion relative to the Project, operational limitations on Davis Pond during low river flows and existing limitations on the flexibility of Davis Pond's operational regime, Davis Pond cannot effectively be used to ease the transition to a fresher estuary. In addition, increasing flows from Davis Pond in advance of commencement of Project operations could reduce the pre-construction time period available for fishers to continue their fishing activities while beginning to adapt to changes that occur once Project operations commence. Accordingly, no changes have been made to the Final EIS.

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**Concern ID: 62867**

**The Final EIS should not be published unless there are commitments to monitor the following parameters at the diversion site or in Barataria Bay: Project operations, the flow and quality of the water flowing through the diversion, wetland type coverage over time, water surface elevation, water quality in the basin, salinity, contaminant concentrations in diverted sediments, fish and shellfish abundance, oyster reef parameters, benthic community composition and abundance, SAV coverage, finfish and oyster contaminant concentrations, and shellfish harvest restrictions. These same data should also be collected in two reference basins.**

**Response ID: 16676**

Basin-side monitoring of water surface elevation, water quality in the basin, salinity, fish and shellfish abundance, and benthic community composition and abundance to evaluate how the Project is meeting Project objectives were included in the Monitoring and Adaptive Management (MAM) Plan of the Draft EIS (Appendix R2 ). Riverside monitoring parameters include river discharge, suspended sediment concentrations, nutrient concentrations in water conveyed to the Barataria Basin, sedimentology of the Alliance South sand bar, and Mississippi River sediment load were also included in the MAM Plan of the Draft EIS. Additionally, in the Fish and Wildlife Coordination Act Report (CAR) section of Chapter 5 (Consultation and Coordination) of the Draft EIS, CPRA accepted USFWS' recommendation on pre- and post-construction periodic sampling of Contaminants of Concern in fish, shellfish, and wildlife from the outfall area and the Mississippi River (see Section 3.7.3.23 of the MAM Plan [Appendix R2 to the EIS]). Therefore, no changes were made in the Final EIS on these issues. The Louisiana Department of Health will continue to monitor shellfish harvest restrictions. Additionally, the majority of the parameters above are collected via the State's System Wide Assessment and Monitoring Program that will allow comparison of the Project variables within and among other estuarine basins across the Louisiana coast.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA

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intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62871**

**This Project can proceed carefully and with full attention to the ways in which impacts to bottlenose dolphins can be lessened. Supporting a rigorous pre- and post-construction monitoring program can reduce key uncertainties about the populations of bottlenose dolphins and can help measure Project effects.**

**Response ID: 16679**

The marine mammal related monitoring issue raised by the commenters was considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS). The MAM Plan describes pre- and post-construction monitoring to document baseline and changes to the abundance, distribution, population demography, density, survival, health, and reproduction of the Barataria Bay Estuarine System (BBES) stock of bottlenose dolphins, their prey, and their habitat, including effects that may result from the operation of the Project and resulting low salinity. For more information, refer to Section 3.7.3.19 (Atlantic Bottlenose Dolphins [*Tursiops truncatus*]) of the MAM Plan (Appendix R2 to the EIS). As these marine mammal monitoring measures were already considered in the Draft EIS, no changes were made in the Final EIS in response to this comment.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the

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Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62878**

**The EIS and Mitigation Plan does not adequately consider or mitigate for impacts to Ironton. The EIS should include air pollution buffers for Ironton and flood protection easement areas for Ironton and other vulnerable communities outside of levee protection.**

**Response ID: 16505**

The concerns raised by the commenters were considered in the Draft EIS in Chapter 3, Section 3.7.2 Air Quality, Existing Conditions; and Chapter 4, Sections 4.8 Noise, 4.13 Socioeconomics, 4.15 Environmental Justice, 4.22 Land-Based Transportation and 4.25 Cumulative Impacts. Chapter 3, Section 3.7.2 Air Quality - Existing Conditions identifies the existing air quality in the proposed Project area and provides that Plaquemines Parish is designated as "unclassifiable/in attainment" for all criteria pollutants. The resource sections in Chapter 4 address potential air quality, noise, transportation, and tidal flooding impacts specifically concerning the community of Ironton. In addition, Chapter 2 of Appendix H1 Socioeconomics Technical Report to the EIS provides contextual information about the Ironton community.

CPRA committed to implementing best management practices (BMPs) to minimize construction impacts in the EIS in Chapter 4, Section 4.27.1 Avoidance and Minimization and Appendix R1 Mitigation and Stewardship Plan; additional information on BMPs is also included in the Mitigation Summary Table in Appendix R3. Construction emissions would be highly localized, and consequently the Project is only anticipated to impact air quality within 0.5 mile of the construction footprint; however, Ironton is located approximately 0.5 mile from the construction footprint (see EIS, Chapter 4, Section 4.7.1 Area of Potential Impacts). As stated in the EIS in Chapter 4, Section 4.15 Environmental Justice, populations in Ironton would experience minor to moderate, temporary adverse, impacts due to increased noise levels, dust, and transportation delays during the approximately 5-year construction period. During operations, air emissions would be negligible since the diversion structure would be electric-powered (see EIS Chapter 4, Section 4.7.4.2).

Beyond the near-term impacts of construction, operation of the Applicant's Preferred Alternative may have impacts on Ironton. Because it is within the New Orleans to Venice

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(NOV) Non-Federal Levee (NFL) W-05a.1 (La Reussite to Myrtle Grove levee reach) levee system, Ironton is not expected to be impacted by increases in frequency and duration of tidal flooding due to Project operations (see Section 4.15.4.2.2 Storm Hazards and 4.20.4.2 Public Health and Safety). Further, guide levees constructed parallel to the diversion channel will be constructed to an elevation of approximately 15.6 feet and will serve as hurricane and storm damage risk reduction against storm surges. However, negligible to minor increases in risk of NOV-NFL Levee overtopping south of the immediate outfall area (following the delta formation in the outfall area) due to storm surge during certain 1 percent storms, may impact low-income and minority populations within Ironton. These potential impacts may be exacerbated to the extent that Ironton residents experience unique vulnerabilities.

To ensure that impacts on the community of Ironton have been adequately disclosed and to make that analysis readily accessible in one location within the EIS (rather than throughout the various resource sections), a section has been added to the Final EIS that provides a summary of impacts on the community of Ironton under the Applicant's Preferred Alternative (see Chapter 4, Section 4.15.5.1 Environmental Justice).

CPRA is not proposing specific mitigation to address or offset the negligible to minor increased risk in levee overtopping that could affect the community of Ironton inside the NOV-NFL system because this potential increased risk does not accrue until Project operations have resulted in the development of a delta (wetlands and marsh) in the area outside the NOV-NFL Levee adjacent to Ironton (circa 2040), and because this risk was identified for only one of the 100-year storm scenarios modeled. However, to help Ironton prepare for and mitigate flood risk from storms generally, CPRA would designate a liaison to work with residents in Ironton prior to commencing operations of the Project on community preparedness for storm-based flooding and damage.

CPRA has engaged in public outreach meetings with the communities projected to be impacted by the MBSD to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. Outreach efforts were undertaken to better understand and address potential impacts on communities with environmental justice concerns, such as low-income and minority populations, that may be disproportionately impacted by the Project, as discussed in Chapter 7 of the Final EIS. This included meetings in the community of Ironton. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input. The mitigation and stewardship measures now provide additional detail regarding specific efforts targeted at assisting low-income and minority populations in addressing the potential impacts of the Project. CPRA will continue to engage with potentially impacted environmental justice communities and organizations concerning the implementation of the mitigation and stewardship measures.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS

Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62890**

**The wetlands and coastal habitats of Louisiana are essential to the bird populations (both resident and migratory) and must be protected and restored. The proposed Project is important to maintaining and rebuilding important bird habitat.**

**Response ID: 16190**

Chapter 3, Section 3.9.2.1 in Terrestrial Wildlife and Habitat of the Draft EIS identified the importance of area habitats and resources to migratory, and other, birds in the Barataria Basin. Further, Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh, as well as initial land accretion and creation of mudflats, that is projected to occur as part of the proposed Project, and identified that the net addition of these habitats would generally be beneficial to waterfowl and shorebirds.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 62892**

**The proposed MBSD Project would create wetlands supportive of birds (bald eagles, spring and fall migrants, waterbirds, and marsh birds) and other wildlife that are experiencing a high rate of coastal land (habitat) loss.**

**Response ID: 16191**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the Draft EIS, discussed the maintenance and creation of marsh that is projected to occur as part of the proposed Project, and identified that the net addition of wetlands would generally be beneficial to area birds. As identified in Section 4.12.3.2 in Threatened and Endangered Species of the Draft EIS, the

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creation and maintenance of wetlands could affect bald eagle aquatic foraging habitat and prey species, but would likely result in negligible effects on the bald eagle itself.

The potential benefits of the proposed Project to resources in the Gulf, including birds, are also described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 62897**

**Organic plant biomass is being converted to animal biomass as marsh loss occurs, serving as a prey base. But there is a fixed quantity of stored organic biomass and once it is gone, it is gone. Therefore, the No Action Alternative would have dire consequences overall for coastal bird and wildlife populations and the habitats on which they depend, because the system's energy continues to be depleted.**

**Response ID: 16195**

The comment is consistent with the EIS (Chapter 4, Section 4.9.4.1 in Terrestrial Wildlife and Habitat) that identifies continued wetland loss to be a major adverse impact on wetland wildlife due, in part, to a decreasing food source. In addition, as stated in Section 4.10.4.4 in Aquatic Resources, the current Barataria Basin food web is relatively complicated with a high degree of resilience, although detritus plays an important role. In a system that would become predominantly open water and soft bottom habitat with a low amount of wetlands, the food web would likely become more plankton-based and less detrital-based. This would represent a reduction in net system energy flow, trophic diversity, and faunal diversity compared to the existing system. The system could therefore be less resilient compared to one with multiple trophic pathways and detrital subsidies. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62899**

**The Draft EIS likely underestimated the value of the riverine reintroduction to wildlife and the estuarine system, as seen at the sites of several new planned and accidental riverine avulsions, such as West Bay, Mardi Gras Pass, Fort St. Philip, delta-wide crevasses in the birdfoot delta, Davis Pond, Caernarvon, and Wax Lake. Biophysically, the introduction of carbon, nitrogen, and phosphorus into declining marshes would automatically trigger concomitant increases in net primary productivity, with beneficial effects amplified up the trophic pyramid (Day et al. 2021, Tupitza and Glaspie 2020, Wissel and Fry 2005).**

**Response ID: 16197**

A summary of select natural and man-made diversions in southeastern Louisiana, including those noted by the commenter, has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes the impacts of these other diversions on wildlife and the respective estuarine systems, is available in Appendix U of the Final EIS. In addition, the impacts of nutrient input from the proposed Project on the food web were discussed in Chapter 4, Section 4.10.4.4 in Aquatic Resources of the Draft EIS, which is consistent with the commenter's referenced statement and acknowledges the anticipated increase in primary productivity (and associated benefits to the food web) from nutrient input during Project operations and no changes to the Final EIS were warranted.

**Concern ID: 62903**

**The freshening of systems allows the revival and recolonization of freshwater and brackish species. This is dramatically true in the case of trees and shrubs, few of which tolerate higher salinities. In the outfall areas of existing recent diversions, early successional willows are growing in profusion (for example, see CRMS3169), and succession to longer lived species like bald cypress would very likely follow. Meanwhile, on higher ground, stressed and dying natural levee and chenier vegetation like live oak may be revived, and recruitment of new woody vegetation can begin again.**

**Response ID: 16200**

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS. Chapter 4, Section 4.9.4.2.1 Vegetation has also been revised to supplement the analysis of proposed Project's impacts on vegetation.

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**Concern ID: 62919**

**Commenters suggested that the proposed Project should include additional details and measures to minimize adverse impacts on dolphins, including additional adaptive management measures, such as operational minimization measures (and other measures to minimize short-term impacts from lower salinity levels) as well as additional details about human interaction/anthropogenic stressor reduction stewardship measures, and about how the goals of those measures will be achieved. One commenter noted that while the alternatives evaluated in the Draft EIS, including those rejected for further review, are adequate for purposes of an Final EIS and Record of Decision, more information on minimization measures that may be considered to address impacts to dolphins through the adaptive management process is needed**

**Response ID: 16707**

In recognition of the potential collateral injury to bottlenose dolphins and in response to public comments on this issue, the CPRA has revised the Monitoring and Adaptive Management (MAM) Plan included in the Draft EIS (see Appendix R2 [Monitoring and Adaptive Management Plan] to the Final EIS) to include more specific details regarding strategies and protocols to be used to minimize impacts on dolphins at the onset of operations and the process through which operational data would be used to evaluate potential modifications to those strategies and protocols. As stated in the MAM Plan, adaptive management strategies are largely reliant upon data that would only be available once operations commence, but may also be informed by new information gained during the preoperational period. At that time, such data would be used to evaluate modifications to operations that may further minimize impacts to marine mammals while achieving Project goals. In the updated MAM Plan, the CPRA has included a framework by which recommendations on operational management actions designed to minimize impacts on marine mammals would be made and CPRA's final determination on whether they would implement those measures.

The LA TIG has also developed a Marine Mammal Intervention Plan (see Appendix R5 to the Final EIS), which outlines a spectrum of response actions for dolphins affected by the operation of the diversion, ranging from recovery/relocation to no intervention to euthanasia.

While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. With respect to achieving the goals of the stewardship measures that are incorporated in the Mitigation and Stewardship Plan addressing other anthropogenic stressors, the NMFS' Southeast Regional Office and Southeast Fisheries Science Center will lead those efforts. The Final Mitigation and Stewardship Plan has been updated to include additional information regarding this topic (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62934**

**A commenter noted the role of gathering scientific information under the MMPA and stated that the research undertaken as part of the Project would be consistent with MMPA policies by calling for monitoring and follow-up research, long-term habitat improvement, and actions for the health and stability of the Gulf ecosystem.**

**Response ID: 16549**

The Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Final EIS) contains a monitoring program. Congress required the State of Louisiana to establish a monitoring program to "[m]onitor and evaluate the impacts of the projects on [marine

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mammal] species and population stocks” as part of the legislation that required the Secretary of Commerce to issue a waiver for MMPA Sections 101(a) and 102(a). See Bipartisan Budget Act of 2018, Section 20201(a).

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**Concern ID: 62963**

**Mitigation compensation should prioritize those most affected, likely those who rely on oyster leases in the mid-basin areas or smaller operations, as well as economically vulnerable oyster fishers.**

**Response ID: 16533**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 Aquatic Resources, 4.14 Commercial Fisheries, 4.15 Environmental Justice and 4.16 Recreation and Tourism.

In response to public comments and resource agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA’s mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project’s operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed ground, \$15 million to enhance public and private oyster grounds, \$4 million to create or enhance broodstock reefs and \$8 million for alternative oyster culture. While the focus of the proposed mitigation and stewardship measures are on establishing sustainable fisheries, oyster mitigation and stewardship measures have been crafted to focus on those impacted by the Project specifically. For example, a portion of each of the stewardship measures for impacts to oyster harvesters would be expressly designated for use by low-income and minority oyster harvesters. See the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the

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Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62966**

**The MAM Plan and Mitigation Plan provide significant resources that can help the oyster industry adapt to Project impacts.**

**Response ID: 16534**

The Mitigation and Stewardship Plan (Appendix R1) included in the Draft EIS proposed mitigation and stewardship measures to assist the oyster industry to adapt to changing conditions. Since issuance of the Draft EIS, CPRA further expanded and refined the Mitigation and Stewardship Plan based on community and resource agency input (see Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA

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TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62978**

**Collaboration is needed to minimize impacts on oyster industry, including developing innovative uses for bottom oysters and supporting collaboration between CPRA and LDWF.**

**Response ID: 16539**

CPRA and other state agencies, such as LDWF, recognize the importance of collaboration to support the fishing industry in adapting the ongoing changes in the environment. As explained in Section 4.14.4.1 Commercial Fisheries of the Draft EIS, without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. bCPRA and LDWF worked together with numerous oyster fishers as part of Louisiana Sea Grant's Seafood Futures Initiative to develop mitigation and stewardship measures aimed at maintaining a sustainable oyster fishery. CPRA anticipates working with other agencies, such as Louisiana Economic Development, on the workforce development, education and training programs included in the Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS). In addition, CPRA engaged the fishing community potentially impacted by the Project through public meetings to solicit input on mitigation and stewardship strategies and engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures from affected fishers. A summary of these public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

Refer to the Mitigation and Stewardship Plan for mitigation measures to be implemented as a result of these engagement efforts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of

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specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63059**

**The freshwater habitat components of Louisiana's estuaries are under tremendous threat from erosion, saltwater intrusion, and sea-level rise, and are at risk of completely disappearing given physical limitations preventing inland marsh migration (Glick et al. 2013).**

**Response ID: 16065**

The literature cited by the commenter (Glick et al. 2013) was reviewed. Chapter 3, Section 3.6.2.2 in Wetland Resources and Waters of the U.S. of the EIS describes the causes of historic wetland losses in the Barataria Basin and is consistent with those documented by Glick et al. (2013), including sea-level rise. Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 63071**

**The dire forecasts about the near-term effects on dolphin populations in parts of Barataria Bay depend upon a number of unproven and improbable assumptions about dolphin adaptability and tolerance for living in the delta (Garrison et al., 2020). Conversely, the continued collapse of the marsh platform in the Barataria Basin will eventually reach a tipping point at which the prey base of dolphins in the bay would shrink and could eventually collapse. The long-term health of dolphins in the northern Gulf of Mexico depends on reconnecting the river to the delta and reestablishing the deltaic cycle.**

**Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p.**

**Response ID: 16594**

The Draft EIS recognized that the loss of wetlands under the No Action Alternative would result in a gradually increasing, from negligible to moderate, adverse impact on dolphins (see Chapter 4, Section 4.11.5.1 [Operational Impacts]). The impacts on bottlenose dolphins from freshwater exposure have been well documented, including observations and data collected in association with the release of fresh water in Louisiana (see Chapter 4, Section 4.11 [Marine Mammals] of the EIS for more details). Most recently, a freshening event in 2019 resulted in the declaration of an unusual mortality event (UME) in the northern Gulf of Mexico.

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Existing data on low-salinity exposure were used to develop a dose-response model that formed the basis for the evaluation of impacts in the Draft EIS (see Chapter 4, Section 4.11.3 [Overview of Impact Analysis Approach]). The dose-response model was coupled with an updated population model to evaluate potential changes in survival rates with in BBES. These potential decreases in survival rates caused by the diversion were compared to future conditions without the diversion (the No Action Alternative). The analysis contained in the Draft EIS determined that there would be a major, adverse, long-term impact on the BBES Stock. That conclusion is also supported by Thomas et al. (2021), which built on earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. 2021 further concluded that after 10 the planned 50 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the remaining Island stratum being severely reduced relative to the No Action Alternative (that is, the median predicted population size of the Island stratum would be 85 percent lower [95 percent CI 28-99] under the Applicant's Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock would be 96 percent smaller (95 percent CI 80-100) under the Applicant's Preferred Alternative than then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al (2021). The impacts of Project-induced wetland changes on dolphins is discussed in Chapter 4, Section 4.11.5 Operational Impacts of the EIS.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such

measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63197**

**While recognizing that their recommendations may be outside the scope of the EIS, commenters suggested continuing to work with fishers and to examine fishing laws and policies.**

**Response ID: 16568**

The LA TIG acknowledges the desire of the commenters for ongoing engagement with fishers regarding the fishing laws and policies. Existing task forces within the State, such as the Joint Fisheries Task Force Working Group within the Louisiana Department of Wildlife and Fisheries (LDWF), would be an appropriate forum to suggest the examination of fishing laws and policies, given the many factors resulting in changed conditions in the State.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

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The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63382**

**The Mid-Barataria Sediment Diversion is a linchpin project from the plan that is critical to building a more climate resilient future for Louisiana. For decades, scientists and engineers have considered all the tools available and overwhelmingly agree that this proposed Project, and projects like it, are the best long-term solution and necessary to match the challenges faced from land loss due to sea-level rise and other climate change impacts. The proposed Project would build and maintain thousands of acres of vital wetlands to protect people from flooding from more intense hurricanes and sea-level rise. Without action, some communities would see increased vulnerability to floods, continued loss of wetlands, and a collapse of key fisheries. Finally, the proposed Project would work in concert with nearby marsh creation projects and would extend the lifespan of the millions of dollars that have been invested in nearby marsh creation projects.**

**Response ID: 16344**

The commenter's support for the proposed Project is noted. The No Action and proposed Project alternatives' impacts on flooding potentials, wetland extent, and key fisheries were discussed in Chapter 4, Sections 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk, 4.6 Wetland Resources and Waters of the U.S., and 4.10 Aquatic Resources of the Draft EIS, respectively. Similarly, the cumulative impacts of the proposed Project and other restoration projects were discussed in Section 4.25 Cumulative Impacts of the Draft EIS, as applicable.

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**Concern ID: 63580**

**CPRA should seek alternative outreach tools to reach typically hard to reach audiences including low-income, minority, and non-English speaking communities.**

**Response ID: 15914**

USACE and LA TIG coordinated with the SELA Voice organizations to understand the needs of the local communities regarding the best ways to reach out to these communities prior to the release of the Draft EIS and the LA TIG's Draft Restoration Plan. Recommendations for where to make the Draft EIS and the LA TIG's Draft Restoration Plan available as well as translation of material related to the Draft EIS and Restoration Plan were implemented. USACE and LA TIG tailored the public meeting process for the Draft EIS and the LA TIG's Draft Restoration Plan based on COVID-related restrictions in place at the time. Public meetings were virtual and allowed an open exchange during the public comment portion. Meetings could be accessed via internet/web-based conferencing application or via telephone. Spanish, Vietnamese, and Khmer translators facilitated participation by non-English speakers; key messages from the meeting presentations were translated during the meetings and the translators were available to interpret participant comments in any of those languages.



In addition to the public meetings, commenters were able to submit their comments via multiple means. Dedicated toll-free numbers were provided through which English-speaking and non-English speaking individuals could listen to pre-recorded presentation information and provide public comment on the Draft EIS and LA TIG's Draft Restoration Plan in their language of choice. The pre-recorded presentation information consisted of an explanation of how to comment, an update on the proposed MBSD Project design, information concerning the ongoing restoration planning efforts and the LA TIG's Draft Restoration Plan, and details about how to navigate and review the contents of the Draft EIS. The Draft EIS was (and is) available on the USACE website. The LA TIG's Restoration Plan was also made available on the LA TIG's website.

The Executive Summary for the Draft EIS and the LA TIG's Draft Restoration Plan were translated into Spanish and Vietnamese and were available at libraries and community centers/organizations. The complete Draft EIS and Draft Restoration Plan with appendices were also available as either a printed copy and/or electronically (thumb drive) at these locations.

Since the release of the Draft EIS and the LA TIG's Draft Restoration Plan, CPRA conducted public outreach to communities projected to be impacted by the Project to solicit input on mitigation and stewardship strategies, including reaching out to local non-profits to assist with and facilitate meetings with impacted fishers and communities, including Indigenous communities and low-income and minority communities. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward including through Coastal Connections meetings and use of community non-profit, non-governmental organizations for additional outreach. CPRA has also committed to stakeholder engagement and input during the adaptive management process if the proposed MBSD Project is implemented. CPRA would provide annual operations plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

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**Concern ID: 63630**

**The Project will lead to long-term benefits for marine mammals and dolphin populations by restoring the marine ecosystem and by carrying out monitoring and mitigation of the near-term impacts described by the Draft EIS and associated studies (Garrison et al., 2020).**

**Response ID: 16706**

The Draft EIS included an analysis of the impacts to marine mammals, including BBES dolphins in Chapter 4, Section 4.11 Marine Mammals. While the analyses in the EIS suggest that some prey resources upon which dolphins rely may benefit from the proposed Project, the analyses overall suggest that the impact of the proposed Project on dolphins would be immediate, significant, and adverse. These analyses incorporated studies from Booth and

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Thomas (2021), Garrison et al. (2020), and Schwacke et al. (2017) and the Final EIS includes additional analyses that were complete by Thomas et al. (2021) after the Draft EIS was released for public comment.

The impact conclusion in the Draft EIS was based in large part on Garrison et al. (2020), which predicts that only a “remnant population” of dolphins would continue to exist in Barataria Basin after diversion operations commenced. That conclusion is confirmed by Thomas et al. (2021), which concludes that, after 1 year of operation of the Applicant’s Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. further concluded that after 10 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative with an overall difference in population of 78 percent. After the planned 50 years of operation, dolphins in three out of the four strata are predicted to be extinct under the Applicant’s Preferred Alternative, with the remaining Island stratum population being 85 percent lower [95 percent CI 28-99] under the Applicant’s Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant’s Preferred Alternative is projected to be 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 dolphins (95 percent CI 2831-4289) predicted to inhabit Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock is predicted to be 96 percent smaller (95 percent CI 80-100) under the Applicant’s Preferred Alternative than then No Action Alternative. Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al (2021).

To respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals, the LA TIG has developed a new Marine Mammal Intervention Plan to further (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship,

monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63710**

**Commenter requests that EJ mitigation efforts be made specifically for economically vulnerable oyster fishermen, potentially by providing them with alternate lease locations.**

**Response ID: 16510**

The Draft EIS (Chapter 4, Section 4.15.4.2 - Environmental Justice - Operational Impacts) identified the potential for the Project to result in disproportionately high and adverse impacts on some low-income and minority commercial oyster fishers. In response to these identified impacts and based on public comments, CPRA expanded and refined its Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan. CPRA's Mitigation and Stewardship Plan included with the Final EIS provides additional details on specific mitigation measures for impacts on oysters (see Appendix R1 of the EIS, Section 6.3.3). According to CPRA, a portion of the funding for several of these mitigation and stewardship measures would be prioritized for low-income and minority fishers to ensure that such fishers receive the benefits of these programs. Additionally, rulemaking by LDWF effective April of 2020 ended a moratorium on new leases on state-owned water bottoms enacted in 2002. The LDWF oyster lease process establishes a phased approach for settling previous applications and providing for new lease opportunities. More information on this program is available at <https://www.wlf.louisiana.gov/page/oyster-lease-moratorium-lifting> or within the LDWF Rule found in LAC 76:VII.505.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63775**

**The MAM Plan should develop an information dashboard or clearinghouse where the basin-wide data can be kept and accessed, would be useful to the public as well as diversion operators, state agencies, researchers, and other stakeholders.**

**Response ID: 16686**

In response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

This dashboard has been added to the Monitoring and Adaptive Management (MAM) Plan included in the Final EIS (Appendix R2).

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**Concern ID: 63827**

**CPRA should consider constructing landscape features to provide higher-salinity refuge areas within the basin.**

**Response ID: 16552**

Based on Coastal Master Plan modeling, CPRA does not anticipate that ridge restoration would effectively deflect freshwater flows from the larger basin. The size and scope of ridges necessary to isolate areas in the basin from fresh water makes this solution infeasible.

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Construction of outfall features, including ridges, was identified as an alternative that was considered but eliminated in Section 2.6 Summary of Alternatives Considered but Eliminated from Detailed Analysis. No related edits have been made to the Final EIS.

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**Concern ID: 63942**

**Commenters requested mitigation actions be taken to minimize air, water and noise impacts near the construction site.**

**Response ID: 16583**

If the Project is permitted, approved, and funded, CPRA has stated that it would implement certain BMPs during Project construction to avoid and minimize construction impacts listed in Chapter 4, Section 4.27.1 (Mitigation Summary - Avoidance and Minimization) and Appendix R1 (Mitigation and Stewardship Plan) of the Draft EIS. In response to comments, CPRA expanded and refined the BMPs and EPMs between the Draft and Final EIS in the Mitigation Summary Table (Appendix R3 to the Final EIS).

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**Concern ID: 64089**

**Commenters asked that the jobs that are created by construction of the proposed Project spur inclusive and equitable economic development. The Louisiana State and local economic development authorities should focus efforts through communication, recruitment, and training activities, into creating jobs for local residents, including minority residents. The same type of focused workforce development effort is likely necessary in order for these local jobs to translate into longer term economic benefits for affected communities. Work with the community to identify future needs of this workforce, including: providing adequate emergency and routine medical care for workers, facilitating the start and growth of small business to provide services to this workforce, and educating skilled workers who can later pivot to other jobs along our coast long after construction is complete.**

**Response ID: 16234**

With respect to the award of contracts, CPRA is required to follow the provisions of the Louisiana Public Bid Law, including those contained in Title 39, Chapter 17 (the Louisiana Procurement Code) and in Title 38, Chapter 10 (Public Contracts). CPRA has sought and regularly seeks engagement and participation from the public, agency, and stakeholder groups wishing to be involved in the coastal restoration process. Over the past several years, CPRA has conducted outreach associated with its Sediment Diversion Program, including Coastal Connections meetings throughout the proposed MBSD Project area. In addition, since the release of the Draft EIS, CPRA has engaged the public through meetings with the communities projected to be impacted by the proposed MBSD Project to solicit input on mitigation strategies, including reaching out to local non-profits to assist with and facilitate meetings with the impacted communities. CPRA states that it would provide additional opportunities for public engagement if the proposed Project moves forward. A summary of these public engagement meetings can be found in Chapter 7 Public Involvement of the Final EIS.

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**Concern ID: 64130**

**Commenters suggested the Draft EIS is insufficient in terms of its definition and analysis of affected communities, particularly low-income and communities of color. The analysis would be improved by a discussion of historical context and systemic**

**inequities to describe the existing barriers (that is, economic hardships, educational background, language barriers) these communities, particularly Ironton, must deal with.**

**Response ID: 16301**

The issues raised by the commenters were considered in the Draft EIS. The EIS Chapter 3, Section 3.15 Environmental Justice and Chapter 2 of Appendix H1 Socioeconomics Technical Report discusses existing barriers faced by populations in the Project area affected by the proposed Project, including economic hardships, and describes specific communities with low-income and minority populations. Chapter 2 of Appendix H1 Socioeconomics Technical Report, also provides information regarding historical context and systemic inequities affecting these communities. Chapter 4, Section 4.15 in Environmental Justice describes potential impacts on low-income and minority populations from construction and operation of the proposed Project. In the Final EIS, Chapter 4 Section 4.15.5.1 Environmental Justice, a summary of impacts to the Ironton community has been added to facilitate access to that information. Information concerning additional outreach to communities with environmental justice concerns has also been added.

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**Correspondence ID:40566**

Institute for Marine Mammal Studies, Inc.

Moby Solangi

June 3, 2021

US Army Corps of Engineers

New Orleans District

Attn: CEMVN-OD-SE, MVN-2012-2806-EOO 7400 Leake Avenue New Orleans, LA 70118

Submitted via email to: CEMVN-Midbarataria@usace.army.mil

To Whom it may concern:

Established in 1984, the Institute for Marine Mammal Studies is a Mississippi 501 (c)(3) nonprofit organization dedicated to the conservation and research on marine mammals and sea turtles in the north central Gulf of Mexico. It has conducted pioneering research on the biology and natural history, stranding response, and rehabilitation of marine mammals and sea turtles in the region for decades. A summary of programs and accomplishments of the Institute are presented on its website [Blockedwww.imms.org](http://www.imms.org)

Based on the information that we have reviewed and the research that we have conducted, it is our opinion that the proposed mid-Barataria diversion as planned will have a catastrophic effect on the local dolphin population and the ecosystem that supports it. In addition to the loss of marine fishery resources resulting from the diversion of polluted Mississippi River water into the Bay, there will be serious economic and cultural losses that will occur, which need to be considered. We recommend that extensive studies be done on the marine resources and their habitat to evaluate the effect of the polluted Mississippi River that will be redirected into Barataria Bay. Furthermore, other alternate options should be seriously considered prior to the issuance of the requested permit.

In 2019, the redirection of the polluted Mississippi River water to the Mississippi Sound and adjacent waters resulted in massive losses of marine resources (dolphins, oysters, crabs, fish) and significantly affected the local economy. This Unusual Mortality Event was investigated by NOAA, and the results of this investigation should be considered in the evaluation of the mid-Barataria project, which would be introducing the River water to the Bay estuary year after year.

Finally, the DWH settlement money that is being used to construct the mid-Barataria diversion was specifically for the restoration and recovery of the marine species and their habitat that were damaged by the oil spill. Therefore, these funds should not be used to further destroy the very resources that these monies were to be used for their restoration. A legal opinion on the possible violation of the BP Settlement Agreement should be sought before using these monies for the construction of the diversion, which will result in the destruction of the marine resources.

Sincerely,

Moby Solangi, Ph.D.

President and Executive Director

Institute for Marine Mammal Studies, Inc.

[REDACTED]  
Gulfport, MS 39503  
[REDACTED]

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**Concern ID: 61879**

**Commenters questioned why other alternatives are not being considered other than No Action and a sediment diversion with various levels of flow rates. CEQ's regulations require that the EIS rigorously explore and objectively evaluate all reasonable alternatives, which is a requirement that the Draft EIS does not meet. Consider analyzing a range of other alternatives, options, and tools that better preserve and protect the environment and minimize the severe impacts to Louisiana fisheries, the communities, and the entire Gulf Coast ecosystems.**

**Response ID: 15835**

The range of reasonable alternatives evaluated in the EIS was based on the purpose and need statement set forth in Chapter 1, Section 1.4 Purpose and Need of the EIS. As described in Chapter 2 of the Draft EIS (Alternatives), an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and its evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria were described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for details on why these alternatives were not carried forward for further evaluation in the EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment

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diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

Prior to the development of the EIS and Restoration Plan, the LA TIG evaluated various restoration alternatives in its SRP/EA #3 and found that a combination of “marsh creation and ridge restoration plus a large-scale sediment diversion would provide the greatest level of benefits to injured Wetlands, Coastal, and Nearshore habitats and to the large suite of injured resources that depend in their life cycle on productive and sustainable wetland habitats” (LA TIG, 2018) in the basin and in the broader northern Gulf of Mexico. As a result, the LA TIG pursued the development of a large-scale sediment diversion, specifically the proposed Mid-Barataria Sediment Diversion evaluated in its Restoration Plan. The LA TIG has funded other marsh creation restoration efforts that provide ecosystem services lower in the basin (that is, Barataria Basin Ridge and Marsh Creation Project: Spanish Pass Increment and Queen Bess Island Project). These activities complement and reinforce the restoration that would be provided by the proposed MBSD Project. Section 2.3 of the LA TIG’s Restoration Plan provides a detailed discussion of process used to identify restoration alternatives.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people’s livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA’s requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or

will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62666**

**It would be inappropriate, and contrary to the stated purpose of restoring injured resources, to use DWH settlement funds to implement a project that would harm the same wildlife (for example, shrimp, oysters, bottlenose dolphins, *Spartina alterniflora*) and ecological services that were negatively affected by the oil spill.**

**Response ID: 16625**

USACE is not evaluating the proposed Project for compliance with the OPA and is not involved in the process to restore the damage caused by the DWH oil spill. USACE's involvement with the proposed Project is limited to its permitting decisions and associated NEPA and other evaluations of the proposed Project under the CWA Section 404 and RHA Sections 10 and 14 (33 USC Section 408). USACE is not executing any DWH restoration actions under the OPA. As explained in the Restoration Plan, the LA TIG is responsible for deciding the appropriate use of NRDA funds to restore natural resources injured by the DWH spill in the Louisiana Restoration Area. As explained in the Final EIS, Appendix B2 DEIS Public Review and Public Meetings, Section 2.0 Agency Roles in the Responses to Public Comments, response content pertaining to the LA TIG's Draft Restoration Plan, the OPA and/or NRDA processes or other Trustee Planning was developed by the LA TIG and states only the LA TIG's views.

In the Restoration Plan, the LA TIG explained that the DWH oil spill resulted in the oiling of more than 1,100 kilometers of wetlands, nearly all of which were located in coastal Louisiana (DWH NRDA Trustees, 2016). The heaviest oiling occurred in the Barataria Basin, resulting in substantial injuries to natural resources in the basin (DWH NRDA Trustees, 2016).

Recognizing that the resulting loss of marsh productivity affected resources throughout the northern Gulf of Mexico ecosystem, the State of Louisiana and the federal Trustees that negotiated the DWH Natural Resource Damages settlement allocated \$4 billion, almost half of the total settlement amount, to restoring Louisiana's wetland, coastal, and nearshore habitats.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree of collateral injuries, to natural resources injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the LA TIG's Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, as noted in the LA TIG's Restoration Plan, without the proposed Project, sea-level rise, subsidence, and other existing stressors would result in additional marsh loss over time reducing the suitability of habitat for many of the same species.

The LA TIG must weigh the potential and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its potential benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that more closely resembles historic conditions. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, this sustained ecosystem is expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing a deltaic process, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Final Restoration Plan because the LA TIG believes it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the NRDA Trustee's Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

In its Strategic Restoration Plan for Barataria Basin (2018), the LA TIG evaluated the potential and extent of collateral injury for a range of restoration techniques. Unfortunately, almost all large-scale restoration comes with some potential for collateral injury. The LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54. In the Restoration Plan, the LA TIG strives to identify an alternative that would provide what it

considers the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. Again, see Section 3.2.4 of the Restoration Plan for a discussion of how the LA TIG came to its decision.

In recognition of the potential for collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, the LA TIG has designed and CPRA will implement a suite of stewardship measures (see Section 3.2.1.1.5 [Associated Stewardship Measures] of the Restoration Plan and Appendix R1 to the EIS). The LA TIG is also committed through these measures to continuing efforts to restore the resources that would be adversely affected by the diversion, many of which were also injured by the DWH oil spill.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62742**

**The commenter recommends that extensive studies be done on the marine resources and their habitat to evaluate the effect of the polluted Mississippi River that would be redirected into Barataria Bay**

**Response ID: 16120**

Chapter 4, Section 4.10.4.4 in Aquatic Resources of the EIS includes the results of Delft 3D Basinwide modeling for projected nutrient loading in the Barataria Basin, including nitrogen and phosphorus inputs from the Mississippi River. Individual assessment of potential contaminants, including nitrogen, phosphorus, sulfate, fecal coliform, and atrazine were modeled and discussed in Sections 4.5.5.3, 4.5.5.4, 4.5.5.7, 4.5.5.8, and 4.5.5.9 (respectively) in Surface Water and Sediment Quality. These sections indicate that the

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proposed Project would result in beneficial decreases in sulfate in the Barataria Basin and would have negligible impacts on atrazine levels and they are therefore not specifically discussed in Section 4.10; however, a discussion of fecal coliform has been added to Section 4.10.4.4.2.5 Dissolved Oxygen of the Final EIS. In addition, CPRA's Mitigation and Stewardship Plan (Appendix R1 of the EIS) describes CPRA's mitigation and stewardship measures, including the agency's agreement with the USFWS' recommendation to monitor for certain contaminants, (through sampling of fish, shellfish, and potentially bald eagle feces and blood) during diversion operations, if applicable.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62986**

**The Project would drive decreases in salinity that would reduce the overall health, survival, and reproduction of bottlenose dolphins that reside in the Barataria Basin, a species that was negatively affected by the Deepwater Horizon oil spill (NMFS, 2013). Some commenters felt that because of this, the Project should either not move forward or its operation should be altered.**

**National Marine Fisheries Service (NMFS). 2013. Roy Crabtree (NMFS) to Elizabeth Davoli (CPRA).** <https://s3.documentcloud.org/documents/726710/national-marine-fisheries-service-comments-on.pdf>

**Response ID: 16701**

The concerns raised by the commenters about the projected decreases in salinity and resulting effects on Barataria Bay dolphins were considered in the Draft EIS. More

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specifically, Chapter 4, Section 4.11.5.2 in Marine Mammals of the EIS acknowledges that the proposed Project would likely have significant, adverse impacts to Barataria Basin dolphins, a species that suffered significant impacts from the DWH oil spill. This section also discusses the physiological changes caused by exposure to low-salinity water, the duration of those changes that leads to mortality, and the anticipated mortality of a large portion of the dolphin population in the Barataria Basin within the first decade. These sections of the EIS provide a more in-depth analysis of potential impacts to dolphins than the letter cited by the commenter.

The concerns raised by the commenters were also considered in the LA TIG's Draft Restoration Plan (see Section 3.2.1.5 [Collateral Injury]); the Final Restoration Plan has been edited consistent with changes made to the Final EIS and see below regarding new, related content included in Appendix R.

The LA TIG recognizes that any of the large-scale sediment diversion alternatives considered would potentially result in varying degrees of collateral injuries, including some high degree collateral injuries, to natural resources, like dolphins, that were injured by the spill (see the Executive Summary and Section 3.2.1.5 [Avoids Collateral Injury] of the Restoration Plan). The intended restoration of freshwater flows from the Mississippi River, which historically had characterized and shaped the Barataria Basin ecosystem before levee construction, would result in collateral injury to species that depend on the current higher-salinity conditions that exist without freshwater flows. However, without the proposed Project, there would also be adverse impacts to some of the same species due to large-scale wetland loss over time, as is anticipated from ongoing sea-level rise, subsidence, and other existing stressors, which is anticipated to reduce the suitability of habitat for many of the species that currently occur in Barataria Basin.

The LA TIG must weigh the potential for and extent of collateral injury against the benefits of the proposed Project (see Section 3.2.4 [Overall OPA Evaluation Conclusions] of the Restoration Plan for a discussion of how the LA TIG weighed the potential collateral injury of the proposed Project against its benefits). The LA TIG believes that a sediment diversion is the only way to achieve a self-sustaining ecosystem in the Barataria Basin that creates and maintains wetlands. As described in Section 3.2.1.6 (Benefits Multiple Resources – Alternative 1) of the Restoration Plan, this sustained ecosystem would be expected to benefit many fish and wildlife species in the basin, including many of those negatively affected by the spill, such as red drum, blue crab, white shrimp, Gulf menhaden, and migratory waterfowl. These benefits to fish and wildlife species also would translate to benefits to recreational users who watch, fish, or hunt those species. In addition, these benefits would not only accrue throughout the Barataria Basin but, through the transport of productivity, also in the offshore ecosystems of the northern Gulf of Mexico. By reestablishing deltaic processes, the proposed Project would be expected to enhance the ecological productivity of the estuary and improve food web dynamics that would provide benefit to the northern Gulf of Mexico ecosystem.

The LA TIG has selected the proposed Project as its Preferred Alternative in the Restoration Plan because it is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible (if it is possible), the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized.

In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures to benefit dolphins in Louisiana (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include more details regarding strategies and protocols that would be used at the onset of operations to minimize impacts on dolphins, as well as the process through which operational data would be used to evaluate potential modifications to those strategies and protocols; see Appendix R2 (Monitoring and Adaptive Management Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63067**



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**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

**Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on “Effects of Low Salinity Exposure on Bottlenose Dolphins,” 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>**

**Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.**

**McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.**

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established

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literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40567**

Tulane University

Errol Barron

To Whom it may Concern:

My letter is to show support for the Mid-Barataria Sediment Diversion Project. This intelligent and carefully planned project is essential for our state and must be given priority by the Corps of Engineers regardless of protests that put private property interests above public good.

The future of our state is at risk and any action less than the proposed sediment diversion project is dangerous and short sighted. Please do not let the big issues of public safety and environmental responsibility become compromised and clouded by short sighted private concerns that seek to protect the few at the expense of the many.

Errol Barron FAIA

Professor of Architecture

Tulane University

New Orleans, Louisiana

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**Concern ID: 63333**

**Although the proposed MBSD Project would have adverse impacts the benefits described in the EIS outweigh those impacts.**

**Response ID: 16289**

The commenters' support for the proposed Project, even considering the projected adverse impacts, is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40568**

Louisiana State University

Doug Daigle

To: U.S. Army Corps of Engineers, New Orleans District

Comments on Draft EIS for the Mid-Barataria Sediment Diversion Project (CEMVN-ODR-E, MVN-2012-2806-EOO)

I am submitting the following comments on the Draft EIS for the Louisiana Hypoxia Working Group. The Group was organized in 2003 and functions as a forum for the exchange of information to facilitate, promote, and support implementation of the Action Plan to Reduce Hypoxia in the Gulf of Mexico (2001, 2008, 2015) in the state of Louisiana. The Action Plan was developed and revised under the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force, which was formed in 1997 and includes key federal agencies (EPA, USDA, USACE, USGS, NOAA) and the 12 states along the Mississippi and Ohio Rivers (AR, IA, IL, IN, KY, LA, MN, MO, MS, OH, TN, WI).

The current version of the Action Plan has two key components: an Interim Target of achieving a 20% reduction in loading of nitrogen (N) and phosphorus (P) from the Mississippi-Atchafalaya River Basin to the Gulf of Mexico by the year 2025; and reaching an average annual size of the Gulf of Mexico hypoxic zone of 5,000 square kilometers (1950 square miles) by the year 2035.

These comments are made on the Draft EIS for the Mid-Barataria Project as it pertains to the Action Plan. The Action Plan and the Project are being pursued under different auspices. The Plan's Target for a 20% reduction in N and P loading to the Gulf by the year 2025, along with the reductions that would achieve the 2035 goal, which would result from a significant reduction in nutrient loads in the Mississippi River, would seem to have relevance for the Project and the Draft EIS.

Yet the Action Plan, its goals, and their potential impacts are not mentioned or referenced in the Draft EIS. This is the case for the modeling of N and P trends and water quality impacts of the Project that are described in Chapter 4 and elsewhere, as well as the "Past, Present, and Reasonably Foreseeable Future Projects and Trends" for N and P (also in Chapter 4). The Action Plan is similarly not included in the 49 "Reasonably Foreseeable Future Projects Considered in the Cumulative Impacts Analysis" that are listed in Table 4.25.1-1, nor among the Laws, Regulations, and Executive Orders that are listed under Consultation and Coordination in Chapter 5.

There are several discussions of Gulf Hypoxia in the Draft EIS that provide opportunities to reference the Action Plan and the substantial body of science that has informed its development, but none do so. The discussion in Chapter 3 of "excessive nutrient (N and P) loads [that] create.. hypoxic conditions, or 'dead zones' that persist for a prolonged duration" treats the problem as a global issue without mentioning the large annual hypoxic zone that forms each year in the Project area.

The "Draft Phase II Restoration Plan #3.2", issued by the Louisiana Trustee Implementation Group (TIG) in conjunction with the Draft EIS, does mention the Gulf Hypoxic Zone and the Hypoxia Task Force in its Chapter 3 (on page 3-44), but in a somewhat misleading way. Following a discussion of nutrient issues that focuses on their positive impacts, a 2018 report from the Hypoxia Task Force is quoted to cite channelization and impoundment of the

Mississippi River and loss of coastal wetlands as two factors that contribute to "excess nutrients reaching Gulf water."

The 2018 report does include those two factors but states clearly that "the leading causes" of increased amounts of nutrients delivered to the Gulf are "the nitrogen and phosphorus loads [that] come mainly from sources upstream of the Gulf. Sources of nitrogen include agriculture (both row crop agriculture and animal feeding operations), atmospheric deposition, urban runoff, and point sources such as wastewater treatment plants." (Progress Report on Coordination for Non-point Source Measures in Hypoxia Task Force States; [https://www.epa.gov/sites/production/files/2018-05/documents/nps\\_measures\\_progress\\_report\\_1-\\_may\\_2018.pdf](https://www.epa.gov/sites/production/files/2018-05/documents/nps_measures_progress_report_1-_may_2018.pdf))

Mention of the Action Plan is also absent from the discussion of Mitigation Measures in Chapter 4 and Appendix R of the Draft EIS, though as a currently operating as well as long-standing effort involving conservation and management to reduce nutrient loads upstream of the Project area, the Plan would seem to merit consideration as one way to avoid and minimize at least some of the potential negative impacts of the Project, specifically those caused by high nutrient loads in the river water conveyed by diversions.

Finally, as noted in our comments made last year for the NEPA Scoping Process for the Project, the Corps and a number of federal Cooperating Agencies (EPA, NOAA, USDA, USGS) and the State of Louisiana have all made commitments under the Hypoxia Action Plan to help fulfill its Target and Goal. Those commitments make the complete lack of mention of the Hypoxia Action Plan in the Draft EIS all the more notable.

Sincerely,

Doug Daigle

Coordinator

Louisiana Hypoxia Working Group

[REDACTED]

[REDACTED]

[REDACTED]

Baton Rouge, LA 70803

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**Concern ID: 61815**

**The discussion in Chapter 3 of excessive nutrient (N and P) loads that create hypoxic conditions treats the problem as a global issue without mentioning the large annual hypoxic zone that forms each year in the proposed Project area.**

**Response ID: 16426**

The Gulf of Mexico hypoxic zone was considered in the Draft EIS in Chapter 3, Section 3.5 Surface Water and Sediment Quality. The proposed Project would not have more than negligible impacts on the Gulf of Mexico hypoxic zone because it is located outside of the Project's area of potential impacts (defined in Chapter 3, Section 3.1.1 [Project Area] of the Draft EIS). Although the Gulf hypoxic zone is not expected to be impacted by proposed diversion operations, because it is near the proposed Project area, the USACE did include a description and map of the Gulf hypoxic zone in Section 3.5.2.6 in Surface Water and Sediment Quality (see Figure 3.5-6). In response to this comment, the USACE has revised

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the title of Section 3.5.2.6 (Dissolved Oxygen) to 3.5.2.6 (Dissolved Oxygen and Hypoxia) in the Final EIS so that information about hypoxia in and near the proposed Project area can be more readily found by EIS readers. As explained in the EIS, Chapter 4, Section 4.25.5.2 in Cumulative Impacts, the combined impact of several Mississippi River diversions operating simultaneously may reduce nutrient flow from the river to the Gulf, having a beneficial impact on the Gulf of Mexico hypoxic zone. Chapter 4, Section 4.25.5.4.4 Nitrogen and Section 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS have been updated to include a summary of the Gulf Hypoxia Action Plan.

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**Concern ID: 61817**

**Commenters stated that information about the Gulf Hypoxia Action Plan (Louisiana Hypoxia Working Group), which calls for a 20 percent reduction in nitrogen and phosphorus loading to the Gulf by 2025, is pertinent to the Draft EIS but is not mentioned. Commenters requested that the plan should be included in the Final EIS.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2008. Gulf Hypoxia Action Plan 2008 for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2013. Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. 2016. December 2016 Update, Looking Forward, The Strategy of the Federal Members of the Hypoxia Task Force. Washington, DC.**

**Response ID: 16428**

The USACE and the LA TIG agree that the Gulf Hypoxia Action Plan is relevant to the proposed Project area. Therefore, in response to these comments, a discussion about the Gulf Hypoxia Action Plan has been added to Section 4.25.5.4.4 Nitrogen and 4.25.5.4.5 Phosphorus in Cumulative Impacts of the Final EIS. The Hypoxia Action Plan has highlighted the important role that river diversions could play in reducing nutrient loads. In addition, substantial nutrient load reduction could be achieved through the measures being implemented by the other states and entities involved with the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force. These combined efforts could lessen the potential impacts of excess nutrient loads to Barataria Basin and the northern Gulf of Mexico.

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**Concern ID: 62638**

**The Restoration Plan should be clear that, as stated in the Progress Report on Coordination for Non-point Source Measures in Hypoxia Task Force states, the leading causes of increased amounts of nutrients delivered to the Gulf are upstream sources of nitrogen and phosphorus (that is, agriculture, atmospheric deposition, urban runoff, and point sources like wastewater treatment plants).**

**Response ID: 16649**

Chapter 3, Section 3.10.5.1.4 Nutrient Loading of the Final EIS has been revised to reference the Hypoxia Task Force report and further identify the types of anthropogenic sources that have resulted in increased nutrient loading in the Gulf.

The LA TIG acknowledges the comment about the leading causes of increased amounts of nutrients being delivered to the Gulf and has revised Section 3.2.1.6.5 (Alternative 1 - Benefits to Offshore Ecosystems) of the LA TIG's Final Restoration Plan accordingly.

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**Concern ID: 63190**

**Commenters recommend Hypoxia Action Plan be seen as a mitigation effort already in place and/or that its recommended actions be considered as part of the mitigation for Project.**

**Response ID: 16564**

The commenters accurately noted that the Gulf Hypoxia Action Plan is relevant to the Project area. In response to these comments, a discussion of the Gulf Hypoxia Action Plan has been added to Chapter 4, Section 4.25.5 (Cumulative Impacts - Surface Water and Sediment Quality) of the Final EIS. Similar text has been added to the LA TIG's Final Restoration Plan. The proposed Project is anticipated to reduce the amount of nitrogen and phosphorus that reaches the Gulf of Mexico through nutrient uptake in the marshes that would be created and/or sustained by the proposed diversion. Because the proposed Project is already anticipated to reduce the nutrients that contribute to the Gulf Hypoxia Zone (GHZ), further mitigation actions with respect to the GHZ for the proposed Project are not considered necessary. However, CPRA has committed to implement water quality monitoring for nitrogen and phosphorus (and other parameters) in the outfall area and to make the results of that monitoring available online to the public and interested parties in real time. Consequently, while the Hypoxia Action Plan would not be considered as mitigation for impacts associated with the Project, the anticipated reduction in nutrients reaching the Gulf through wetlands restoration and the water quality monitoring/access to water quality monitoring data would be consistent with the Hypoxia Action Plan.

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**Correspondence ID:40569**

Monica Ransone

I support Louisiana coastal restoration and the Mid-Barataria Sediment Diversion! Thanks

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40570**

Juan Valdez

Dear Army Corps,

My grandfather was born in Louisiana. Although he eventually migrated to California, Louisiana continues to play an important role in my life. It's where I visit my best friend in New Orleans, where I go to events and conferences, and where I find my history.

Given that, I request that you work to advance the Mid-Barataria Sediment Diversion by selecting the preferred alternative in the Draft Environmental Impact Statement for the project and by funding the project using Deepwater Horizon settlement dollars as outlined in the draft Restoration Plan.

Living in California — with wildfires, droughts, and earthquakes — I know how precarious it can be to have both manmade and natural disasters. Despite that, Louisiana and California share a resilient population with a thriving cultural and economic community. I hope you can work to protect that.

Sincerely,

John Valdez

San Francisco, CA

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40571**

Gary Rispone

I've been in favor of Diversions ever since I made numerous tours down both Rivers (Mississippi and Atchafalaya ) with different groups and camera crews some my own ! I'm very disappointed in the Councils of St Bernard and Plaquemines Parishes and Lt Go Nungesser opinion I think is in for of an few oyster fishermen in those parishes and not the benefit and perfection of the whole Gulf Coast and especially the whole Louisiana Coast ! I offering free air time on Our to show to anyone who want to debate subject of diversions ( either Pros or Cons ) on Paradise Louisiana TV

My contact info is [REDACTED] ! Sorry I waited to last day to respond by still studding pro and cons but my mind is pretty well pro diversion today !

Thanks

Gary V. Rispone

Owner and Host

Paradise Louisiana T

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**Concern ID: 62391**

**Commenter expressed disappointment in the opinions issued by the Lieutenant Governor, St. Bernard Parish Council and Plaquemines Parish Council which benefit few oyster fishermen rather than the Louisiana coast.**

**Response ID: 15919**

Comment noted. USACE has considered all public comments, including those favorable and unfavorable to the Project, received during the scoping period and Draft EIS public comment period, and will consider any comment received during the Final EIS public review period before making its decisions for the proposed Project.

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**Concern ID: 62392**

**Commenter offered free air time on Paradise Louisiana TV for anyone wishing to debate the subject of diversions.**

**Response ID: 15864**

Comment noted.

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**Concern ID: 63332**

**A large number of commenters expressed general support for the proposed Project.**

**Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40573**

Steve Ransone

I support Louisiana coastal restoration and the Mid-Barataria Sediment Diversion! Thank you  
Steve and Linda Ransone

[REDACTED]

Urbanna, VA. 23175

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40575**

Mark Tucker

Dear Mr. Laborde and Mr. Landry,

As longtime Louisiana tourists who love and appreciate the Louisiana coast for its vibrant culture as well as its abundant fish and game, we are writing to express our strong support for the Mid-Barataria Sediment Diversion. The Mid-Barataria Sediment Diversion is a crucial first step to ensuring the long-term health of Louisiana's coastal communities, ecosystems and wildlife in the face of rising sea levels, increasing storm intensity, and continued land loss.

The Mississippi River has been altered and confined by levees for over 100 years, leading to the extensive land loss crisis that caused over 2,000 square miles to disappear into the Gulf of Mexico. Without action, this loss could accelerate to an additional 4,000 square miles lost by the end of this century. But it's called the "Muddy Mississippi" for a reason. The river is the very tool best suited to start rebuilding critical wetlands and habitat, as well as provide a line of defense to storms and ongoing sea level rise for many coastal communities. Utilizing the river is Louisiana's best chance at protecting critical infrastructure, including key ports, as well as the beloved bayou communities and city of New Orleans.

We understand that changing the ecosystem to a more natural state will mean unfortunate impacts to some resources that have benefited over the past decades from the artificially-created estuary, such as oysters, brown shrimp, and dolphins. We appreciate your efforts to address those impacts with stewardship measures and funding and encourage you to continue to take a holistic approach to address local resident and fisher concerns. But we also understand that by not reconnecting the Mississippi River, these precious resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture. Mitigation measures will be key to addressing impacts to communities from the Mid-Barataria Sediment Diversion and must be coupled with robust adaptive management to ensure the project's long-term success for the benefit of people, wildlife, and jobs.

We support the selection of the 75,000 cfs sediment diversion, but also encourage the continued exploration of increased capacity and the acceleration of other sediment diversions that are identified in Louisiana's Coastal Master Plan to maximize use of the natural resources of the river. Restoring a more natural state to the Louisiana delta will not be easy, but is fundamentally essential for future generations to have the opportunity to enjoy the bounty and culture of Louisiana's coastal marshes, barrier islands, and wildlife. The Mid-Barataria Sediment Diversion is the single largest ecosystem restoration project in the history of the US, and is exactly the scale of project that's needed to address the seriousness of the coastal land loss problem in Louisiana.

There's no time to lose to reconnect the sediment, nutrients and freshwater of the Mississippi River to its wetlands and start to rebuild the coast. The future of New Orleans, the bayou communities, local fisheries and wildlife, and Louisiana's unique culture desperately depend on it. Thank you for your tireless efforts for this and generations to come.

Mark, Katherine, and Grace Tucker

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**Concern ID: 61870**

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**If no action is taken, the resources may suffer even greater impacts in the future, along with the local ecology, economy, communities, and culture.**

**Response ID: 15941**

The concerns raised by the commenters were considered in the Draft EIS. The EIS evaluates anticipated conditions in the Barataria Basin if no action is taken. Within the EIS, the No Action Alternative enables a comparison of anticipated future conditions without the proposed Project to anticipated future conditions with the proposed Project and the alternatives. Refer to Chapter 4 Environmental Consequences of the EIS, for a description of anticipated conditions under the No Action Alternative for each of the resource areas evaluated. The Delft3D Basinwide Model was used to forecast conditions that would occur under the No Action Alternative which helped to inform the analysis in Chapter 4.

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**Concern ID: 62390**

**Commenter supports the selection of the 75,000 cfs sediment diversion, but also encourages the continued exploration of increased capacity and the acceleration of other sediment diversions that are identified in Louisiana's Coastal Master Plan to maximize use of the natural resources of the river.**

**Response ID: 15918**

The commenter's support for the Project is noted. The relative impacts, both beneficial and adverse, for the various capacity alternatives are explained throughout Chapter 4 of the EIS. Although the 150,000 cfs Alternative would result in the greatest degree of benefits (including the most land building), it also would result in the greatest degree of adverse impacts, particularly to marine mammals (see Section 4.11.5 Operational Impacts), shrimp and oysters (see Section 4.10.4.5 Key Species), and public health and safety (through increased water levels and inundation in areas closer to the immediate outfall, see Section 4.20.4.2 Operational Impacts). Sections 4.10.4.5 Key Species and 4.11.5 Operational Impacts in the Final EIS have been revised to further discuss the impacts of the 150,000 cfs Alternative to brown shrimp, oysters, and dolphins.

The LA TIG's Restoration Plan evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54 and strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. While a 150,000 cfs diversion would be expected to deliver more ecological benefits in terms of land creation and marsh building than the Preferred Alternative, it would also incur more collateral injuries and pose a greater risk to human health and safety; thus it was not selected as the LA TIG's Preferred Alternative in the Final Restoration Plan. See Section 3.2.4 Overall OPA Evaluation Conclusions of the Final Restoration Plan for a discussion of how the LA TIG came to its decision.

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**Concern ID: 62637**

**The proposed Project will benefit habitat, fish and wildlife, levee protection, flood control and navigation. These benefits will help protect coastal resources and communities in Louisiana.**

**Response ID: 16647**

The potential benefits of the Project were considered in the Draft EIS. As described in Chapter 4 (Environmental Consequences), the proposed Project would result in both

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beneficial and adverse effects on habitat, fish and wildlife, levee protection, flood control, and navigation, depending on the specific characteristics of the species or location involved (for example, a species' life history or salinity preferences, or a levee's height).

The potential benefits of the Project were also considered in the LA TIG's Draft Restoration Plan. As described in Section 3.2.1.6 (Benefits Multiple Resources) of the Restoration Plan, the proposed Project is expected to benefit multiple resources in the Barataria Basin and the northern Gulf of Mexico, including nearshore marine ecosystems, water column resources (including fish and invertebrates), birds, and terrestrial wildlife. The LA TIG also anticipates that the Project would provide public health and safety benefits to the populated areas north of the diversion through increased wetland acreage that would decrease storm surge and wave height.

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**Concern ID: 62801**

**State and federal decision makers should commit to developing a robust adaptive management program utilizing the best available science and that incorporates knowledge gained from monitoring the Project over time and also considers input from key stakeholders. The adaptive management program should engage affected communities in developing adaptation ideas, use protocols for transparent decision making regarding Project operations, and provide accessible communication regarding how Project operation decisions are changing the environment.**

**Response ID: 16658**

The issues raised by the commenters were considered in the Monitoring and Adaptive Management (MAM) Plan, which was issued with the Draft EIS (Appendix R2) and jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan includes many of the specific provisions requested by the commenter, including input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]).

In addition, in response to public comments, CPRA intends to develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement.

The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not

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know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63151**

**Some commenters stated general support and appreciation for the mitigation plan.**

**Response ID: 16555**

Comments offering general support and appreciation for the Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) are acknowledged. CPRA has expanded and refined the Mitigation and Stewardship Plan, Appendix R1 to the Final EIS, since publication of the Draft EIS and LA TIG's Draft Restoration Plan based on community and resource agency input.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63179**



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**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40576**

Orleans Audubon Society

Jennifer Coulson

Subject: DEIS for the Mid-Barataria Sediment Diversion (MBSD)

Dear Mr. Brad Laborde (Corps) and Mr. Mel Landry (NOAA, on behalf of LATIG):

On behalf of the 1,052 members of Orleans Audubon Society (OAS) living in eleven parishes in southeast Louisiana, please accept these comments on the proposed MBSD.

We urge adoption of Alternative 5, Variable Flow up to 150,000 CFS, rather than the applicant's

preferred alternative, Alternative 1, Variable Flow up to 75,000 CFS.

We urge adoption of Alternative 5 not only for the benefit of wildlife in southeast Louisiana, but also to promote the continued viability of the communities in which our members live. Without the wholesale re-ordering of the management of the Lower Mississippi River, of which this project is just one incremental step as laid out in the Coastal Master Plan, southeast Louisiana will cease to be inhabitable in the coming decades.

We reach our conclusion to support a larger diversion because the analysis for the DEIS finds substantially greater benefits for the higher flow, with concomitantly only marginally increased adverse effects, most of which will be mitigated by the measures being proposed for the 75,000 cfs Preferred Alternative.

We have also concluded that the DEIS both over-estimates adverse effects and underestimates positive effects.

Importantly, in our analysis, we believe the DEIS underestimates likely benefits, including:

- The total amount of land to be built. Conservative projections of land built are used, along with high projections of relative sea level rise. While this is an acceptable modelling strategy, it nevertheless very likely underestimates net land to be built.
- Total sediment added to the basin and availability for transport and marsh nourishment. There is little acknowledgment of the amount of sediment that will be contributed to the entire basin, exclusive of that which will build new land or be captured by existing vegetation. But a vast amount of sediment will end up deposited beneath the water's surface, changing bathymetry, and making these sediments available for resuspension and deposition on marsh surfaces far from the diversion. Because the MBSD is so far inland, little sediment is likely to escape to the open Gulf. And yet even in systems where high amounts of sediment escape to the Gulf, as in Atchafalaya Bay, area marshes and swamps benefit from resuspension during frontal passages and tropical storms, so much so that the area has seen virtually no retreat over the last decades, in marked contrast to the Barataria, Terrebonne and Breton basins.
- Far field effects on marsh soil bulk density and marshes sustained against climate change and rising seas. Related to the total sediment phenomenon, existing models underestimate capture of fines carried in suspension by diverted waters far from the diversion, and modelling underestimates the effect of this capture on renewed marsh vigor and organic soil formation, largely because while the effect is obvious, the specifics are difficult to capture numerically.

- Effects on wildlife and habitat are underestimated in the extreme. Decades of field experience in Louisiana indicate that areas receiving annual inputs of Mississippi or Atchafalaya river water are vastly more productive and show greater wildlife diversity and abundance than comparable areas of fresh and brackish marsh with no riverine input. A few select instances where this is apparent include:
  - o waterfowl and wading bird abundance;
  - o foraging habitat for migratory shorebirds and neotropical migrants;
  - o nesting habitat for marsh birds;
  - o prey availability for predators, including, to name only a small sample, game fish, frogs, snakes, turtles, alligators, terns, gulls, cormorants, pelicans, ducks, falcons, eagles, ospreys, rails, marsh rice rats, muskrats, mink, otters and dolphins;
  - o net benthic and fisheries productivity;
  - o growth rates and density for submerged aquatic vegetation;
  - o the revival of woody vegetation, important for local songbirds, neotropical migrants and wintering birds—
    - pioneer species like black willow (which is exploding in the Davis Pond, Caernarvon and Mardi Gras Pass outfall areas);
    - bald cypress retention and recruitment in areas formerly too saline or submerged;
    - and survival and recruitment of live oaks and other maritime forest vegetation on natural levees and cheniers where saline soils have inhibited their growth, recruitment and survival for decades.

All of these benefits are ignored or downplayed in the DEIS. Obviously, all of these complex benefits are difficult to quantify and model, but they are apparent at each outlet of the Mississippi and Atchafalaya rivers.

Operation of such a transformative project will require a robust program of monitoring, which will also allow for a more detailed analysis to be incorporated in evaluations of future diversions, diversions that are anticipated in the Coastal Master Plan and plan process, and that will be absolutely necessary for the continued viability of coastal southeast Louisiana and adjacent Mississippi.

Doubling the land to be built will only marginally affect salinity changes. The analysis indicates that the 150,000 cfs alternative roughly doubles the net amount of land which could be built over fifty years. At the same time, the adverse effects—most conjectural—would increase only marginally, especially compared to the Future Without Action. In other words, the 150,000 cfs alternative roughly doubles the benefits in terms of wetlands created, but nowhere near doubles adverse impacts like near-term salinity decreases and induced flooding.

Given this reality, the diversion structure should be designed and constructed to maximize the ability to capture sediment at the highest possible flow rates. Mitigation measures will be roughly the same whether the diversion is run at 75,000 cfs or 150,000 cfs. If Barataria Bay is fresh for a few weeks, then it can't be freshened more, and, in any case, no amount of water through the diversion can increase what is already entering the Gulf. A change in the outlet can only freshen a few localities around the edges, while increasing the salinity elsewhere

(by, for instance, reduced discharge on the east bank and in the Birdsfoot); the net effect is the same, though the system will be more naturally balanced.

Simply having the capacity to flow at 150,000 cfs during peak river floods does not require that such flows be utilized in every case, but it gives operational flexibility and a greater capacity for adaptive management, especially as conditions change in the basin in response to climate change.

Similarly, mitigation measures adopted for communities that might experience increased localized flooding for a few weeks will work whether the flooding is for a few inches or for twice that much, and whether an event lasts for a week or two weeks. Once you are raised and armored against one flood, you are raised and armored against any comparable food.

Because of subsidence and sea level rise, such increased flooding is coming in any case. Using mitigation dollars available for this project will prepare communities now for the inevitable, and obviate the need for such expenditures in the future, when funds cannot be guaranteed.

We are well aware of the concerns raised by commercial seafood harvesters, and we support measures to minimize and mitigate these effects, as long as the project purpose, which is to re-establish the deltaic cycle and build and sustain wetlands, is not compromised. As a matter of simple biophysics, we know that the Barataria Estuary will be more productive as a result of the increased input of carbon and the vital building blocks of life, which will mean opportunities for increased seafood harvest.

The DEIS and supporting studies make a potentially dire forecast about near-term effects on dolphin populations in parts of Barataria Bay. We note that these forecasts depend upon a number of unproven assumptions about dolphin adaptability and tolerance for living in the delta, assumptions which seem improbable given the nature of the delta landscape that now supports them. In any case, what is abundantly clear is that the continued collapse of the marsh platform in the Barataria Basin will eventually reach a tipping point and the prey base of dolphins in the bay, and indeed beyond into northern Gulf, will begin to shrink and could eventually collapse, to the detriment of dolphins and countless other estuarine dependent organisms. That would be an unacceptable outcome. For the long-term health of dolphins in the northern Gulf of Mexico, reconnecting the river to the delta and re-establishing the deltaic cycle at sufficient scale is absolutely essential.

The DEIS notes minor acceleration of land-loss in the Birdsfoot Delta, which will have impacts on public lands important to birds, wildlife and our members. Of course, all models suggest the Birdsfoot is unsustainable, given its high rate of subsidence, and accelerating sea level rise. Obviously, each upstream diversion will hasten its demise, though any losses will be more than offset by land building on more stable upstream platforms. However, the loss of public lands will be an issue, and OAS recommends creating state and federal public lands in the diversion outfall area to fill the need for public lands in an active delta that will be lost at Delta NWR and Pass a Loutre WMA.

Given the massive investment of public funds and potential for misunderstanding and controversy, public access and provisioning for recreational and educational opportunities should be a priority. The diversion structure should be designed with ample opportunities for the public to witness and learn from the operation of the diversion. Just as importantly, the

new delta lobe that forms as a result of public investment should not be closed to public access and enjoyment.

In conclusion, we urge the adoption of Alternative 5. In the event Alternative 5 is not adopted, our second choice would be Alternative 1, the Preferred Alternative.

Thank you for the opportunity to comment.

Sincerely,

Jennifer O. Coulson, Ph.D. President

Orleans Audubon Society

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**Concern ID: 61842**

**Commenter is concerned about the accuracy of the sea-level rise projections used in the Delft3D Basinwide Model to predict land changes. In particular, the commenter suggests that if updated sea-level rise rates (as provided in Sweet et al. 2017 and Church et al. 2014) were applied, the modeling would project no land-gain benefits from the diversion.**

**Response ID: 16480**

Large variability in projected relative sea-level rise does introduce corresponding uncertainty into land-loss and land-gain projections. The literature provided by the commenters has been reviewed. Measured and projected relative sea-level rise rates vary substantially by location, and using projections at a station in Florida, such as Cedar Key, are not useful for projections in the central Gulf Coast. Citing the USACE and NOAA sea-level projection tool (USACE 2019d), the MBSD Project Modeling Work Group chose a sea-level rise scenario based on the 2017 Coastal Master Plan “moderate” scenario, which is slightly higher than the USACE’s “Intermediate” rate for the Barataria Basin water level station at Grand Isle, LA, as shown in Chapter 4, Figure 4.1.3 of the Draft EIS. The USACE rate reflects sea-level rise data collected at Grand Isle over the period 1947 to 2007. The MBSD Project Modeling Work Group determined that the use of that 2017 Coastal Master Plan Intermediate Sea-Level Rise curve was an appropriate choice at the time the modeling was conducted in 2019.

The sea-level rise value used in the Delft3D Basinwide Model simulation for the Draft EIS considered “intermediate” at the time of the modeling, is close to the low projection (0.3 m Global Mean Sea Level) given by Sweet et al. (2017) for Grande Isle. The commenter’s suggestion of the Church et al. 2014 reference, which provides useful information, has been added as a reference in the Final EIS in Chapter 4, Section 4.1.3.2 Sea-Level Rise. Use of a different sea-level rise rate would affect the impact projections of all the alternatives considered in the EIS, including the No Action Alternative. If the relative sea-level rise rate used in the model is an underestimate, the effect on model results was mitigated, but not eliminated, by the use of a “No Action Alternative compared to Action Alternatives” comparison method. (In other words, if sea-level rise was underestimated, it was underestimated for all alternatives, including No Action Alternative. The impacts of the proposed Project presented in the Draft EIS are the net difference in impact magnitude between the No Action Alternative and the proposed Action Alternatives). Chapter 4, Section 4.1.3.2 Sea-level Rise states that higher sea-level rise rates would reduce anticipated land creation. However, in light of the commenters’ concern, the USACE has amended the last

sentence of the next to last paragraph of that section in the Final EIS to say, “If actual sea-level rise is higher (as is predicted by Sweet et al. 2017) than the value used in the Delft3D Basinwide Model, water levels would be higher and loss rates and land gains would be different than what the Delft3D Basinwide Model projects.”

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**Concern ID: 61871**

**Alternative 5, Variable Flow up to 150,000 cfs, should be chosen for implementation because it provides substantially greater benefits at the higher flow, with only marginally increased adverse effects, most of which could be mitigated by the same measures being proposed for the 75,000 cfs Applicant’s Preferred Alternative.**

**Response ID: 15944**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (Applicant’s Preferred Alternative). The EIS evaluates the Applicant’s Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE’s permit and permission decisions and the LA TIG’s NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

In the Restoration Plan, the LA TIG evaluated each alternative against a variety of factors, including those outlined in 15 CFR §990.54, and made every effort to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, and avoiding collateral injury. As noted in the LA TIG’s Restoration Plan, while the 150,000 cfs Alternative was projected to provide greater ecological benefits than the LA TIG’s Preferred Alternative, it was also expected to cause greater collateral injury and greater risks to public health and safety. See Chapter 3, Section 3.2.4 of the Final Restoration Plan for a discussion of how the LA TIG came to its decision. Additional detail can be found in the LA TIG’s Restoration Plan explaining the LA TIG’s evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

The Mitigation and Stewardship Plan (Appendix R1 to the EIS) has been designed by CPRA to mitigate the projected impacts of the 75,000 cfs sediment diversion (Applicant’s Preferred Alternative). Different or additional mitigation could be needed to address the projected impacts of the proposed Project if a large capacity diversion (150,000 cfs) were to be selected.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without

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implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62089**

**The Barataria Estuary would be more productive as a result of the increased input of carbon and the vital building blocks of life, which would mean opportunities for increased seafood harvest. The proposed MBSD Project is of critical importance for this transformation to one of our nation's most productive fisheries.**

**Response ID: 16250**

The commenter's support of the proposed Project is acknowledged. Chapter 4, Section 4.10 Aquatic Resources in the Draft EIS describes anticipated impacts from the proposed Project on aquatic species. As described, impacts would range from adverse to beneficial, depending on the species.

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**Concern ID: 62209**

**There is little discussion in the Draft EIS about the amount of sediment that would be deposited beneath the water's surface by the diversion, changing bathymetry and making sediment available for resuspension and deposition on marsh surfaces far from the diversion.**

**Response ID: 16421**

The Draft EIS includes consideration and discussion of the benefits of the sediment that would be deposited below the Barataria Basin's water surface. Sediment deposited below the water surface can contribute in one of two ways - by being resuspended and transported elsewhere for deposition, as the commenter suggests, and by forming a base layer upon which future pulses of sediment can form marsh or land. These benefits are discussed in Chapter 4, Section 4.2.3.2 in Geology in Soils, Section 4.4.4 Hydrology and Hydrodynamics, and in Section 4.6 Wetland Resources and Waters of the U.S. They are part of the model computations described in Appendix E Delft3D Modeling and are fully incorporated in the results and conclusions of the Draft EIS. No related edits have been made to the Final EIS.

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**Concern ID: 62267**

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**The commenter expressed concern that the proposed MBSD Project's adverse impacts on wetland loss in the birdfoot delta would cause a loss of public lands in the Delta National Wildlife Refuge (NWR) and in the Pass A Loutre Wildlife Management Area (WMA). The commenter recommended that these adverse impacts on public lands be mitigated by creating state and federal public lands in the Project outfall area.**

**Response ID: 16439**

The commenter's concern that the proposed Project would cause a loss of wetlands in the Delta NWR and in the Pass A Loutre WMA, both of which are located in the birdfoot delta, was addressed in the Draft EIS in Chapter 4, Section 4.17.4 Operational Impacts in Public Lands. As part of its responsibilities under the Fish and Wildlife Coordination Act and as operator of the Delta NWR, the USFWS recommended the creation of crevasses to build land in the birdfoot delta to offset MBSD Project-induced wetland losses of 926 acres in the Delta NWR and 37 acres in the Pass A Loutre WMA (see Appendix T, USFWS Coordination Act Report (CAR), of the Final EIS). In response to USFWS' CAR Recommendation, CPRA agreed that, "Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the [Pass A Loutre] PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional funding through the CWPPRA program, through additional restoration work sponsored by the LA TIG (for example, construction of the Engineering and Design work discussed in the DWH LA TIG's Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area" (Final EIS, Appendix R1 Mitigation and Stewardship Plan, Section 4.6 Fish and Wildlife Coordination Act).

This information was updated in the Final EIS, Chapter 4, Section 4.27.1 in Mitigation Summary and in the Final EIS, Section 4.17.4.2.2 Birdfoot Delta in Public Lands.

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**Concern ID: 62310**

**The 150k Alternative would roughly double the wetland creation benefits without doubling adverse impacts such as induced flooding.**

**Response ID: 15818**

CPRA submitted a joint Section 10/404 permit application and Section 408 permission request to USACE for the construction, operation, and maintenance of a 75,000 cfs sediment diversion (LA TIG's Preferred Alternative). The EIS evaluates the Applicant's Preferred Alternative and five additional action alternatives as well as the No Action Alternative in order to inform USACE's permit and permission decisions and the LA TIG's NRDA decision in compliance with the statutes, orders, and policies outlined in EIS Chapter 5 Consultation and Coordination.

Although the 150,000 cfs Alternative would result in the greatest degree of benefits (including the most land building), it also would result in the greatest degree of adverse impacts, particularly to dolphins (see Draft EIS Chapter 4, Section 4.11.5, Operational Impacts), shrimp and oysters (see Draft EIS Section 4.10.4.5, Key Species), and public health and safety (through tidal flooding in areas closer to the immediate outfall, see Draft EIS Section 4.20.4.2, Operational Impacts).



See Sections 3.2.4.7, 3.2.1.5, and 3.2.2.5 of the LA TIG's Restoration Plan for a discussion regarding the LA TIG's evaluation of the range of alternatives and identification of the LA TIG's Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG evaluated a reasonable range of alternatives under the factors outlined in 15 CFR §990.54 and it strove to identify an alternative that would provide the right balance in terms of being cost-appropriate, meeting LA TIG goals, having a high likelihood of success, avoiding collateral injury, benefiting multiple resources, and protecting public health and safety.

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**Concern ID: 62389**

**The Draft EIS both overestimates adverse effects and underestimates positive effects. All of these complex benefits are difficult to quantify and model, but they are apparent at each outlet of the Mississippi and Atchafalaya rivers.**

**Response ID: 15917**

In preparing the EIS, USACE, together with members of the LA TIG (including cooperating agencies and CPRA), utilized high-quality information, ensured the professional and scientific integrity and accuracy of its analyses, and identified its methodologies and sources. Where information is unavailable or incomplete, those data gaps are disclosed in the document.

The Delft3D Basinwide Model represents the best tool currently available to USACE and the LA TIG to inform impact analyses for the EIS. Chapter 4, Section 4.1.3 Overview of Delft3D Basinwide Model for Impact Analysis of the EIS acknowledges that the outputs of the model are projections generated using defined inputs, often based on historical conditions. Because it is not possible to precisely predict future conditions such as weather patterns and degree of sea-level rise, the model inputs are necessarily based on trends, averages, and best professional judgment as well as reasonable assumptions about future behaviors. Model outputs are not predictions of actual future conditions (see EIS Chapter 4, Section 4.1.3.3 Model Limitations and Uncertainty and Section 8 of Appendix E Delft3D Modeling). The outputs are instead used to compare the degree of difference between the impacts projected for each alternative and as compared to the No Action Alternative.

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**Concern ID: 62413**

**The MBSD diversion structure, outfall channel, and outfall area would constitute the world's single largest engineered restoration project. The LA TIG and CPRA should include a recreation and education area near the diversion with a viewing platform, trails, bike paths, along with a boat launch into the diversion outfall area.**

**Response ID: 15951**

Due to concerns about safety of the public and security for the Project facilities, there is not a plan to make the diversion structure or immediate outfall area accessible for public use. CPRA is, however, planning to provide signage and other public space near the Project to educate the public regarding the purpose and functioning on the Project. Ownership of any lands created by operation of the Project would be determined in accord with current state law, including ownership of mineral rights pursuant to La. R.S. 31:149 and La. R.S. 49:214.5.5(E). Pursuant to La. R.S. 49:214.5.5(B), the Project would not create any rights of access to the public in or on private property.

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**Concern ID: 62865**

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**Such a transformative project will require a robust program of monitoring, which will not only support the proposed Project, but also will support the evaluation of future diversions that are anticipated in the Coastal Master Plan.**

**Response ID: 16674**

The robust monitoring raised by the commenters was considered by CPRA and the LA TIG in the Monitoring and Adaptive Management (MAM) Plan included in the Draft EIS (Appendix R2). CPRA's MAM Plan included with the Final EIS (Appendix R2) provides additional detail on the substantial monitoring CPRA would undertake as part of Project implementation. The MAM Plan identifies monitoring needs and the key performance measures associated with each objective that would be used to evaluate progress toward meeting the Project's restoration objectives and to inform CPRA's adaptive management decisions.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62900**

**The Draft EIS underestimated likely benefits of the proposed Project on wildlife and habitat, as indicated by the receiving areas of the Mississippi and Atchafalaya Rivers, which are vastly more productive and show greater wildlife diversity and abundance than comparable areas of fresh and brackish marsh with no riverine input. A few select instances where this is apparent include:**

- **waterfowl and wading bird abundance;**
- **foraging habitat for migratory shorebirds and neotropical migrants;**

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- **nesting habitat for marsh birds;**
  - **prey availability for a wide variety of predators (birds, amphibians, reptiles, fish, and terrestrial and marine mammals);**
  - **net benthic and fisheries productivity;**
  - **growth rates and density for submerged aquatic vegetation;**
  - **the revival of woody vegetation, important for local songbirds, neotropical migrants and wintering birds;**
  - **pioneer species like black willow (which is exploding in the Davis Pond, Caernarvon and Mardi Gras Pass outfall areas);**
  - **bald cypress retention and recruitment in areas formerly too saline or submerged;**  
and

**survival and recruitment of live oaks and other maritime forest vegetation on natural levees and cheniers where saline soils have inhibited their growth, recruitment, and survival for decades.**

**Response ID: 16198**

Chapter 4, Section 4.9.4.2 in Terrestrial Wildlife and Habitat of the EIS, discusses the benefits to waterfowl (and other birds) and general wildlife from the wetlands projected to be built or maintained in the Barataria Basin by the proposed Project. In addition, Sections 4.10.4.1 and 4.10.4.4 in Aquatic Resources indicate major beneficial impacts on SAV and minor to moderate beneficial impacts on fauna (through food web production), respectively, in the Barataria Basin from operation of the proposed Project.

A summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and to discuss their recorded impacts on the natural environment. This summary, which includes observed changes in wildlife, wildlife habitat, and vegetation growth from other diversions, is available in Appendix U of the Final EIS.

In addition, the potential benefits of the proposed Project to multiple resources in the Gulf are described in Section 3.2.1.6 (Benefits Multiple Resources) of the LA TIG's Restoration Plan.

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**Concern ID: 62957**

**Commenter expressed support for implementation and recognizes the cross benefit of mitigation measures to address increased localized flooding. The commenter noted that once in place those measures would result in protection to the communities from both localized flooding associated with the Project as well as from increased flooding associated with subsidence and sea-level rise.**

**Response ID: 16614**

The LA TIG acknowledges the commenter's support of the Project and agrees that the mitigation and stewardship measures would address some Project impacts, as well as flooding from sea-level rise and subsidence.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures

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(collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63019**

**The Draft EIS likely underestimated the benefits of far field effects on marsh soil bulk density and marshes sustained against climate change and rising seas. Related to the total sediment phenomenon, existing models underestimate capture of fines carried in suspension by diverted waters far from the diversion, and modeling underestimates the effect of this capture on renewed marsh vigor and organic soil formation, largely because while the effect is obvious, the specifics are difficult to capture numerically.**

**Response ID: 16031**

As described in Appendix E Delft 3D Modeling of the EIS, to account for the complexity of fine-sediment transport patterns, a hysteresis curve has been developed and incorporated into the sediment transport module of the Delft3D Basinwide Model. Therefore, while the model results must be interpreted in light of the uncertainties involved, hysteresis sediment rating curves have been used to project fine-sediment transport in a way that simulates observed transport to the extent practicable in the modeling analysis. Where feasible, uncertainties have been examined through sensitivity tests and model-to-model comparisons and incorporated in the conclusions (see Chapter Section 4.1.3.3 in Approach to Evaluation of Environmental Consequences and Appendix E Delft 3D Modeling, Section 8). Because this issue was considered in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 63071**

**The dire forecasts about the near-term effects on dolphin populations in parts of Barataria Bay depend upon a number of unproven and improbable assumptions about**

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**dolphin adaptability and tolerance for living in the delta (Garrison et al., 2020). Conversely, the continued collapse of the marsh platform in the Barataria Basin will eventually reach a tipping point at which the prey base of dolphins in the bay would shrink and could eventually collapse. The long-term health of dolphins in the northern Gulf of Mexico depends on reconnecting the river to the delta and reestablishing the deltaic cycle.**

**Garrison, L.P, Litz, J. and Sinclair, C. 2020. Predicting the effects of low salinity associated with the MBSD Project on resident common bottlenose dolphins (*Tursiops truncatus*) in Barataria Bay, LA. NOAA Technical Memorandum NOAA NMFS-SEFSC-748: 97 p.**

**Response ID: 16594**

The Draft EIS recognized that the loss of wetlands under the No Action Alternative would result in a gradually increasing, from negligible to moderate, adverse impact on dolphins (see Chapter 4, Section 4.11.5.1 [Operational Impacts]). The impacts on bottlenose dolphins from freshwater exposure have been well documented, including observations and data collected in association with the release of fresh water in Louisiana (see Chapter 4, Section 4.11 [Marine Mammals] of the EIS for more details). Most recently, a freshening event in 2019 resulted in the declaration of an unusual mortality event (UME) in the northern Gulf of Mexico. Existing data on low-salinity exposure were used to develop a dose-response model that formed the basis for the evaluation of impacts in the Draft EIS (see Chapter 4, Section 4.11.3 [Overview of Impact Analysis Approach]). The dose-response model was coupled with an updated population model to evaluate potential changes in survival rates within BBES. These potential decreases in survival rates caused by the diversion were compared to future conditions without the diversion (the No Action Alternative). The analysis contained in the Draft EIS determined that there would be a major, adverse, long-term impact on the BBES Stock. That conclusion is also supported by Thomas et al. (2021), which built on earlier studies and concludes that, after 1 year of operation of the Applicant's Preferred Alternative, there would be 61 percent fewer dolphins in the Central stratum than under the No Action Alternative, 35 percent fewer in the West stratum, 12 percent fewer in the Southeast stratum, and 2 percent fewer in the Island stratum, with 25 percent fewer overall. Thomas, et al. 2021 further concluded that after 10 the planned 50 years of operation, there would be 100 percent reduction in the populations of dolphins in the Central and West strata, an 82 percent reduction in the population of the Southeast stratum dolphins, and a 34 percent reduction in the population of the Island stratum dolphins as compared against the No Action Alternative, with an overall difference in population of 78 percent. (Note that Thomas, et al. 2022 slightly refined some of these projections.) After 50 years of operation, in three out of the four strata, dolphins are predicted to be functionally extinct under the Applicant's Preferred Alternative, with the remaining Island stratum being severely reduced relative to the No Action Alternative (that is, the median predicted population size of the Island stratum would be 85 percent lower [95 percent CI 28-99] under the Applicant's Preferred Alternative than under the No Action Alternative). Overall, by the year 2076, the median predicted stock size across all of Barataria Bay under the Applicant's Preferred Alternative is 143 dolphins (95 percent CI 11-706) compared to a predicted 3,363 (95 percent CI 2,831-4,289) predicted to inhabit the Barataria Bay under the No Action Alternative. In other words, the BBES dolphin stock would be 96 percent smaller (95 percent CI 80-100) under the Applicant's Preferred Alternative than

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then No Action Alternative. Chapter 4, Section 4.11 Marine Mammals of the Final EIS has been updated to reflect the results of Thomas et al (2021). The impacts of Project-induced wetland changes on dolphins is discussed in Chapter 4, Section 4.11.5 Operational Impacts of the EIS.

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**Concern ID: 63196**

**Mitigation will be about the same regardless of the diversion capacity.**

**Response ID: 16567**

The purpose of CPRA's Mitigation and Stewardship Plan (see Appendix R1 to the EIS) is to demonstrate how some adverse impacts of the Project (75,000 cfs capacity) would be avoided, minimized, or mitigated. The mitigation and stewardship measures are focused on the construction and operation of the diversion with a capacity of 75,000 cfs. If a different diversion capacity were selected for implementation, the Mitigation and Stewardship Plan would be reviewed and adjusted, as appropriate, to reflect the revised Project impacts.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40577**

Jessie Ritter

RE: Draft Environmental Impact Statement for the Mid-Barataria Sediment Diversion Project, USACE Project MVN-2021-2806-EOO and Draft Phase II Restoration Plan#3.2: Mid-Barataria Sediment Diversion, Deepwater Horizon Natural Resource Damage Assessment Louisiana Trustee Implementation Group (LA TIG)

Dear Colonel Murphy,

Thank you for the opportunity to provide comment on the Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2 and Draft Environmental Impact Statement. I submit these comments, in my personal capacity as a private citizen, in strong support of the Preferred Alternative, Alternative 1, a Sediment Diversion with Variable Flow up to 75,000 CFS.

Although I live in Washington, DC, I have had the good fortune of spending a significant amount of time in Louisiana for both personal and professional reasons over the past six years. As a person who once conflated "wetlands" with "mosquitos" and swore I would never set foot in a wetland if I could avoid it, I have grown to deeply love and value the landscapes of southeast Louisiana. Over the course of my many visits, I saw firsthand from the air and the water the devastating results of Louisiana's land loss crisis - mottled and sinking wetlands, interspersed with the harsh lines of abandoned oil and gas canals. I have also seen firsthand the incredible capacity of these ecosystems for restoration and renewal- evidenced by lush vegetation and abundant wildlife in those places along Louisiana's coast where a connection has been reestablished - either accidentally or intentionally - between the life-sustaining river and its wetlands, from Mardi Gras Pass, to the Wax Lake Outlet, to Davis Pond freshwater diversion. I have spent many afternoons in small boats exploring these vibrant places, and can say with complete conviction - we can rebuild and sustain a healthy and functioning ecosystem if we only allow the river - in a controlled way - to do what it did for millennia prior to human intervention.

In my professional capacity, I work on large scale ecosystem restoration efforts all around the country. In that regard, I know that the opportunity before Louisiana is unique: the river itself creates an opportunity for a long-term, sustainable solution to combat the land loss crisis, something that no other alternative restoration technique examined can provide. Additionally, the Deepwater Horizon Natural Resources Damage settlement dollars provide the financial wherewithal to get it done quickly. We cannot squander these incredible natural and financial resources.

Thank you for the opportunity to provide comment, and for your tireless work in support of the restoration and resilience of Louisiana's coastal wetlands, wildlife, and communities.

Sincerely,

Jessie Ritter

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**Concern ID: 63342**

**Other natural or man-made diversions have successfully built land, such that the proposed MBSD Project would also be expected to build land.**

**Response ID: 16302**

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The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils indicates that the proposed Project is anticipated to build land in the Barataria Basin (with smaller amounts of land loss projected in the birdfoot delta). To facilitate comparisons between the proposed Project and other natural or man-made diversions, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Correspondence ID:40578**

Restore or Retreat, Inc.

G. Michael Plaisance

Re: Mid-Barataria Sediment Diversion (MBSD) Draft Environmental Impact Statement (DEIS)

Restore or Retreat, Inc. is a non-profit coastal advocacy group created by coastal Louisiana residents and stakeholders who recognize the Barataria and Terrebonne basins are the two most rapidly eroding estuaries on earth. Representing businesses and individuals throughout the region, Restore or Retreat (ROR) would like to respectfully submit the following comments of support on the U.S. Army Corps of Engineers' Draft Environmental Impact Statement for the Proposed Mid-Barataria Sediment Diversion Project, as well as the Louisiana Trustee Implementation Group's (LA TIG) Draft Phase II Restoration Plan #3.2: Mid-Barataria Sediment Diversion.

Restore or Retreat strongly supports the adoption of the Preferred Alternative in the U.S. Army Corps of Engineers' Draft EIS and Alternative 1 in the Louisiana TIG's Draft Phase II Restoration Plan #3.2. The urgency to build the Mid-Barataria Sediment Diversion cannot be overstated: Without this project, the future for our coast, communities, economy and wildlife is dire, and a nightmare scenario could be realized that would jeopardize the safety and prosperity of not only Lafourche Parish, but our entire region, threatening our unique culture and our status as Sportsman's Paradise.

The Barataria Basin is the heart of Louisiana's working coast, providing thousands of jobs based on our natural resources from oil and gas to food and fun. But our basin is in a critical state of emergency because of our calamitous land loss rates. Without action, the Barataria Basin's exponential land loss will increase by 550 square miles of land over the next 50 years, a risk that imperils much more than the surrounding communities and parishes—it will have a ripple effect on both the gulf-wide and national economies and environments.

The Mid-Barataria Sediment Diversion, a fundamental cornerstone restoration project, offers a turning point for our state and coast as the most sustainable long-term solution to Louisiana's existential land loss crisis. By allowing the Mississippi River to naturally build thousands of land acres through sediment deposition and nourish the existing depleted marshes with nutrients and fresh water, the same way this very landscape was created, we can greatly reduce the threat of entire ecosystem collapse. Additionally, vulnerable communities in the Barataria Basin affected by increased water levels due to sea level rise and storm surge which causes both economic and ecological travesties, could also be reduced.

Moreover, the Mid-Barataria Sediment Diversion project, the best eligible use of NRDA settlement dollars, addresses a multitude of concerns on an ecosystem-wide and economic scale by operating synergistically with neighboring restoration projects, leveraging millions of invested restoration dollars while also offering thousands of jobs and regional economic sales.

In conclusion, ROR fully encourages the selection of the preferred alternative in the Draft EIS for the Mid-Barataria Sediment Diversion, funded as an eligible project using Deepwater Horizon settlement dollars as outlined in the LA TIG's Draft Restoration Plan. Furthermore,

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ROR requests that this project be aggressively expedited and implemented, ensuring the long-lasting viability of our coast and communities, and the future of Louisiana. We would also like to continue to be a community partner by offering our continued assistance in project development in respect to mitigation, workforce development and recruitment.

Sincerely,

G. Michael Plaisance President

Restore or Retreat, Inc.

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**Concern ID: 62663**

**Decades of study demonstrate the MBSD is the optimal way to restore the sustainable functionality to the ecosystem injured by the DWH oil spill, including providing benefits to the northern Gulf of Mexico ecosystem injured by the spill. The Project would rebuild and restore coastal wetland habitat, which is vital to the health of the Gulf of Mexico ecosystem and the species that reside within it. It would address a multitude of concerns on an ecosystem-wide and economic scale, would work synergistically with ecosystem restoration projects in the basin, and would create jobs. The Draft Restoration Plan demonstrates the likely benefits of the Project, and the Project would likely help mitigate consequences of future natural disasters and climate change. Not implementing the Project would not only prevent the area from recovering, but would accelerate its degradation over time.**

**Response ID: 16622**

The LA TIG acknowledges the comment and agrees that the Project would deliver fresh water, sediment, and nutrients to the Barataria Basin; reconnect and reestablish sustainable deltaic processes between the Mississippi River and the Barataria Basin (for example, sediment retention and accumulation, new delta formation); and create, restore, and sustain wetlands and other deltaic habitats and associated ecosystem services.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63337**

**A large number of commenters expressed support for the Applicant's Preferred Alternative, as outlined in the Draft EIS, and the use of funds from the DWH settlement**

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**fund, as outlined in the LA TIG's Draft Restoration Plan, to protect and restore coastal resources in the proposed Project area that were affected by the DWH oil spill.**

**Response ID: 16294**

The USACE and LA TIG acknowledge the commenter's support for the Applicant's Preferred Alternative. The USACE is evaluating the projected impacts of the proposed Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. The LA TIG further acknowledges the commenters' support for using DWH restoration dollars to fund construction of the proposed Project. If approved, the proposed Project would be largely funded through funds provided by the DWH oil spill settlement as determined by the LA TIG. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID: 40579**

Southeast Louisiana Voices of Impacted Communities & Environments

Kimberly Reyher



June 3, 2021

U.S. Army Corps of Engineers  
New Orleans District  
Attn: CEMVN-ODR-E; MVN-2012-2806-EOO  
7400 Leake Avenue  
New Orleans, LA 70118

To Whom It May Concern,

We, Southeast Louisiana Voices of Impacted Communities & Environments (SELA VOICE), write to share our comments regarding the DEIS and Draft Restoration Plan for the Mid-Barataria Sediment Diversion (MBSD). SELA VOICE is a coalition of community-based and environmental organizations convened by the Greater New Orleans Foundation.

The coalition includes Coalition to Restore Coastal Louisiana; Coastal Communities Consulting, Inc.; Healthy Gulf; Lower Ninth Ward Center for Sustainable Engagement and Development; Mary Queen of Viet Nam, Community Development Corporation; South Louisiana Wetlands Discovery Center; United Houma Nation; and Zion Travelers Cooperative Center. Each

organization works with the Indigenous, historically Black, immigrant, migrant, and low-income Southeast Louisianian communities whose lives and livelihoods will be most impacted by the MBSD as proposed.

We appreciate that both the DEIS and TIG Draft Restoration Plan included preliminary mitigation and stewardship measures for affected communities and industries. We would like to help facilitate the equitable application of these measures. Currently, the DEIS and draft Restoration Plan seem to indicate that CPRA and other entities will only begin mitigation when they have proof of impact, leaving fishers and affected communities at risk in the meantime. CPRA and TIG should presume impact and help communities begin to adapt throughout the diversion's construction so they are already in the process of adaptation as the MBSD begins operation.

Below, we recommend actions regarding the mitigation and stewardship measures currently identified in both draft documents. We believe that for the MBSD to be equitably carried forward, CPRA and other state agencies will benefit from doing the following:

1. Use community expertise to carry out mitigation — community-based organizations will identify their expertise in mitigation (see below for SELA VOICE members' mitigation expertise); CPRA and TIG will use a percentage of budgets to help CBOs continue to carry out their efforts they have already been working on that align with the DEIS.
  - a. Partner with community-based organizations to effectively and accessibly disseminate information to affected populations.
  - b. Use CBO expertise to co-design effective community-specific adaptation programs, where communities are able to effectively respond to MBSD's impacts in the near- and long-term.
2. Establish and implement an equitable approach to assessing just compensation and equitable buyout programs for:
  - a. Homes and other structures throughout Southeast Louisiana in areas that will be affected by the diversion—this process should allow residents to buy equivalent or better homes elsewhere.
  - b. Coast-dependent businesses like commercial fishing boats and docks in areas that will be affected by the diversion.
3. Use allocated mitigation funding to support community adaptation.
  - a. Establish and maintain a fund to offset the negative outcomes of MBSD on coast-dependent businesses over the lifetime of the project.
  - b. Establish a program to mitigate the increase in coast-dependent businesses' operating costs in light of the MBSD. This includes payment for costs of upgrading vessels and purchasing necessary equipment.
  - c. Create and maintain a 10-year loan program for coast-dependent small business owners to establish a secondary or alternative small business to generate income as their primary businesses are impacted by the operation of the MBSD.
  - d. While proposed fisheries mitigation supports workforce training—and in the case of commercial oyster businesses, implementing new culching and harvesting

practices—many fisheries-dependent residents do not have the language acumen or access to technology that might be required to transition to new fields. To address this, CPRA and other agencies can provide an annual stipend to offset their losses. This stipend would be used at each person’s discretion, as best suits their specific needs.

- e. Elderly fisherfolk need support to maintain current businesses for the next 5-10 years until retirement. There is a need for specific programming aimed at maintaining the extant operations of elder small business owners who formally identify that they will leave coast-dependent industries within the next 10 years.
4. Broadband access is imperative for communities—make sure all residents of MBSD-affected areas have affordable and easy access to the internet at home and work.
  5. Rigorously explore how restoring natural landscape features, such as ridges, might reduce the impacts of freshwater, thereby mitigating the impact of freshwater on oysters, shrimp and other species to reduce the effect of the diversion on fishers and communities dependent upon them.

Regarding CPRA partnering with CBOs for mitigation and stewardship: each member of SELA VOICE either has expertise or is already carrying out programming in one or more mitigation and/or stewardship measures included in the TIG Restoration Plan and DEIS.

- Coastal Communities Consulting, Inc. - workforce and business training; grant and loan programs for coast-dependent families and commercial fisheries; fisheries: gear improvement, marketing, and vessel refrigeration; supporting commercial and subsistence fishers following disasters like the 2019 Bonnet Carre Spillway opening.
- Lower Ninth Ward Center for Sustainable Engagement and Development - Community engagement and community resilience education and training; community outreach in New Orleans Lower 9th Ward and other underserved neighborhoods; coastal and community science research on climate action issues.
- Mary Queen of Viet Nam, Community Development Corporation - Language Access; Vietnamese translation and interpretation; community outreach in New Orleans East; workforce development programming.
- South Louisiana Wetlands Discovery Center - Resilience Training and Education; Wetlands-Based STEM Education Programs.
- United Houma Nation - Tribal services offered through community based programs and vocational rehabilitation for tribal citizens with disabilities. All services target the state

recognized tribal enrollment of over 13,000 tribal members residing within a six-parish service area along the southeastern coast of Louisiana.

- Zion Travelers Cooperative Center - Disaster recovery and rebuilding, youth programming and entrepreneurship, and other community services in and around Phoenix, LA on the eastbank of Plaquemines Parish.

As trusted community practitioners, our organizations should be consulted on best practices and mitigation models as the MBSD is constructed and over the life of its operation.

While mitigation is intended to address the negative outcomes of natural and human-made processes, stewardship is intended to foster more reciprocal and healthy relationships with the coast and its people. In submitting these comments, members of SELA VOICE look forward to working with you to ensure that the region’s communities remain stewards of their ecosystems, and are in turn supported by the state as MBSD is carried forward.

Sincerely,

Kimberly Davis Reyher  
Executive Director  
Coalition to Restore Coastal  
Louisiana

Sandy Ha Nguyen  
Executive Director  
Coastal Communities Consulting,  
Inc.

Andrew D. Kopplin  
President & CEO  
Doris Z. Stone Chair in  
Philanthropic Leadership  
Greater New Orleans  
Foundation

Cyn Sarthou  
Executive Director  
Gulf Restoration Network

Arthur Johnson  
Chief Executive Officer  
Lower Ninth Ward Center for  
Sustainable Engagement and  
Development

Khai Nguyen  
Program Officer  
Mary Queen of Vietnam  
Community Development  
Corporation, Inc.

Jonathan Foret  
Executive Director  
South Louisiana Wetlands  
Discovery Center

August Creppel  
Principal Chief  
United Houma Nation

Darilyn Turner  
Executive Director  
Zion Travelers  
Cooperative Center

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**Concern ID: 63096**

**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits

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prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63134**

**Commenters suggested that job training would not be helpful for older workers or for those facing language or technological barriers. Direct payments should be considered for these fisherman that cannot change careers easily.**

**Response ID: 16518**

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp, in Chapter 4, Section 4.14 (Commercial Fisheries). In response to public comments and resource agency input about proposed mitigation and stewardship measures, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on

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establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The revised mitigation and stewardship measures allocate approximately \$54 million to commercial fisheries, which supplement other restoration actions and programs being funded by the LA TIG and by the State through LDWF. This includes \$2 million for Workforce/Business training which can be used for older workers facing language or technical assistance barriers (see Appendix R1 to the Final EIS). Additionally, if the MBSD Project is permitted by the USACE and funded by the LA TIG, it would take approximately 5 years to complete construction of the Project and to begin operations. This relatively long period would provide affected senior fishers with the time and opportunity to decide how they want to go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan to transition out of the fishing industry. The final fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63146**

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**Commenters suggested that CPRA should consider restoring natural landscapes such as ridges to minimize impact on oysters, shrimp, and other species (as well as the fisherman and communities that rely on them).**

**Response ID: 16528**

As part of the Louisiana Coastal Master Plan, CPRA has funded a number of projects to restore landscapes such as natural ridges in appropriate locations, such as Spanish Pass Ridge and Marsh Restoration, and anticipates continuing to fund such projects in the future. However, based on Coastal Master Plan modeling, CPRA does not believe that ridge restoration would effectively deflect freshwater flows from the larger basin. The size and scope of ridges necessary to isolate areas in the basin from fresh water makes this solution infeasible. Therefore, no changes have been made to the Final EIS in response to this comment.

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**Concern ID: 63179**

**Mitigation should be clear and adequate and should focus on community needs, which requires collaboration with potentially impacted communities and should be facilitated through community-based organizations.**

**Response ID: 16556**

In developing its Mitigation and Stewardship Plan and its Monitoring and Adaptive Management (MAM) Plan, CPRA engaged the communities potentially impacted by the Project through public meetings to solicit input on mitigation strategies. CPRA also engaged community-based organizations to assist in soliciting additional feedback on the proposed mitigation measures. A summary of CPRA's public engagement meetings and other outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the Project is approved and funded.

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**Concern ID: 63194**

**The Draft EIS and Draft Restoration Plan seem to indicate CPRA and other entities will only begin performing mitigation when they have proof of impact. Instead, they should help communities begin to adapt throughout construction so adaptations will be in process as the MBSD operation begins.**

**Response ID: 16566**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) contained information on steps that would be taken before Project construction to protect fisheries. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS, including specifying mitigation and stewardship measures that would be undertaken before Project construction (see Appendix R1 to the Final EIS for additional details). For example, the Final Mitigation and Stewardship Plan outlines the structural mitigation and stewardship measures that CPRA plans to implement in the communities south of the diversion outside of levee protection (Myrtle Grove to Happy Jack/Grand Bayou) prior to beginning Project operations.

Structural measures such as raising roads or improving bulkheads in the Mitigation and Stewardship Plan were not included in CPRA's MBSD DA permit application and are not part

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of the currently-proposed MBSD Project. Many of these structural measures would require USACE and other permits prior to installation. No applications have been filed with USACE. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63948**

**Public comment asked for provision of affordable broadband internet access for all residents impacted by the MBSD.**

**Response ID: 16587**

Under USACE regulations, compensatory mitigation is intended to address significant resource losses that are specifically identifiable, reasonably likely to occur and of importance to the human or aquatic environment. Mitigation must be directly related to the impacts of the proposal, appropriate to the scope and degree of those impacts and reasonably enforceable. Because the proposed Project is not anticipated to adversely impact cable, internet or communication access, or infrastructure, the suggested provision of broadband internet access would not relate to resource losses caused by the proposed Project and would not be required by USACE.

CPRA has proposed mitigation and stewardship measures to address and partially offset some of the projected impacts of the Project, including providing mitigation for impacts to

fisheries and increased water surface elevations caused by the Project (see Appendix R1 [Mitigation and Stewardship Plan] to the EIS). These measures have been designed to target specific impacts, and while broadband would likely benefit some of the impacted communities, CPRA and the LA TIG have chosen a targeted approach to mitigation based on the projected impacts of the Project.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:40580**

The Nature Conservancy

Karen Gautreaux

RE: Mid-Barataria Sediment Diversion Draft Environmental Impact Statement (DEIS)

The Nature Conservancy in Louisiana (The Conservancy) appreciates being able to offer the following comments relative to the Draft Environmental Impact Statement (DEIS) for the Mid-Barataria Sediment Diversion.

Reestablishing connectivity between the sediment and freshwater carried by the Mississippi River and the state's coastal wetlands is of paramount importance. The reconnection of the river to the coast is foundational in slowing the rate of habitat loss and increasing the resiliency of coastal wetlands, communities and infrastructure. The Mid-Barataria Sediment Diversion is an important component of a much broader program to restore and maintain southeast Louisiana's coastal zone. It is also a project that acknowledges both the essential nature watersheds play to the integrity of the coast and a "greater good" effort that accounts for a majority of stakeholders. Further, the development of the Wax Lake delta and mouth of the Atchafalaya River, plus the occasional levee breach, demonstrate that a reliable, ecologically sound introduction of sediment and freshwater are capable of building land while enhancing conditions for both natural habitats and the plants and animals that comprise them.

We find the DEIS to be a thorough consideration of the impacts to natural systems and processes that stand to be influenced by the creation and operation of the diversion. The Conservancy also believes that long-term monitoring in the Barataria Basin will be essential to the operation of the diversion as well as communication to all stakeholders on the performance, over space and time, of the diversion and its area of influence. The changes in land loss and gain and response of plant communities on those land forms, as well as habitat and species changes as a response to changes in water quantity will be essential to learn from across gradients of influence in the basin.

We recognize that some commercial and recreational fisheries may be variably impacted depending on their proximity to the diversion. It is importance to continue to consider and plan for how to transition those with fishery interests though the period of change such that their connection to place and resources is maintained as much as can be.

Overall, the Conservancy believes the net environmental response and benefits will be positive, and that the anticipated changes are addressed in the DEIS. We are grateful for the opportunity to review and respond on a project which is both a monumental undertaking and key to the coastal protection and management of Louisiana.

Sincerely,

Karen Gautreaux

State Director

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**Concern ID: 62838**

**Near-term, long term, and real-time monitoring in the Barataria Basin will be essential to the operation of the diversion as well as to public communication about the performance, over space and time, of the diversion and its area of influence.**

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**Governance and decision making for the Project should be a science-based, inclusive, and transparent process with genuine engagement and input from external experts and community stakeholders.**

**Response ID: 16665**

According to the LA TIG, the monitoring issues raised by the commenter were considered in CPRA's Monitoring and Adaptive Management (MAM) Plan (Appendix R2 to the Draft EIS), which was jointly developed by CPRA and its LA TIG federal partners based on best information available to them. The MAM Plan included input from key stakeholders (see Section 2.2.2.2 [Stakeholder Review Panel]) and transparent decision making (see Section 6.4 [Data Sharing] and Section 7 [Reporting]). In response to public comments, CPRA would develop a web-based informational dashboard that would make operational information available to the public through the internet in real time. This dashboard would allow CPRA to continue to keep stakeholders informed about Project progress, timing, construction, and operation.

With specific regard to the inclusion of scientific expertise, in addition to the expertise within CPRA, the governance provisions of the MAM Plan call for establishing a Technical Focus Group/Peer Review Group with subject matter expertise to provide technical support on long-term Project planning, assist in the evaluation and interpretation of monitoring data, and evaluate the state of the science concerning adaptive management. See Section 2.2.2.3 (Technical Focus Group(s)/Peer Review) of the MAM Plan (Appendix R2 to the Final EIS).

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana

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Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Concern ID: 63342**

**Other natural or man-made diversions have successfully built land, such that the proposed MBSD Project would also be expected to build land.**

**Response ID: 16302**

The commenter's support for the proposed Project is noted. Consistent with the comment, Chapter 4, Section 4.2.3.2 in Geology and Soils indicates that the proposed Project is anticipated to build land in the Barataria Basin (with smaller amounts of land loss projected in the birdfoot delta). To facilitate comparisons between the proposed Project and other natural or man-made diversions, a summary of select natural and man-made diversions in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary is available in Appendix U of the Final EIS.

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**Correspondence ID:40581**

Caroline Corona

My name is Caroline Corona and I'm totally against the mid-barataria diversion. This will take away our species of our redfish which will make our water fresher and we don't want it. I'm totally against it.

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**Concern ID: 62737**

**The proposed Project would result in the loss of red drum.**

**Response ID: 16115**

As identified in Chapter 4, Section 4.10, Table 4.10-6 in Aquatic Resources of the EIS, the proposed Project is not expected to have an adverse impact on, or resulting loss of, red drum. Rather, changes in the Barataria Basin are anticipated to have an overall beneficial effect on red drum abundance. Because these issues were addressed in the Draft EIS, no related edits have been made to the Final EIS.

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**Concern ID: 62782**

**A large number of commenters expressed general opposition to the proposed Project.**

**Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40582**

Albertine Kimble

My name is Albertine Marie Kimble. I reside at [REDACTED], Carlisle, LA 70040. First, I would like to say that Plaquemines Parish Government doesn't speak for all the people. NOT everyone is against the Mid-Barataria Sediment Diversion. The project is NOT all negative. Plaquemines Parish needs the Mississippi River for survival and the residents who live and work here understand how to utilize the Mississippi River to have a positive impact.

I am pro-Diversion and always will be. I know the Mississippi River built Plaquemines Parish and will definitely save the Parish. The mistrust for me is past construction of freshwater structures that were not maintained and then abandoned. This is unacceptable. I know the people of Plaquemines Parish are resilient. We have had to adapt to the leveeing of the Mississippi River which caused an increase to salinities in the region. Now we are asked to accept another change: more freshwater, BUT with more sediment! I feel the parish is an experiment. We have numerous structures already in place but need major maintenance and proper operation to achieve maximum benefits. I believe that this would alleviate any mistrust people have about the state coastal master plan.

I am thankful that Plaquemines Parish is gaining instant wetlands through dredging. We are blessed that the Spanish Pass II project in Venice will be the largest marsh creation project to date. The majority of people want dredge material now versus 75,000 cfs whenever it is possible.

Flooding will definitely increase with operations of the diversion to adjacent landowners. Landowners need to be compensated for negative impacts. When we reconnect to the River, things change, people adjust. Our climate is changing so quickly; I believe the time to act is now. We need all the sediment from the Mississippi River we can receive, any kind of restoration project that creates land instantly, but sustainability is mandatory, and that is from a diversion. You need to water the plants.

In my opinion, when a landowner is negatively impacted by a coastal restoration project by not being able to utilize his property, he should be compensated justly.

Sincerely,

Albertine Marie Kimble

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**Concern ID: 61917**

**Commenters expressed concerns over CPRA's potential for mishandling of the operation and long-term maintenance of the proposed MBSD Project, particularly pointing to CPRA's past inadequate operations and maintenance of other diversions.**

**Response ID: 16004**

CPRA would operate the proposed MBSD Project as detailed in the Operations Plan, which is found in Appendix F2 Preliminary Operations Plan in the Final EIS. In addition, refer to Final EIS Appendix R2 for the Monitoring and Adaptive Management (MAM) Plan for details on the proposed Project operational and adaptive management governance. In the context of the proposed Project, governance refers to how CPRA, with input from other stakeholders, would make decisions over the life of the Project. Decisions would include, but not be limited to, continuation of and changes to Project operations, riverside management, monitoring, maintenance, and adaptive management actions. CPRA would provide annual operations

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plans, annual operations performance reports, annual monitoring reports, and multi-year monitoring and adaptive management reports (at five-year intervals) on CPRA's CIMS website (<https://cims.coastal.louisiana.gov/default.aspx>), as well as, on NOAA's Data Integration, Visualization, Exploration, and Reporting (DIVER) Explorer tool and Trustee Council websites. These plans would be available to stakeholders and the public. The stakeholders and the public would have an opportunity to participate in public meetings held to solicit comments, perspectives, and insights on the annual operations plans.

The Mitigation and Stewardship Plan and the MAM Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated proposed Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section

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1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process. CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 63096**

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**Commenters request information and mitigation to compensate for impacts to properties, especially in Myrtle Grove and Happy Jack, (including compensation for acquisition; compensation for raising docks, roads, property, and facilities; relocation expenses; and insurance costs).**

**Response ID: 16699**

Chapter 4, Sections 4.13.5 Operational Impacts in Socioeconomics and 4.20.4.2 Operational Impacts in Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, of the Draft EIS considered the increased water levels and corresponding inundation outside of federal levee systems potentially caused by the proposed Project.

CPRA is interested in assisting affected communities to remain in place as long as they would like. In response to public comments, CPRA expanded its Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) to include mitigation and stewardship measures to partially offset some of the projected effects of the proposed Project on water levels in the communities south of the outfall outside of levee protection from Myrtle Grove south to Grand Bayou and Happy Jack.

The particular mitigation and stewardship measures vary based on the community, taking into consideration the degree of effect from the proposed Project, as well as the characteristics of the community. For example, the Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS) explains CPRA's plan to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision which should reduce the incidence of tidal flooding in Myrtle Grove compared to future conditions without the proposed Project. In Grand Bayou and Happy Jack, where the increased water levels due to the proposed Project are projected to be less, CPRA plans to raise the road to improve access to the communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be in the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation and stewardship measures.

As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

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The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40583**

Ralph and Cindy Hermann

Continued Opposition to Mid-Barataria Flooding Diversion since scoping meetings in 2003

Please do not approve this poorly prepared DRAFT of a so-called Environmental Impact Statement that disregards both human life as well as other mammals such as the spotted dolphins. Eco-tourism this is not, nor was it honest or ethical as this was pushed through in a budget bill. During the short term flow of Mississippi River polluted freshwater from the Bonnet Carre spillway over 200 dolphins perishes & more suffered severe ulcerations. Protection for dolphins is covered under the Marine Mammal Protection Act by NOAA in other states but not Louisiana.

In our humble opinion, this project equates to the USACE permitted and dug Mississippi River Gulf Outlet infamously known as the MRGO that flooded & destroyed St. Bernard for over a decade as well as Orleans Parish Ninth Ward, New Orleans East, St. Tammany & Jefferson Parishes.

The MRGO was dug as an outlet to the Gulf that measure 250 feet wide at construction with the Paris Road Bridge piers constructed on dry land never meant to be in 35 feet of salt water due to erosion at a width of 2,250 wide when Hurricane Katrina hit Louisiana. This was not overtopping of levees but a total washing away of levees in name only.

This diversion plans to cut a hole in the Mississippi River Levee to pump the most polluted river water into the Barataria Bay Estuary all the while possibly weakening a longtime strong levee. Do we ever learn from these failures or the false promises from politicians?

Is it really a good idea to punch a hole in the Mississippi River levee to attempt to capture enough sediment that is already trapped by the multitude of dams & weirs up the Missouri River & other western rivers trapped by the sills of these structures? They do not know what to do with all that sediment up there that is silting up their small lakes.

In my opinion, this diversion project will have permanent & detrimental effects to the destruction of Plaquemines Parish as a whole as capturing any sediment will starve the delta further down the river at the Migratory Management area.

Dr. Sherwood Gagliano, now deceased, trumpeted the issues of coastal erosion but Louisiana was fat, dumb and happy due the promises of jobs & wealth. Don't try to sell and market this Draft of a false EIS. Put more consideration into Pipeline Sediment Dredging that will provide faster results and protection.

Ralph and Cindy Hermann



Port Sulphur, LA 70083

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has**

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**numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.****Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve

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and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62271**

**The proposed Project would have permanent and detrimental impacts on Plaquemines Parish as a whole because it would starve the birdfoot delta, including the Delta NWR and Pass A Loutre WMA, of needed sediment.**

**Response ID: 16442**

The commenter's concern that the proposed Project would cause a loss of wetlands in the Delta NWR and in the Pass A Loutre WMA, both of which are located in the birdfoot delta, was addressed in the Draft EIS in Chapter 4, Section 4.17.4 Operational Impacts in Public Lands. As part of its responsibilities under the Fish and Wildlife Coordination Act and as operator of the Delta NWR, the USFWS recommended the creation of crevasses to build land in the birdfoot delta to offset MBSD Project-induced wetland losses of 926 acres in the Delta NWR and 37 acres in the Pass A Loutre WMA (see Appendix T USFWS Coordination Act Report (CAR) of the Final EIS). In response to USFWS' CAR Recommendation, CPRA agreed that "Within 5 years of the commencement of Project operations, CPRA or the LA TIG will provide \$10,000,000 of additional funding for wetland preservation and restoration work in the Delta NWR and the [Pass A Loutre] PAL WMA to offset modeled acres of indirect wetland losses in those areas. That funding may be accomplished through additional funding through the CWPPRA program, through additional restoration work sponsored by the LA TIG (for example, construction of the Engineering and Design work discussed in the DWH LA TIG's Restoration Plan and Environmental Assessment #7), or through a direct contribution for additional work. The funding will be proportioned between the Delta NWR and the PAL WMA based on the magnitude of the predicted wetland loss in each area" (Final EIS, Appendix R1 Mitigation and Stewardship Plan, Section 4.6 Fish and Wildlife Coordination Act).

This information was updated in the Final EIS, Chapter 4, Section 4.27.1 in Mitigation Summary and in the Final EIS, Section 4.17.4.2.2 Birdfoot Delta in Public Lands.

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**Concern ID: 62777**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the biota of the Barataria Basin (including but not limited to endangered species, dolphins, shrimp, crab, oysters, and finfish).**

**Response ID: 16359**

The commenter's opposition to the proposed Project is noted. As discussed throughout Chapter 4 Environmental Consequences of the Draft EIS, the proposed Project would result in impacts on the general character of the Barataria Basin, including, but not limited to, salinity, temperature, land accretion, and water quality. These impacts would generally be either adverse or beneficial on a given species depending on habitat tolerances of area plants and animals, with moderate to major adverse impacts anticipated for those plants and animals that are unable to tolerate the modified habitat. In many cases, impacts in the

Barataria Basin resources would be higher near the diversion outfall, where land building/sedimentation, salinity, and water level impacts would be greatest, and would decrease with distance from the outfall. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate proposed Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62784**

**Prior or proposed diversions and diversion-like projects (including the Caernarvon Diversion, MRGO, Mardi Gras Pass, Maurepas Bonnet Carré Spillway openings) did not work or caused adverse impacts on area resources.**

**Response ID: 16366**

The commenter's concern regarding the effectiveness and adverse impacts of existing diversions and diversion-like structures is noted. A summary of select natural and man-made diversions (and diversion-like structures) in southeastern Louisiana has been developed to compare the purpose and/or characteristics of these diversions to the proposed MBSD Project, and their recorded impacts on the natural environment. This summary, which includes discussions on the Caernarvon Diversion, MRGO, Mardi Gras Pass, and Bonnet

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Carré Spillway, is available in Appendix U of the Final EIS. The Maurepas Diversion is subject to an ongoing NEPA analysis, which is anticipated to be finalized in 2022.

Chapter 3, Sections 3.2.1.4 and 3.2.2.4 in OPA Evaluation of the Alternatives of the LA TIG's Final Restoration Plan address the likelihood of success of the proposed Project and other action alternatives. The referenced projects all had unique goals, and, where goals existed, each of those projects have achieved their goals. Those achievements increase confidence in the ability of the LA TIG to set goals and select approaches appropriate for achieving those goals. The proposed Project's goal is ecosystem restoration through the reestablishment of sustainable deltaic processes, only one of which is land building. The computer and physical models used to analyze Project benefits consider the current geomorphological features of the Lower Mississippi River, as well as data and knowledge gained from the referenced projects.

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**Concern ID: 63067**

**The majority of the bottlenose dolphin population of this area will be destroyed... not just killed but sentenced to a horrific death. Freshwater releases at Bonnet Carré Spillway in 2019 resulted in an unusual mortality event (UME), demonstrating the harm that freshwater releases can cause to dolphins. A study by the Galveston Bay Dolphin Research Program also found that dolphins in upper Galveston Bay developed skin lesions after flooding from Hurricane Harvey. Additional studies further support the harm that the diversion could cause by demonstrating negative impacts to dolphins from exposure to low-salinity conditions (Deming and Garrison, 2021; Duignan et al., 2020; McClain et al., 2020).**

**Deming, A., and L. Garrison. 2021. 2019 Northern Gulf of Mexico bottlenose dolphin unusual mortality event. Marine Mammal Commission meeting/webinar on "Effects of Low Salinity Exposure on Bottlenose Dolphins," 23 March 2021. Oral presentation. <https://www.mmc.gov/events-meetings-and-workshops/other-events/effects-of-low-salinity-exposure-on-bottlenose-dolphins-webinar/>**

**Duignan, P.J., N.S. Stephens, and K. Robb. 2020. Fresh water skin disease in dolphins: a case definition based on pathology and environmental factors in Australia. Scientific Reports 10:21979.**

**McClain, A.M., R. Daniels, F.M. Gomez, S.H. Ridgway, R. Takeshita, E.D. Jensen, and C.R. Smith. 2020. Physiological effects of low-salinity exposure on bottlenose dolphins (*Tursiops truncatus*). Journal of Zoological and Botanical Gardens 1:61-75.**

**Response ID: 16590**

The Draft EIS included an analysis based on extensive literature and soon-to-be published data (now published) demonstrating the impacts of low-salinity conditions on dolphins. These data were considered as part of an Expert Elicitation (a garnering of expert opinions to determine or quantify an unknown) that resulted in dose-response curves (Booth et al. 2020) and summarized in Chapter 4, Section 4.11.3 (Marine Mammals - Overview of Impact Analysis Approach) of the EIS. While Deming and Garrison (2021) was presented after the release of the Draft EIS, the presentation was based on data that were fully considered in the Draft EIS, including as part of the Expert Elicitation. Along with other relevant data (for example, BBES tagging studies), the analysis contained in the Draft EIS determined that there would be a significant, adverse, permanent impact on the BBES Stock. Further, the

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analysis in the Draft EIS concluded that if the 75,000 cfs Alternative were implemented, impacts would be immediate and only a remnant population would be likely to exist near the barrier islands after 50 years of operation.

After release of the Draft EIS, at the request of the Marine Mammal Commission, the National Marine Mammal Foundation and University of St. Andrews released a population impact projection based on the information presented in the Draft EIS (including annual survival rates from Garrison et al. 2020) coupled with an updated population model for BBES dolphins (Schwacke et al. 2022, Thomas et al. 2021). This new, additional analysis has been incorporated into the Final EIS in Chapter 4, Sections 4.11.5.2 Barataria Bay Estuarine Stock and supports the original determination in the Draft EIS of major, permanent, adverse impacts on the BBES dolphin population. The research presented in the McClain et al. (2020) study cited by commenters was considered in the Draft EIS [cited at the time as McClain et al. (in prep)]; the research presented by Duignan et al. (2020) is consistent with the established literature and does not change the conclusions of the Draft EIS, but this study has been incorporated in Chapter 4, Section 4.11.5.2.2.1 General Effects on Dolphin Health of the Final EIS. Similarly, the information included in the Deming and Garrison presentation was considered in the Draft EIS, is consistent with the conclusions of the Draft EIS, and the presentation has now been cited in Section 4.11.5.2.2.

Since release of the Draft EIS and the LA TIG's Draft Restoration Plan, the LA TIG has developed a new Marine Mammal Intervention Plan to further respond to and recognize expressed public concerns about the potential impacts of the proposed Project on marine mammals (see Appendix R5 to the Final EIS). The Plan outlines a spectrum of response actions ranging from recovery/relocation to no intervention to euthanasia. While the more severe actions (that is, euthanasia) may not offset the ultimate outcome of dolphin mortality associated with the proposed Project, it can alleviate animal suffering. Where relocation is possible, the goal would be to release dolphins into more hospitable habitat where any health impacts would be minimized. In addition, in recognition that the proposed Project would likely result in significant marine mammal collateral injuries, and acknowledging the inability to fully avoid or mitigate collateral injuries, CPRA has designed and would implement a suite of stewardship measures (see Appendix R1 [Mitigation and Stewardship Plan] of the Final EIS for more details about these actions). CPRA has also updated marine mammal related monitoring and adaptive management activities since the release of the Draft EIS to include specific marine mammal response triggers that may affect Project operation mitigation efforts; see Appendix R2 (Monitoring and Adaptive Management [MAM] Plan) to the Final EIS for more information.

The Mitigation and Stewardship Plan and the MAM Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans, including the additional Marine Mammal Intervention Plan, and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures

are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in these Plans, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40584**

Chhay Lim

To Whom It May Concern:

I understand the reasoning for releasing fresh waters into the gulf coast. Although, these procedures will affect many peoples that work in the commercial fisherman industry. For most, this is the only source of income and job that we can get. My husband and I don't have a strong education background, so shrimping was always our occupation. We've been in this industry since 1998 and want to continue till we retire. When this procedure happens, we won't be able to work. The shrimp will leave which will cause us to have to go out in deeper waters. But our boat isn't big enough to be going out too deep in the ocean. This is going to cause a financial struggle for us. It would be so appreciated by many if we were assisted with some help.

Here are a few ideas that can help us stay financially stable. Maybe the government can compensate us so that we can buy a bigger boat or have money to start a business. Or if the shrimp business fails and causes us to move out of here, help us financially to be able to move and start our business elsewhere. Or help buy our lands and properties if we had to move. My husband and I don't have much experience in the workforce, we've been commercial fishermen for a long time. We would like aid in helping to find another career or get us in an occupation that can financially support us.

Thank you

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments,



CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40585**

Hen Lai

To Whom It May Concern:

I understand the reasoning for releasing fresh waters into the gulf coast. Although, these procedures will affect many peoples that work in the commercial fisherman industry. For most, this is the only source of income and job that we can get. My husband and I don't have a strong education background, so shrimping was always our occupation. We've been in this industry since 1998 and want to continue till we retire. When this procedure happens, we won't be able to work. The shrimp will leave which will cause us to have to go out in deeper waters. But our boat isn't big enough to be going out too deep in the ocean. This is going to cause a financial struggle for us. It would be so appreciated by many if we were assisted with some help.

Here are a few ideas that can help us stay financially stable. Maybe the government can compensate us so that we can buy a bigger boat or have money to start a business. Or if the shrimp business fails and causes us to move out of here, help us financially to be able to move and start our business elsewhere. Or help buy our lands and properties if we had to move. My husband and I don't have much experience in the workforce, we've been commercial fishermen for a long time. We would like aid in helping to find another career or get us in an occupation that can financially support us.

Thank you

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**Concern ID: 62029**

**The EIS describes immediate, major, and permanent adverse impacts on several critical species in the Barataria Basin, including shrimp and oysters. The health of commercial fisheries and the socioeconomic well-being of coastal communities are closely intertwined. Such impacts would inflict economic harm on businesses, families, and individuals.**

**Response ID: 16225**

The issues raised by the commenters were considered in the Draft EIS. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted. The EIS also acknowledges the importance of commercial fisheries to the Louisiana economy and communities, as described by commenters. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana and Section 4.14 Commercial Fisheries describes impacts to commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the proposed Project area are anticipated under the Applicant's Preferred Alternative. Changes in abundance may exacerbate trends of aging fishers leaving the industry and would have adverse impacts on the overall fishery. Adverse impacts may be partially offset by changes in fisher behavior. Additional details on the regional and community level economic impacts on commercial fisheries due to the proposed MBSD Project can be found in Section 4.14 Commercial Fisheries.

CPRA's Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since

publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial**

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**and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40586**

Ellen Davison

Dear Mr. LaBorde and Mr. Landry,

I am writing to let you know that as a Louisiana native, who lives elsewhere but who is concerned about the coastlands of this nation, especially Louisiana, I support the preferred alternative: Alternative 1, Variable Flow up to 75,000 cfs for the Mid-Barataria Sediment Diversion in the Corp's Draft Environmental Impact Statement and Alternative 1 in the Louisiana Deepwater Horizon Trustee Implementation Group's Mid-Barataria Sediment Diversion Draft Restoration Plan 3.2.

Thank you so much. I hope this letter does not arrive too late.

Ellen M. Davison



Greer, SC 29651

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**Concern ID: 63332****A large number of commenters expressed general support for the proposed Project.****Response ID: 16288**

The commenter's support for the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and the NEPA analysis of the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40587**

Calvin Wade

When this diversion opens, it will affect Lafitte gravely, as far as brown shrimp will completely end. Not to mention, water level will rise life on the bayou.

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**Concern ID: 62011**

**Commenters are concerned about the impacts of the proposed MBSD Project operations on the coastal communities including Jean Lafitte, lower Lafitte, Barataria, Crown Point, and the island of Grand Isle.**

**Response ID: 16209**

The impacts raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics considers impacts on community populations, housing and property values, community infrastructure, as well as community cohesion and other potential socioeconomic impacts on affected communities in the proposed Project area. As described, communities near the immediate outfall area (within 10 miles north and 20 miles south) outside of flood protection are anticipated to experience increased tidal flooding and storm surge that may increase ongoing trends in outmigration and cause minor to moderate, permanent, adverse impacts on community cohesion in these areas. Long-term benefits of the proposed Project are also anticipated in communities in the west bank New Orleans area north of the diversion, where decreases in storm damages are anticipated over time due to the Project. The communities of Lafitte and Des Allemands are located in areas anticipated to experience permanent, minor to moderate beneficial impacts associated with storm hazards. The proposed Project is projected to increase surge heights by only up to 0.1 foot in the community of Grand Isle. Chapter 4, Sections 4.13 Socioeconomics, 4.14 Commercial Fisheries, and 4.15 Environmental Justice provide detailed analyses of impacts from the proposed Project. The Socioeconomics Technical Report in Appendix H1 provides additional details.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana.

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**Concern ID: 62224**

**Communities like Happy Jack, Lake Hermitage and Myrtle Grove, some of which have homes that are not above the new base flood elevation, already experience some degree of flooding which would be made worse by the diversion. This would affect the ability of residents to access and enjoy their homes and communities.**

**Response ID: 15757**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discuss the anticipated increased flooding impacts outside of federal levee systems to be caused by the operation of the diversion. Final EIS Appendix R1 Mitigation and

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Stewardship Plan describes mitigation and stewardship measures planned by CPRA for areas exposed to Project-related inundation. CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties. In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes, which would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application, and if a permit is approved, would not be authorized under the DA permit. Many of these structural measures would require DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62772**

**The diversion would end the brown shrimp fishery in the upper/mid-basin.**

**Response ID: 16150**

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources and Section 4.14.4 in Commercial Fisheries of the EIS, habitat suitability for brown shrimp in the Barataria Basin would decrease, particularly in the mid- to lower basin (see Figure 4.10-16). Brown shrimp, and particularly earlier life stages of brown shrimp, may be precluded from the immediate outfall area in periods of high flow, instead being transported into areas west and south of the outfall, where water flow would be generally unaffected by diversion operation. Larger juvenile and sub-adult brown shrimp would remain in the southern basin, where salinities would generally be below optimal, but still relatively suitable. Salinity in the Lower Barataria Basin may decrease below optimal levels for large juveniles and sub-adults in the spring and summer, but these life stages can tolerate low-salinity conditions and would remain in these lower basin habitats. The species is anticipated to have decreased abundance over time; however, the viability of the population is not anticipated to be affected, such that brown shrimp would remain in the Barataria Basin. As identified in Section 4.14.4.2 in Commercial Fisheries, impacts on the brown shrimp fishery are also anticipated to be major, permanent, and adverse associated with adverse impacts on brown shrimp abundance over time as compared to No Action Alternative. Adverse impacts to the fishery may be partially offset by changes in fisher behavior, especially given that the greatest impacts may be occurring later in the analysis period, but these adjustments could increase operating costs. Impacts could further encourage fishers to exit from the industry. Potential new entrants may adapt more easily by investing in more flexible vessels/gear than they would have otherwise, or they may pursue alternative employment. Communities reliant on employment and expenditures associated with this industry would be adversely affected. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40588**

Kin Khon

I need help because right now I am too old. I can't go in the water anymore. I need some money to do a small business, a small donut shop or with ale or work force business training.

**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

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organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:40589**

Gareth LeBlanc

Will put brown shrimp out of business. Will rise tides higher and will lose a lot of our shrimp grounds. We have to depend on brown shrimp and white to make a living. All fishermen (shrimp, crab, oyster) are not for it. Use dredging.

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional

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Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

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**Concern ID: 62772**

**The diversion would end the brown shrimp fishery in the upper/mid-basin.**

**Response ID: 16150**

As discussed in Chapter 4, Section 4.10.4.5 in Aquatic Resources and Section 4.14.4 in Commercial Fisheries of the EIS, habitat suitability for brown shrimp in the Barataria Basin would decrease, particularly in the mid- to lower basin (see Figure 4.10-16). Brown shrimp, and particularly earlier life stages of brown shrimp, may be precluded from the immediate outfall area in periods of high flow, instead being transported into areas west and south of the outfall, where water flow would be generally unaffected by diversion operation. Larger juvenile and sub-adult brown shrimp would remain in the southern basin, where salinities would generally be below optimal, but still relatively suitable. Salinity in the Lower Barataria Basin may decrease below optimal levels for large juveniles and sub-adults in the spring and summer, but these life stages can tolerate low-salinity conditions and would remain in these lower basin habitats. The species is anticipated to have decreased abundance over time; however, the viability of the population is not anticipated to be affected, such that brown shrimp would remain in the Barataria Basin. As identified in Section 4.14.4.2 in Commercial Fisheries, impacts on the brown shrimp fishery are also anticipated to be major, permanent, and adverse associated with adverse impacts on brown shrimp abundance over time as compared to No Action Alternative. Adverse impacts to the fishery may be partially offset by changes in fisher behavior, especially given that the greatest impacts may be occurring later in the analysis period, but these adjustments could increase operating costs. Impacts could further encourage fishers to exit from the industry. Potential new entrants may adapt more easily by investing in more flexible vessels/gear than they would have otherwise, or they may pursue alternative employment. Communities reliant on employment and expenditures associated with this industry would be adversely affected. Because this issue was addressed in the Draft EIS, no related edits have been made to the Final EIS.

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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40590**

Chhiet Lat

I am a commercial fisherman since 1986. I do not want sediment diversion because the sediment diversion will cause the shrimp to disappear/loss a lot. However, if the sediment diversion happens, then I want the government to help me. For example, if I switch from a skimmer boat to a travel boat, I need gears improvement. Or, if I am not a commercial fisherman, then I need help with changing jobs, like becoming a farmer in a different place. I need help. I need help from the government. I also might need help with the vessel refrigeration to sustain the shrimp longer. If I become a farmer in a different state, then I need the government to help me relocate. Buy my house/land and my boat.

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions,

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
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- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)

- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:40591**

Kim Mao

I do not want sediment diversion as a commercial fisherman because I will lose my job. However, if I cannot decide, I need the government to help me. Because, as a skimmer, if there's more land, then I have to go (shrimp) in deeper water. If I go shrimping in deeper water, then I need to change my gears and switch to a travel boat. If the government can help me, then please help me. If I need help with income, then the state or government, please help me so I can live with my kids in the future. Thank you

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63131**

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The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).



CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:40592**

Le Kim

I am a new commercial fisherman. I just have a vessel (oyster). I do not know how it will impact me yet; however, I will need the assistance if it impacts me when the sediment diversion happens. I will need help with housing or moving if I cannot live here anymore - transition to a new place or state.

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**Concern ID: 62961**

**Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.**

**Response ID: 16532**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers as compared to No Action conditions in Chapter 4, Sections 4.10 (Aquatic Resources), 4.14 (Commercial Fisheries), 4.15 (Environmental Justice) and 4.16 (Recreation and Tourism).

In response to public comments and resource agency input about the proposed mitigation efforts, CPRA has expanded and refined the oyster mitigation and stewardship measures. CPRA's mitigation and stewardship strategies and associated expenditures would focus on establishing sustainable fisheries for oysters rather than on compensating individual oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to oyster fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for oysters in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to oyster fisheries in the early years of the Project's operational life. The revised mitigation and stewardship measures include allocating \$4 million to establish new public seed grounds, \$15 million to enhance public and private oyster grounds, \$4 million to enhance broodstock reefs and \$8 million for alternative oyster culture.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances

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**Correspondence ID:40593**

Dang Kim

When the sediment diversion happens, I cannot work because the oysters will die. I need help like (any assistance) such as housing or moving because I could not live here anymore. I need help with finding jobs because the oysters will die. There's nothing at all if the oysters die! I need to pay bills and miscellaneous expenses, like groceries. If possible, please help me during my difficult times. Any assistance would be greatly appreciated.

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**Concern ID: 62961**

**Project mitigation must adequately compensate impacts on the oyster industry, including financial compensation for economic losses. Commenters provided suggestions for mitigation such as compensating for increased costs of travel, providing direct financial payments to lease holders whose areas become unproductive, supporting new oyster leases or lease swaps, investing in research and development, using devices to move oysters to higher-salinity water, providing loans to oystermen to develop alternative income streams, providing support for elderly fisherfolk and buying out boats and businesses.**

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent

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**Correspondence ID:40594**

Diem Chi Huynh

I am a wife and deckhand of a commercial fisherman. If the freshwater diversion project is implemented, it would greatly impact my family. My family would need financial assistance from the federal for at least 3 years until our job is stable again.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Correspondence ID:40595**

Ngoc Tran

Whenever CPRA starts on the Mid-Barataria Sediment Diversion, I want financial assistance for at least 3 years until everything gets back to normal. At my age, I cannot change my field of work. Please help me so I can continue to go shrimping until I retire. Thank you

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**Concern ID: 63131**

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**Response ID: 16515**

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**Correspondence ID:40596**

Gians Vo

I do not oppose this project. I just ask that if I am affected as a shrimper, then we should be given help. Grants or any other help if it affects the shrimping industry.

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**Concern ID: 62424****Commenter states that they do not oppose the proposed Project.****Response ID: 15869**

Comment noted.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Correspondence ID:40597**

Truc Nguyen

I do not oppose this project. I just ask that if I am affected as a shrimper, then we should be given help through grants or other help.

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**Correspondence ID:40598**

Billy Nguyen

I'm selling my vessel.

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**Concern ID: 63135****Commenters state that they plan to sell their vessels.****Response ID: 16519**

Because the Project is projected to impact commercial fisheries, the CPRA has developed a range of measures in its Mitigation and Stewardship Plan to minimize adverse effects on commercial fisheries resources. The intention of CPRA's mitigation and stewardship measures is to establish sustainable fisheries for oysters and shrimp. These measures are described in more detail in the Mitigation and Stewardship Plan (Appendix R1 to the Final EIS), and include funding allocations for new oyster public seed grounds, to enhance public and private oyster seed grounds, for Alternative Oyster Cultures, and for oyster broodstock reefs. In addition, the mitigation and stewardship measures are aimed at assisting fishers to continue in the industry through measures such as equipping shrimping vessels with refrigeration to extend the time the vessel can transit to and remain on the fishing grounds (or fish new areas), marketing and outreach support, workforce training, and grants to help offset costs of rigging vessels with different types of gear or to substitute gear to improve efficiency and lower costs.

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**Correspondence ID:40599**

Truc Nguyen

I'm selling my vessel.

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**Correspondence ID:40600**

Mim Nguyen

I'm selling my vessel.

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**Correspondence ID:40601**

Thanh Le

I'm selling my vessel.

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**Concern ID: 63135**

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**Response ID: 16519**

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**Correspondence ID:40602**

Cindy Pham

When the freshwater diversion hits, it will negatively impact my livelihood. I want to change my job. I want to have a greenhouse in my backyard so I could grow fruits & vegetables to sell. I want you guys to build me a greenhouse.

---

**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Correspondence ID:40603**

Mike Tran

When the freshwater diversion hits, it will negatively impact my livelihood. I want to change my job. I want to have a greenhouse in my backyard so I could grow fruits & vegetables to sell. I want you guys to build me a greenhouse.

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**Concern ID: 63131**

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Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40604**

Denice Fazende

To Whom it May Concern,

My opinion of the Diversion is that, if this is built, the majority of the shrimping industry will be destroyed along with recreational fishing.

I am a commercial shrimper, 68 years old, my husband is 71 years old; this is our occupation for over 50 years. At our age, we cannot start over or buy bigger boats in order to go into deeper water.

What good is it to put refrigeration equipment on our boats when the Diversion will kill off the shrimp.

The majority of the shrimping industry in Louisiana is worked by people over 50 years of age who have done this all their lives; it had passed on to generation after generation, but now it will die off if this Diversion is built.

Thank you,

Denice Fazende

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement.

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Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63134**

**Commenters suggested that job training would not be helpful for older workers or for those facing language or technological barriers. Direct payments should be considered for these fisherman that cannot change careers easily.**

**Response ID: 16518**

The Draft EIS considered how changes in the Project area both with and without implementation of the Project would potentially impact commercial fisheries, including shrimp, in Chapter 4, Section 4.14 (Commercial Fisheries). In response to public comments and resource agency input about proposed mitigation and stewardship measures, CPRA has expanded and refined the fisheries mitigation and stewardship measures since the release of the Draft EIS. CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries for oysters and shrimp rather than on compensating individual shrimpers or oyster harvesters for their particularized economic losses (see the Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). Without the Project, adverse impacts to fisheries would be expected over the next 50 years. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for fisheries in a large portion of the currently suitable habitat. With implementation of the diversion, the Project would cause significant adverse impacts to fisheries in the early years of the Project's operational life.

The revised mitigation and stewardship measures allocate approximately \$54 million to commercial fisheries, which supplement other restoration actions and programs being funded by the LA TIG and by the State through LDWF. This includes \$2 million for Workforce/Business training which can be used for older workers facing language or technical assistance barriers (see Appendix R1 to the Final EIS). Additionally, if the MBSD Project is permitted by the USACE and funded by the LA TIG, it would take approximately 5 years to complete construction of the Project and to begin operations. This relatively long period would provide affected senior fishers with the time and opportunity to decide how they want to

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go forward, ranging from taking advantage of the adaptation opportunities offered through the Mitigation and Stewardship Plan to transition out of the fishing industry. The final fishery mitigation plan can be found in the Mitigation and Stewardship Plan (Appendix R1 to the EIS).

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40605**

Yen Hoang

- 1) The Grant we still need your help, but we still trying to protect the commercial fishing industry for the future.
- 2) The diesel price cost is so high and the shrimp price so low, our income doesn't have enough for the expense of new supplies and repair of our vessel.
- 3.) Danger of extinction of shrimp and all seafood, which will affect both fishermen and consumers. [English: Market, restaurant, fast food, seafood market and other.]

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)

- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62078**

**The proposed MBSD Project would cause the loss of Louisiana shrimp, oyster, crab and finfish production which would impact the seafood based supply chain of southern Louisiana, including corresponding impacts on restaurants in New Orleans and southern Louisiana.**

**Response ID: 16243**

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The impacts raised by the commenters were considered in the Draft EIS. The EIS acknowledges in Chapter 3, Section 3.14.7 in Commercial Fisheries that the seafood industry represents a major source of jobs and income in Louisiana, which includes commercial harvesters, seafood processors and dealers, seafood wholesalers and distributors, and retail sales. Chapter 4, Section 4.14 Commercial Fisheries discusses regional economic impacts and community impacts on the shrimp, oyster, crab, and finfish fisheries, noting that communities with a high reliance on these landings may be most heavily impacted, and that indirect effects may include impacts to fish license holders, crew, dealers, suppliers, and seafood processors. While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative. This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 61908**

**Commenters suggested that there will be detrimental impacts on the tourism economy and on restaurants, which are partly dependent on fisheries in the Barataria Basin. Commenters express concerns about adverse effects on Louisiana's attractiveness as a fishing area and place for swamp tours and authentic seafood.**

**Response ID: 16238**

EIS Chapter 4, Section 4.16.5.2 in Recreation and Tourism describes how the MBSD Project would impact the tourism economy that is dependent on fisheries. Relative to the No Action Alternative, the proposed Project would cause minor, permanent, adverse impacts on recreational fishing for spotted seatrout and moderate, permanent, beneficial impacts on recreational fishing for red drum, which are the most targeted species by recreational anglers in the basin (targeted in 87 percent of angler trips between 2014 and 2018). Other species that are targeted include southern flounder, largemouth bass, sheepshead, black drum, sand seatrout, gafftopsail catfish, and blue crab. Both adverse and beneficial impacts on these species are anticipated over time relative to the No Action Alternative, but are anticipated to have negligible effects on angling effort in the basin, as these species are targeted in less than 2 percent of angling trips. As described in the EIS, these changes would not substantially impact the broad tourism economy, which includes more than fisheries.

While availability of shrimp and oysters from the basin would decrease with the Project, shrimp and oysters from Louisiana would continue to be available to restaurants, potentially at

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higher prices. Restaurants willing to pay a premium for local seafood would likely do so, and additional importing would likely also occur. Under both the Applicant's Preferred Alternative and the No Action Alternative, consumers in Louisiana would experience higher prices for locally caught seafood, or would consume additional imported shrimp over time. However, impacts would occur decades sooner under the Applicant's Preferred Alternative than under the No Action Alternative.

This discussion has been added to Section 4.14 Commercial Fisheries in the Final EIS.

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**Correspondence ID:40606**

Lap Bui

Do not let the freshwater out to Barataria Bay. I shrimp for a livelihood. That's what my income comes from. I just started to shrimp. I will need help to improve my gear, cooler, and other things for my boat. Any grant or the boat buy back will set me in a new life.

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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  - Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
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- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
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The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

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**Correspondence ID:40607**

Toan Bui

Please don't let the freshwater out to Barataria Bay, we have to shrimp for a living. The buy back boat program will help out. I will need grant money to improve my boat.

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**Concern ID: 62779****Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.****Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal

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Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based

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The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

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**Correspondence ID:40608**

Tai Bui

Don't let the freshwater. I am a fisherman, do shrimping for work. Any grant will help me to improve life. I would like the workforce and business training for a better job in life.

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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**Correspondence ID:40609**

Luot Bui

I am a fisherman's wife. It would be great to get any help for my husband and I. We live off the Barataria waterway, so any income from boat is a good living. Any grant or money would help in life.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Correspondence ID:40610**

Tien Bui

Please do not let the freshwater in Barataria Bay. I have to catch shrimp for a living. I need help to replace my cooler on the buy back my boat. I am planning to retire soon.

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**Concern ID: 62782****A large number of commenters expressed general opposition to the proposed Project.****Response ID: 16364**

The commenter's opposition to the proposed Project is noted. The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Concern ID: 63131**

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**Correspondence ID:40611**

David Nguyen

This project will negatively affect many fishermen and their families. The community as a whole will suffer. If this plan is necessary, then financial compensation is needed to support fishermen considering the drastic change.

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**Concern ID: 63131**

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40612**

Chandara Kim

This will affect many fishermen and their families negatively. Either compensate them, or don't continue with the project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Correspondence ID:40613**

Koung Lim

This restoration plan will have a great impact on my business. I am a fisherman and rely on saltwater crustaceans. With freshwater entering, it will kill the crabs and I will have no options for income. This has been my way of living for over 30 years. I plan on working for another 10 years to work on retiring. Please take this into consideration, lots of us living in the area all rely on saltwater.

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**Concern ID: 63131**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the



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**Correspondence ID:40614**

Huy Ung

This restoration plan will greatly affect the way and only way I make my income. I am a fisherman and rely on the saltwater crustaceans. If freshwater enters, it will not only kill the crabs, but also the only job I have. This has been my way of living for 20 years and I plan on working another 20 years. Please take this into consideration that lots of people will be forced to be unemployed and we'd rather be working.

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**Concern ID: 63136****Commenters were concerned that proposed mitigation does not include measures for crab fishermen.****Response ID: 16520**

As noted in Chapter 4, Section 4.10 Aquatic Resources of the Draft EIS, impacts on blue crab from the Project are anticipated to be neutral to beneficial. In addition, as stated in Section 4.14 Commercial Fisheries impacts on the blue crab fishery are anticipated to be negligible to minor beneficial. This determination considers potential impacts on blue crab abundance as well as the anticipated response from the commercial fishing industry. In response to public comments, CPRA has included \$1 million in funding for a crab marketing and outreach program and improvements to crab fishing gear as part of the Final Mitigation and Stewardship Plan (see Appendix R1 to the Final EIS).

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CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to

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**Correspondence ID:40615**

Philip Trinh

Once the Mid-Barataria Sediment Diversion starts, it will impact my job and livelihood. I am retired and because I don't get much from my retirement, I still work as a captain of a shrimp boat to support my family. If I lose my job or my income reduces, I would like financial assistance until I am financially stable to support my family.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Correspondence ID:40616**

Thuy Nguyen

Once the Mid-Barataria Sediment Diversion starts, it will impact my job and livelihood. I just recently retired but still work as a deckhand on a shrimp boat because I do not get much from my retirement. If I am not able to work anymore because there are no more brown shrimp, I would like for you to pay me at least half of what I will make as a deckhand until the shrimping industry gets back to normal.

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**Concern ID: 63131**

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**Correspondence ID:40617**

Y Nguyen

If you start pouring freshwater into the Mid-Barataria Bay, that would kill the brown shrimp. I am a deckhand who works on a shrimp boat and this project will affect my livelihood once it starts. My income would be cut significantly and I would like for you to reimburse me my income at least 50% of what I would make.

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**Concern ID: 63131**

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**Correspondence ID:40618**

Charlie Phong Trinh

I would like for USACE to know that if they pass the Mid-Barataria Sediment Diversion Project, it will for sure kill the brown shrimp or push them out to further water, which will negatively impact the inshore shrimp boats, which I am one of them. If this were to happen, I would like for you to buy me out because there is no way I could survive in the shrimping industry after this.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40619**

Gerry Helmer

I have been fishing shrimp, crab or oysters out of Barataria Basin for over 60 years. As a small boy, I've watched my father and his father fish in these same waters and grew up hearing the stories of their fathers doing the same. As a man., I have taught my son all that I know, and the tradition of fishing out of the Barataria Basin will live on. Key details were passed down from generation to generation on how to be a successful fisherman. Where to fish when the tides were high, the location of underwater snags to avoid., and how to anticipate where to go next. So in addition to my 60 years, I have 100 years of experience behind me. I have watched these waters long enough to know better.

When we heard of the proposed Mid Barataria Sediment Diversion, the local fisherman in this area knew one thing: this project would destroy our way of living. In south Louisiana, many families rely on the land and the water to make a living. From the hundreds of fisherman like myself, to the lucrative hunting and fishing industries that promote areas like Myrtle Grove and Lafitte as a Sportsman Paradise. This diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.

It's not only personal experience that support my opinion against the Mid Barataria Sediment Diversion, but several key factors. For one, the amount of freshwater pouring in to the Barataria Basin would disparately impact the salinity of the sounding estuaries of the area. How is this important? Various studies can prove that the higher the salinity of the water, the less mortality rate of brown and white shrimp and the higher percentage of reproduction. The introduction of nearly 6.5 BILLION cubic feet of freshwater PER DAY would significantly decrease the amount of shrimp and other seafood from reproducing, and would increase their mortality rate.

The next key factor is the water temperature. The Mississippi river starts in Lake Itasca, Minnesota, not very far from the Canadian border. Starting as a small glacial lake, the river winds its way down 2000 miles to deposit here. On average, the Mississippi river gets up to 79 degrees Fahrenheit at the height of the reproductive cycle of white shrimp. The Barataria Basin during that same time frame measures on average 91 degrees Fahrenheit. Over 10 degree difference makes significant adverse reactions: species of shrimp will be less likely to grow or survive, and of those that do, the Barataria Basin will no longer be the optimal breeding ground. The shrimp will move to a more favorable habitat.

It was reported that 75,000 cubic feet of freshwater and sediment will flood the Barataria Basin EVERY SECOND it is open. That's nearly 6.5 BILLION cubic feet per day. The sheer current of the water will force shrimp and other species out of the area, pushing them further in to the Gulf. Have this level of current continue for over a long period of time, these species will not return again.

When combined with a lower salinity, temperature of the water, and the current, the once prosperous Barataria Basin will be a void. Shrimp, crab, fish, oysters will be gone. With the absence of these species, other species below and above the food chain will also be impacted.

In conclusion, continuing with the Mid Barataria Sediment Diversion project will end the prosperity of the Barataria Basin. It will negatively impact the Commercial Fishing industries, along with other industries that benefit from the area as well. In addition, the environmental

impacts will effect this area for generations, and ensure the end to the traditions of south Louisiana and its families.

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for

more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures

contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40620**

Lanvin LeBlanc

They want to put diversions in; we are against. It will destroy my living (commercial shrimper). They spending all this money not realizing, there's better things to help our living. Will make shrimpers extinct. I am 63 years old, shrimping is my whole life.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
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- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)

- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 62779**

**Implementation of the proposed MBSD Project would result in unacceptable adverse impacts on the fishing industry.**

**Response ID: 16361**

The commenter's opposition to the proposed Project is noted. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5 in Commercial Fisheries, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated from the proposed Project, primarily by accelerating the decline of species abundance that is also anticipated under the No Action Alternative after the year 2050. Benefits to the blue crab fishery and some finfish are also anticipated.

CPRA would implement a fishery mitigation plan, which has been revised for the Final EIS in response to public comments (see the Mitigation and Stewardship Plan, Appendix R1 of the Final EIS). The USACE is evaluating the projected impacts of the Project in the EIS. As part of its Section 10/404 permitting decision-making process, USACE also conducts a public interest review, which weighs the probable harms of the proposed action against its potential benefits. In making its NRDA decision, the LA TIG will evaluate Project alternatives using the OPA evaluation criteria in 15 CFR §990.54 and NEPA evaluation from the Final EIS, consider public input, and review proposed Project mitigation, stewardship, and monitoring and adaptive management actions.

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**Correspondence ID:40621**

Juan Tran

For the restoration plan for my opinion is that I need help from you guys during the season from May-Nov to support our low income during the period you guys start the project. Because that will affect our job as a fishermen because we can't trawl anymore or less income for us to support our family. So we need you guys help to grant us money to support our family during the shrimp season. That is my thought. Thank you

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**Concern ID: 63131**

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**Correspondence ID:40622**

Anhthu Tran

To Whom it May Concern,

The project of Mid-Barataria Sediment Diversion Draft Restoration will affect a lot with our business because we are fishermen (shrimper). We will need your help to support us during our season. Our income may lower during the season (May-Nov). You can help us with some grants to help us support our family during the season for bills and food. Thank you

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**Concern ID: 63131**

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**Correspondence ID:40630**

Rob Forshee

USACE,

We as a majority of the citizens of our parish of Plaquemines are not in favor and are firmly in opposition to this project and are in favor of strategic placing of dredged material to fill the gaps to promote a more strategic approach to restoring our coastal infrastructure and marsh rehabilitation wildlife and seafood industry friendly...

Plaquemines Parish is NOT in favor nor do we want this in our parish... operate what you already have correctly and DREDGE DREDGE DREDGE...

Sincerely,

Rob Forshee

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**Concern ID: 61966**

**The Draft EIS did not provide adequate alternative proposals to a sediment diversion. Dredging was not considered as a viable alternative to diversions in the Draft EIS. It would be much better money spent to dredge material from the Mississippi River or the Gulf of Mexico and create land immediately. These options would create land immediately not 20 or 30 years from now which would be too late. Dredging has numerous and immediate beneficial results that do not entail generating the negative impacts of adding fresh water.**

**Response ID: 15971**

As described in Chapter 2 Alternatives of the Draft EIS, an alternatives screening process was conducted where screening criteria were identified and a range of alternatives were considered, including other available coastal restoration tools and methods. The screening criteria incorporated key concepts from the purpose and need statement (Chapter 1, Section 1.4) including: reconnecting and reestablishing deltaic processes between the Mississippi River and the Barataria Basin in a sustainable manner; delivering sediment, fresh water, and nutrients in a sustainable manner; supporting the long-term viability of existing and planned coastal restoration projects; helping to restore habitat and ecosystem services in the northern Gulf of Mexico injured by the DWH oil spill consistent with the SRP/EA #3; and consistency with the Louisiana Coastal Master Plan. CPRA's purpose and need for the Project was built on analyses in the LA TIG's SRP/EA #3, including screening of strategic restoration approaches including sediment diversions, large-scale marsh creation, ridge restoration, and breakwater construction, and evaluation of a range of restoration strategies that could restore for injuries in the Barataria Basin. USACE generally focused on CPRA's purpose and need for the proposed Project and considered the public's and other perspectives, including input from the LA TIG and cooperating agencies (identified in Section 1.8 Agency Roles and Responsibilities) and input from representatives of the Council for Environmental Quality (CEQ) and the Federal Permitting Improvement Steering Council (FPISC), in its process to define the Project's purpose and need for the EIS. After examining whether the various alternatives met the screening criteria developed from the purpose and need, only large-scale sediment diversions with varying capacities were brought forward as alternatives to the Applicant's Preferred Alternative for detailed analysis in the Draft EIS. Details of the screening process including screening criteria are described in Chapter 2, Sections 2.2 through 2.5. The alternatives that did not meet the screening criteria were then eliminated



from further detailed analyses as described in Section 2.6 Summary of Alternatives Considered But Eliminated From Detailed Analysis. Refer to Appendix D2 Eliminated Alternatives Matrix of the EIS for further details on why these alternatives were not carried forward for further evaluation in the EIS.

Details specific to marsh creation alternatives and the reasons for elimination from detailed analysis in the EIS can be found in Chapter 2, Section 2.3 Step 1: Evaluation of Functional Alternatives. As described in Section 2.3.5 Large-Scale Marsh Creation, a marsh creation (dredge) alternative does not meet the purpose and need for the proposed Project; such an alternative does not deliver enough fresh water, nutrients, and fine sediments to sustain adjacent wetlands beyond the marsh creation area and over time would require periodic lifts and maintenance through placement of additional dredged material. Additional information related to the marsh creation alternative and reasons for elimination have been added to Section 2.3.5 for the Final EIS.

Additional detail can be found in the LA TIG's Restoration Plan explaining the LA TIG's evaluation of a range of alternatives and its identification of a Preferred Alternative (sediment diversion with variable flow up to 75,000 cfs). The LA TIG believes that the Preferred Alternative provides the right balance in terms of the likely benefits the Project would achieve and the risks related to collateral injury for its NRDA decision. This evaluation was completed by the LA TIG for its restoration planning efforts. USACE did not participate in that process.

CPRA and the LA TIG are pursuing multiple dredge-based restoration projects in Barataria Basin and throughout coastal Louisiana (for example, the Spanish Pass Ridge and Marsh Creation Project). More details can be found in Louisiana's Coastal Master Plan and on the LA TIG's web page (see <https://la-dwh.com/restoration-plans/>).

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**Correspondence ID:40633**

Drew Martin

The project would restore and sustain a significant amount of wetland habitat—tens of thousands of acres—and the resources that depend on them, over the next several decades. At peak capacity, the proposed preferred alternative would transport up to 75,000 cubic feet per second of freshwater and its sediment and nutrients—harnessing nature through engineering to re-establish the natural process that originally built Louisiana's coastal wetlands.

Regards,

Drew Martin

Lake Worth Beach, Fl. 33460

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**Concern ID: 63340**

**The proposed Project would restore the natural processes of the previous river inputs into the Barataria Basin, which would result in wide-ranging benefits, including the creation of wetlands (important wildlife habitat and carbon sequestration), protecting coastal communities from storm events, and economic benefits from the general protection and maintenance of the proposed Project area.**

**Response ID: 16298**

The commenter's support for the proposed Project is noted. As explained in the Draft EIS, the proposed Project would result in both beneficial and adverse impacts on the extent of wetlands, protection from storm events, and the economy, depending on the wetland area, community, and industry considered; see Chapter 4, Sections 4.6 Wetland Resources and Waters of the U.S., 4.20 Public Health and Safety, Including Flood and Storm Hazard Risk Reduction, 4.13 Socioeconomics, and 4.14 Commercial Fisheries.

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**Correspondence ID:40634**

Thu Thi Le

Filling land in Barataria Lake affects annual income. I ask the government to buy back my boat because the small boat can't catch shrimp or go any further at sea.

Or provide a fund to buy a big boat to go fishing at sea

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A

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summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40635**

Sovann Cheap P

I don't remove the drainage of fresh water into the lake because it causes the loss of shrimp resulting in the impact to the family livelihood.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRa has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRa has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40636**

Sarady Nhem

If there is a lot of fresh water getting in, the shrimps become less in quantity and I will not earn much so I have 2 requests:

- 1/ I would like the government to help with supporting my living
- 2/ I request the help with buying my business

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**Concern ID: 63131**

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**Correspondence ID:40637**

Sieng Suong

My name is Sieng Suong. I earn a living as shrimp fisherman and when I get the news that the government told the fishermen to have to drain fresh water into the sea I know that the fresh water will be greater than the salty water and if there are no shrimps in the future and further onwards, my family and I have consulted with each other what we had to do since we get older and older and if we go to work at a company, we would not be accepted and on the other hand, I don't have language competency and I also get sick with multiple illnesses thus I would like to ask the government to help with raising me up until I retire. Thanks.

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**Concern ID: 63131**

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**Correspondence ID:40638**

Kimyi In

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**Correspondence ID:40639**

A Le

Comments: My family has made our living from shrimping from 1987 to 2021. If the freshwater diversion opens, my family will die. I don't need assistance. Lost income must be paid to me. My house bill must be paid.

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**Concern ID: 63131**

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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public

Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:40640**

Tong Vo

Comments: I've made my living from the sea from 1987 to 2021. Opening the freshwater diversion will kill my family's life. The freshwater Diversion will kill the shrimp. If I lose income, money must be paid to me to live and pay bills. I don't need your assistance.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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**Correspondence ID:40641**

Phu Vo

Comments: I go to school with money from shrimping. If the freshwater diversion opens, I won't have money and will have to quit school.

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**Concern ID: 63131**

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**Correspondence ID:40642**

Kayla Vo

Comments: If the freshwater diversion opens, the shrimp will die. My father will not have enough money. I will have to quit school.

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**Concern ID: 63131**

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**Correspondence ID:40643**

Sang Phan

Comments:

- I don't want the Diversion to open because it will affect shrimping.
- For the months I cannot work and do not have income, I request that you compensate my expenses.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Correspondence ID:40644**

Muoi Nguyen

Comments:

- I don't want the Diversion to open because it will affect shrimping.
- For the time I cannot catch shrimp and do not have income, I request that you compensate my expenses.

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**Concern ID: 63131**

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**Correspondence ID:40645**

M Le

Comments: As a wife as well as a worker, along with my husband, when your agency's project was announced, all of us in general and my family in particular were shocked. We are also worried because we do not understand much English. Having to change occupations is a hardship for me and my family, and a very big yearly loss for all of our families. Who will assure a future for us???

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

**Response ID: 16584**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers and how it would affect disadvantaged, minority and low-income communities as compared to No Action conditions in Chapter 4, Sections 4.10.4.5 Aquatic Resources, Key Species, 4.14.4 Commercial Fisheries, Operational Impacts, 4.15.4 Environmental Justice, Operational Impacts, Commercial Fishing and Subsistence Fishing and Hunting, and Recreational Fishing and Hunting and 4.16.5 Recreation and Tourism, Operational Impacts, Recreational Fishing. Without the Project, adverse impacts to fisheries would be expected during the 50-year period evaluated in the EIS. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for some fisheries in a large portion of the currently suitable habitat. By contrast, with implementation of the diversion, the Project would cause significant adverse impacts to some commercial fisheries in the early years of the Project's operational life.

To address some of the adverse impacts to fishers and fisheries projected to be caused by the proposed diversion, CPRA has prepared a Mitigation and Stewardship Plan (see CPRA's Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses. In response to public comments and agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined its mitigation and stewardship measures.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. CPRA's Mitigation and Stewardship Plan includes many of the programs suggested by the commenters, including:

- \$15 million for vessel and facility improvements
- \$2 million in workforce and business training

See Appendix R1 to the Final EIS for more details.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix

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**Correspondence ID:40646**

Khoa Le

Comments: This is not at all what we want. While we are working to raise our families, if this project proceeds, we will all feel very worried because most of us are already old, so there's no way we can change our occupation. Therefore, I hope that your agency has the authority to help us and provide favorable conditions for us fishermen to continue to work and raise our families.

1. For example, purchase good equipment for us to work.
2. Compensate for yearly losses.

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**Concern ID: 63131**

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**Response ID: 16515**

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**Correspondence ID:40647**

Phuong Vo

Comments: I live and go to school thanks to money from shrimping. If the freshwater diversion opens, I won't have money for school.

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**Concern ID: 63131**

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**Correspondence ID:40648**

Dai Nguyen

Comments: Please assist by purchasing more crab traps and boat repair items.

**Concern ID: 63131**

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**Correspondence ID:40649**

Trang Nguyen

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**Correspondence ID:40650**

Sang Nguyen

Comments: My name is Sang Nguyen. I make my living from the sea and shrimping. Presently business is down - the price of oil has increased and the price of shrimp has decreased. If in the future any surprises or troubles in my occupation occur, I hope that your agency can assist me. Thank you very much.

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**Correspondence ID:40651**

Joseph Nguyen

Comments: My father works as a shrimp fisherman to raise me and send me to school. If in the future the land is repaired or the freshwater diversion opens, there will be less shrimp. My father will no longer have money to raise me and send me to school. I ask that the government assist me with money to pay for university. Thank you.

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**Correspondence ID:40652**

Thanh Nguyen

Comments: I don't want the Sediment Diversion for the reason that I am afraid the seafood will die. In the future I want the government to compensate money for losses.

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**Correspondence ID:40653**

Hoa Dang

Comments: I don't want the Sediment Diversion for the reason that I am afraid the seafood will die. In the future I want the government to compensate money for losses. I am old and I cannot change my occupation.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

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Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:40654**

Thu Nguyen

Comments: I don't want the Sediment Diversion to proceed. Because the Sediment Diversion will cause the shrimp to disappear and will dry up the lake, waterways, rivers and canals - ->

\*The Sediment Diversion program is not suitable with me. I need assistance with money for expenses (like fuel)

\*And regularly clearing (making deeper) the canals and small channels between lakes and out to sea.

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**Concern ID: 63131**

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**Correspondence ID:40655**

Vu Ngo

Comments:

I don't want the Sediment Diversion to proceed.

+ Because the Sediment Diversion will cause the shrimp to disappear. If freshwater is released, the shrimp cannot reproduce, and the lakes and waterways will all dry up, narrowing the fishing grounds.

+ The Sediment Diversion project will not help me. I need assistance with money for expenses (fuel).

+ And regularly clearing (making deeper) the canals and channels going out to sea or between lakes.

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**Concern ID: 63131**

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**Correspondence ID:40656**

Thanh Le

Comments: If any problems arise, I want the government to assist me with everything so that life will be like before.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

**Response ID: 16584**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers and how it would affect disadvantaged, minority and low-income communities as compared to No Action conditions in Chapter 4, Sections 4.10.4.5 Aquatic Resources, Key Species, 4.14.4 Commercial Fisheries, Operational Impacts, 4.15.4 Environmental Justice, Operational Impacts, Commercial Fishing and Subsistence Fishing and Hunting, and Recreational Fishing and Hunting and 4.16.5 Recreation and Tourism, Operational Impacts, Recreational Fishing. Without the Project, adverse impacts to fisheries would be expected during the 50-year period evaluated in the EIS. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for some fisheries in a large portion of the currently suitable habitat. By contrast, with implementation of the diversion, the Project would cause significant adverse impacts to some commercial fisheries in the early years of the Project's operational life.

To address some of the adverse impacts to fishers and fisheries projected to be caused by the proposed diversion, CPRA has prepared a Mitigation and Stewardship Plan (see CPRA's Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses. In response to public comments and agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined its mitigation and stewardship measures.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. CPRA's Mitigation and Stewardship Plan includes many of the programs suggested by the commenters, including:

- \$15 million for vessel and facility improvements
- \$2 million in workforce and business training

See Appendix R1 to the Final EIS for more details.

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**Correspondence ID:40657**

Tai Nguyen

Comments: To the office of the government, Dear sir or madam, In the future the government plans to release freshwater into the lake and sea, which will greatly affect the seafood. We fishermen make our living from the sea. If freshwater is released into the lake and the sea, the fishing industry will be affected long-term. My family and children live and go to school thanks to income from fishing. You provide conditions to help us. But none of these conditions are helpful.

- 1) My ship is very small. A freezer cannot be stored on it.
- 2) It is hard to find [?] for a big ship.
- 3) Do nails? We are old. How can we do that?
- 4) Shrimp that are caught cannot be held for long for distributing to markets and restaurants! Therefore, I hope that you will have better long-term assistance in the future. I and my family thank you.

Tai T Nguyen

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**Concern ID: 63131**

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**Correspondence ID:40658**

Dien Nguyen

Comments: I have worked in shrimping for over 20 years. My family lives on this income, to pay for the children's school fees, auto insurance and the house. If in the future the land is repaired or freshwater is released and the shrimp die, or for some other reason the number of shrimp is reduced, then I would ask the government to compensate my family with an amount of money to cover expenses for about 10 to 12 years. Thank you very much.

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**Concern ID: 63131**

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**Correspondence ID:40659**

Thien Tran

Comments: If the government builds the Barataria Diversion then there will be lots of freshwater. This will affect the shrimp, and my income. Therefore I ask the government to assist me with some money.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

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**Correspondence ID:40660**

Thanh Van Do

Comments:

- + Provide assistance for children who are still in school (help to pay school fees and other school-related expenses).
  - + Create new work for the fishermen that is suited to their abilities.
  - + Establish a budget office to assist fishermen when they face hardships.
- 

**Concern ID: 63131**

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**Correspondence ID:40661**

Thy Ton

Comments:

- + Provide assistance for children who are still in school (help to pay school fees and other school-related expenses).
  - + Create new work for the fishermen that is suited to their abilities.
  - + Establish a budget office to assist fishermen when they face hardships.
- 

**Concern ID: 63131**

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**Correspondence ID:40662**

My Lynn Vo

Comments: As far as the Sediment Diversion program I've heard about, the Diversion will cause us fishermen to fail because the Brown shrimp could disappear, etc. Therefore, we request you to assist the fishermen. My ship cannot go out to sea because the water is deep, so 1. Make me a [cặp càng?]. 2. A better net than my old one. Thank you very much for your help.

Sincerely,

Vo My Lynn

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**Concern ID: 63131**

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**Correspondence ID:40663**

Ashley Do

Comments: Provide favorable conditions so that I can complete my studies, if my parents are unable to do so anymore because they are affected by the project.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

**Response ID: 16584**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers and how it would affect disadvantaged, minority and low-income communities as compared to No Action conditions in Chapter 4, Sections 4.10.4.5 Aquatic Resources, Key Species, 4.14.4 Commercial Fisheries, Operational Impacts, 4.15.4 Environmental Justice, Operational Impacts, Commercial Fishing and Subsistence Fishing and Hunting, and Recreational Fishing and Hunting and 4.16.5 Recreation and Tourism, Operational Impacts, Recreational Fishing. Without the Project, adverse impacts to fisheries would be expected during the 50-year period evaluated in the EIS. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for some fisheries in a large portion of the currently suitable habitat. By contrast, with implementation of the diversion, the Project would cause significant adverse impacts to some commercial fisheries in the early years of the Project's operational life.

To address some of the adverse impacts to fishers and fisheries projected to be caused by the proposed diversion, CPRA has prepared a Mitigation and Stewardship Plan (see CPRA's Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses. In response to public comments and agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined its mitigation and stewardship measures.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. CPRA's Mitigation and Stewardship Plan includes many of the programs suggested by the commenters, including:

- \$15 million for vessel and facility improvements
- \$2 million in workforce and business training

See Appendix R1 to the Final EIS for more details.

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**Correspondence ID:40664**

Jennifer Tran

Comments: My family has worked in shrimping for over 20 years. My family lives on this income, to pay for the children's school fees, auto insurance and house. If in the future the land is repaired or freshwater is released and the shrimp die, or for some other reason the number of shrimp is reduced, then my family would ask the government to compensate my family with an amount of money to cover expenses for about 10 to 12 years. Thank you very much.

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**Concern ID: 63131**

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**Correspondence ID:40665**

Nhut Le

Comments: If any problems arise, I want the government to assist me with everything so that life will be like before. I need income, and money to repair my ship.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

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**Correspondence ID:40666**

Lan Anh Nguyen

Comments: If any problems arise, I want the government and the authorities to help me overcome them and recover economically to return to normal.

\*I need income and money to repair my ship if any problems arise.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

**Response ID: 16584**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers and how it would affect disadvantaged, minority and low-income communities as compared to No Action conditions in Chapter 4, Sections 4.10.4.5 Aquatic Resources, Key Species, 4.14.4 Commercial Fisheries, Operational Impacts, 4.15.4 Environmental Justice, Operational Impacts, Commercial Fishing and Subsistence Fishing and Hunting, and Recreational Fishing and Hunting and 4.16.5 Recreation and Tourism, Operational Impacts, Recreational Fishing. Without the Project, adverse impacts to fisheries would be expected during the 50-year period evaluated in the EIS. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for some fisheries in a large portion of the currently suitable habitat. By contrast, with implementation of the diversion, the Project would cause significant adverse impacts to some commercial fisheries in the early years of the Project's operational life.

To address some of the adverse impacts to fishers and fisheries projected to be caused by the proposed diversion, CPRA has prepared a Mitigation and Stewardship Plan (see CPRA's Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses. In response to public comments and agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined its mitigation and stewardship measures.

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**Correspondence ID:40667**

Tinh Nguyen

Comments: My shrimping occupation will be affected long-term. For instance, the 2010 BP oil spill is still affecting me now.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRa has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRa has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40668**

Ken Ken Nguyen

Comments: When the Diversion opens I want the government to assist me with money so I can repair my ship and make a freezer to go out to sea. I need the government to give me conditions to make a living.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

**Response ID: 16584**

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**Correspondence ID:40669**

Dung Nguyen

Comments: I make my living from the sea. I live alone and I am single. When the Diversion opens, I will need help changing my occupation and with income.

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**Concern ID: 63944**

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**Correspondence ID:40670**

Chien Duong

Comments: I make my living from the sea. I just need assistance with income when the Sediment Diversion opens.

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**Concern ID: 63944**

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**Correspondence ID:40671**

Thuan Le

Comments: I only know how to make a living from the sea. If the Sediment Diversion opens, I request the government to provide assistance so I can pay for my house and bills.

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**Concern ID: 63944**

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**Correspondence ID:40672**

Hai Nguyen

Comments: I request the government to assist me with money so I can pay for my house and other expenses when the Sediment Diversion opens.

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**Concern ID: 63944**

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**Correspondence ID:40673**

Dung Vo

Comments: I request assistance with income when the Sediment Diversion opens - income to pay various bills.

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**Concern ID: 63944**

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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS

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Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40674**

Thai Nguyen

Comments: My comments: From long ago until now I have fished in the lake, my ship is small and I can only fish in the lake. If the Sediment Diversion is built at the south lake, the Brown shrimp will be lost. If the shrimp die, I will no longer be able to work. I will lose lots of income because of the freshwater and the Diversion. I want to retire and not work anymore. [I request that] the government buys back my ship and licenses. I will retire and not work on the sea anymore. That's all I have to say.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:40675**

Dao Ly

Comments: I make my living from the sea. I am only able to live thanks to the water. I request the government to not release freshwater. That is the only assistance from the government I request! I am old. I can't do anything else. I must ask my children to help pay for the house, insurance and taxes. Do not release freshwater because there will be no more shrimp for me to do my job. I cannot live if there are no shrimp.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRa has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRa has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

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**Correspondence ID:40676**

Hung Nguyen

Comments: I have made my living from the sea for 30 years. Thanks to this I have been able to earn money to pay for my house, insurance, taxes, and various other things. I only work on the sea; I don't work on land. The government can assist with various things, just don't make the water spill over / this Sediment Diversion open up. Do not release freshwater! Because there will be no more shrimp! How can I make a living or provide for my house or family as a seaman without any shrimp?!

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

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**Correspondence ID:40677**

Loan Le

Comments: I support my husband on the sea to make a living for our family. If freshwater is released, there will be no more shrimp. My family will not have money to pay for our house or other bills. I request the government to assist with paying for our house and other bills.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

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**Correspondence ID:40678**

Ky Le

Comments: I am the main earner in my family, but if freshwater is released, the shrimp will disappear. My family will not have enough. I have a small child and I must pay their school fees. I request that the government assists with paying my child's school fees.

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**Correspondence ID:40679**

Ngoc Tang

Comments: Dear sir or madam, Regarding the Sediment Diversion program I have heard about, it could cause us fishermen to fail because the lake will dry up, the Brown shrimp will be lost, etc. Moreover, my ship is small, so I cannot go out to sea to fish in deep water. I would like you to give me nets and [cặp càng?] so I can fish in deeper water.

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**Concern ID: 63131**

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**Correspondence ID:40680**

My Thi Le

Comments: I just bought a \$300,000 ship for shrimping. But if you release freshwaster into the sea, it will affect the shrimping season. Where will I find the capital to repay my debt? I ask that you assist me with an amount of money to repay my debt. Thank you very much.

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**Concern ID: 63131**

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**Correspondence ID:40681**

Alex Le

Comments: If you make the Sediment Diversion, it will affect our shrimp. I will need yearly financial assistance for losses. If you make the Sediment Diversion, I will greatly need your assistance. Thank you very much.

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**Concern ID: 63131**

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**Correspondence ID:40682**

Hoang Van Le

Comments: We make our living from the sea by shrimping. If the government dams the rivers and lakes, we will suffer losses in yearly revenue. My idea is that the government gives a proportional yearly compensation based on the amount earned in previous years.

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**Concern ID: 63131**

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**Correspondence ID:40683**

Van Tran

Comments: I have made my living from the sea for nearly 20 years, and my work is stable. If freshwater is released, then I will lose my work. I don't know what I will do to cover expenses for my family. I ask that the government considers compensation for us. If the freshwater is released, it will be very harmful for the industry, and for my profession.

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**Correspondence ID:40684**

Tri Le

Comments: I request assistance from the state for the shrimping industry. Assist with the diminishing income of the fishermen.

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**Concern ID: 63131**

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**Correspondence ID:40685**

Thuong Sony

Comments:

- 1) We do not oppose what the government proposes to do, if the government does something good for the fishermen to improve their work and give them sufficient lives.
- 2) I request that the government assists fishermen with an amount of money to improve our nets and other necessary fishing supplies to better catch shrimp.

Phan Thi Hue:

We as husband and wife share the same opinion on behalf of our family OK

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**Correspondence ID:40686**

Thuong Cot Tot

1) We support and do not oppose the policies the government proposes, such as building a Diversion to prevent landslides or erosion.

But we fishermen only have one occupation to make a living. If this matter causes difficulties for fishermen's livelihoods then the government must compensate the fishermen for damages, to meet living expenses.

2) Assistance with money to improve fishing nets for catching shrimp to have a better income for when life becomes difficult and expenses increase.

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**Correspondence ID:40687**

Phuoc Cong Thuong

- 1) If the government finds that the Sediment Diversion is good for the environment and the fishermen, then we will support it. But regarding occupational difficulties for the fishermen, the government must offer assistance in order to give citizens a sufficient life.
- 2) I ask that the government offers monetary assistance to cover the costs of better fishing supplies, so that we can have a better income and ultimately a better life.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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**Response ID: 16515**

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**Correspondence ID:40688**

Nghia Do

Comments: If the Diversion proceeds, then my comment is that currently I have a 43 ft. ship with one engine, so it cannot go out to sea. I would need a bigger 47 ft. ship with two engines so I can go out to sea and fish.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

**Response ID: 16584**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers and how it would affect disadvantaged, minority and low-income communities as compared to No Action conditions in Chapter 4, Sections 4.10.4.5 Aquatic Resources, Key Species, 4.14.4 Commercial Fisheries, Operational Impacts, 4.15.4 Environmental Justice, Operational Impacts, Commercial Fishing and Subsistence Fishing and Hunting, and Recreational Fishing and Hunting and 4.16.5 Recreation and Tourism, Operational Impacts, Recreational Fishing. Without the Project, adverse impacts to fisheries would be expected during the 50-year period evaluated in the EIS. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for some fisheries in a large portion of the currently suitable habitat. By contrast, with implementation of the diversion, the Project would cause significant adverse impacts to some commercial fisheries in the early years of the Project's operational life.

To address some of the adverse impacts to fishers and fisheries projected to be caused by the proposed diversion, CPRA has prepared a Mitigation and Stewardship Plan (see CPRA's Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses. In response to public comments and agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined its mitigation and stewardship measures.

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- \$15 million for vessel and facility improvements
- \$2 million in workforce and business training

See Appendix R1 to the Final EIS for more details.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and

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**Correspondence ID:40689**

Son Tran

Comments: I make my living from shrimping. If the Sediment Diversion proceeds, I will be affected. I am old, so I cannot do anything else. I will lose my income if the Sediment Diversion proceeds and my boss cannot work. Therefore, I ask the government to support my income.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

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summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

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**Correspondence ID:40690**

Dung Kha

Comments: If the Sediment Diversion proceeds and freshwater is released, my boss will lose income, so I will also lose income. I request that I am partially compensated for my lost income.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

**Response ID: 16584**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers and how it would affect disadvantaged, minority and low-income communities as compared to No Action conditions in Chapter 4, Sections 4.10.4.5 Aquatic Resources, Key Species, 4.14.4 Commercial Fisheries, Operational Impacts, 4.15.4 Environmental Justice, Operational Impacts, Commercial Fishing and Subsistence Fishing and Hunting, and Recreational Fishing and Hunting and 4.16.5 Recreation and Tourism, Operational Impacts, Recreational Fishing. Without the Project, adverse impacts to fisheries would be expected during the 50-year period evaluated in the EIS. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for some fisheries in a large portion of the currently suitable habitat. By contrast, with implementation of the diversion, the Project would cause significant adverse impacts to some commercial fisheries in the early years of the Project's operational life.

To address some of the adverse impacts to fishers and fisheries projected to be caused by the proposed diversion, CPRA has prepared a Mitigation and Stewardship Plan (see CPRA's Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses. In response to public comments and agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined its mitigation and stewardship measures.

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**Correspondence ID:40691**

Samay Son

Comments: According to me, compensating the fishing industry by creating fishing work is very easy (for example) increasing the price of shrimp and maintaining the price of diesel (oil) and occupational supplies. I ask the authorities to consider this for our fishermen (who love their work) and hope that the [project] does not proceed do we can earn a living and raise our families in peace.

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**Concern ID: 63131**

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**Correspondence ID:40692**

Tiet Thach

Comments: I am a boat owner who doesn't know English. If we face various difficulties that affect the work we are doing, I hope the authorities will assist us with compensation for our yearly income, so that our lives have less hardships.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

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**Correspondence ID:40693**

Minh Chau

Comments:

- 1.) Danger of extinction of shrimp in particular, and of all seafood in general for fishermen and consumers.
- 2.) Danger of flooding, property damage and home damage to the community, neighboring states and residents.
- 3.) I want to continue the tradition. I am old and don't want to learn another occupation. During the time needed to learn I won't have an income.
- 4.) I don't agree with the above program. It might help us now, but what about in the long-term?

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**Concern ID: 62009**

**The negative socioeconomic consequences would devastate southeast Louisiana, destroy people's livelihoods, displace people living near the diversion, and destroy property in the areas impacted by the proposed MBSD Project.**

**Response ID: 16207**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.13 Socioeconomics, discusses impacts of the proposed Project on the economy of Louisiana, including impacts on population, property values, and community cohesion. As noted in these sections, the proposed Project would have both beneficial and adverse socioeconomic impacts on the people and communities within the Project area. Minor to moderate, permanent adverse socioeconomic impacts are expected to occur near the immediate outfall area outside of flood protection. Minor to moderate, permanent, beneficial socioeconomic impacts are expected to occur in the west bank New Orleans area north of the diversion. Moderate to major, beneficial, temporary impacts from job creation and economic activity in the proposed Project area are anticipated. In addition, the Socioeconomics Technical Report in Appendix H1 provides additional details on these projected effects.

As part of its restoration planning efforts, the LA TIG recognizes that there are clear tradeoffs among the alternatives in terms of the likely benefits achieved and risks related to collateral injury and public health and safety. The LA TIG believes the proposed MBSD Project is critical to achieving the overall goals of the Wetlands, Coastal, and Nearshore Habitats Restoration Type in the Final PDARP/PEIS, which include providing benefits across the interconnected northern Gulf of Mexico ecosystem, and placing particular emphasis on coastal and nearshore habitat restoration in the historical Mississippi River Delta plain in Louisiana. While recognizing the risks for collateral injury, the LA TIG believes the net benefits of the proposed Project meet OPA's requirement of restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources injured by the DWH oil spill.

The commenters' concern regarding the potential impacts of the diversion were considered by CPRA and the LA TIG in developing the Mitigation and Stewardship Plan (Appendix R1) issued with the Draft EIS. The Mitigation and Stewardship Plan issued with the Draft EIS included mitigation to address and offset some of the projected impacts of the Project on fisheries and surrounding communities outside levee protection including providing structural

mitigation and stewardship measures for increased water levels that are projected to result due to the Project, such as raising roads or improving bulkheads. Since publication of the Draft EIS and in response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1).

In communities south of the Project site outside of federal levee protection where the proposed Project is projected to cause increased water levels, CPRA plans to take one of two approaches. In Myrtle Grove, CPRA is planning to improve the bulkhead around the Myrtle Grove Marina Estates Subdivision. By improving this bulkhead, CPRA would reduce the incidence of tidal flooding in the Myrtle Grove Marina Estates Subdivision compared to future conditions without the Project. See Table 1 in the Final Mitigation and Stewardship Plan for more details. CPRA plans to acquire a temporary right-of-way to permit improvement of the bulkhead, voluntarily or through eminent domain if necessary, from the property owners in the Myrtle Grove Marina Estates Subdivision.

In other communities south of the Project site outside of federal levee protection, from Woodpark south to the communities of Grand Bayou and Happy Jack, CPRA plans to elevate the portions of public roads outside of levee protection that provide access to each of these communities. In addition, CPRA plans to acquire the right to add and/or increase water flow on landowners' properties through the purchase of Project servitudes from landowners in these communities. The Project servitude would allow CPRA to flow water over the landowner's property at heights and durations that are greater than would be the case in the future without the Project. The Project servitude would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the landowner to acquire this servitude. If the CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. CPRA would compensate those landowners for the value of the Project servitude. A property owner would be able to use the funds received in exchange for the servitude to implement flood mitigation measures. As an alternative to these measures, CPRA may consider purchasing an impacted property outright (that is, in fee) if requested by the owner. Decisions about whether to purchase a property would be made on a case-by-case basis depending on the particular circumstances.

These measures are described in CPRA's Final Mitigation and Stewardship Plan (Appendix R1 to the Final EIS).

Structural measures in CPRA's Mitigation and Stewardship Plan are not included in CPRA's DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation. Such permits are not guaranteed and would take time for USACE and other regulating agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range

of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62071**

**The proposed MBSD Project would negatively impact the seafood industry, including shrimp, crab, and oyster fisheries. Commercial fisheries are directly linked to the favorable conditions of the estuary and its resources being healthy, abundant, and consistently available but that would be forever changed by the introduction of polluted Mississippi River water.**

**Response ID: 16241**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated under the Applicant's Preferred Alternative.

The LA TIG's Final Restoration Plan also acknowledges these impacts, and notes that such impacts are also anticipated under the No Action Alternative, but on a longer timeline. The Restoration Plan also notes that some benefits to the blue crab fishery and some finfish are anticipated.

CPRA has developed a plan to mitigate the potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to public comments, CPRA has expanded and refined the Mitigation and Stewardship Plan in the Final

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EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA

TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 62227**

**The diversion would flood access roads, damage vehicles, cause siltation/sludge, cause cancellation of flood insurance, inundate cemeteries, stress levees, impact provision of emergency services, and increase the cost to raise homes, slabs and wharves.**

**Response ID: 15820**

Draft EIS Chapter 4, Section 4.13.5 in Socioeconomics and 4.20.4 in Public Health and Safety discusses the increased flooding impacts outside of federal levee systems, including road inundation and infrastructure damage, anticipated to be caused by the operation of the diversion. Sections 4.13.5.1.2.1 and 4.13.5.3.2.1 in Socioeconomics of the Final EIS has been updated to include potential impacts such as vehicle damage, accumulation of siltation and sludge, cemetery inundation and interruption of emergency services. Recognizing the potential for these impacts, CPRA has developed a comprehensive inventory of potentially affected properties and CPRA's land services planning is progressing to enable CPRA to mitigate for increased water levels caused by the proposed Project. CPRA's mitigation and stewardship measures would take the form of: (1) monitoring and adaptive management of operations, (2) structural mitigation (for example, elevating public roadways, utility upgrades, water control structures, or other structural measures to partially offset additional inundation), (3) paying landowners for a Project servitude, and/or (4) providing landowners with funds to elevate their homes and other structures on private properties.

In the communities south of the diversion starting at Woodpark and continuing south to Grand Bayou and Happy Jack, CPRA would acquire Project servitudes. A Project servitude would allow CPRA to flow water over the landowner's property at heights and duration that are greater than would be the case in the future without the Project. CPRA would compensate those landowners for the value of the Project servitude, which would be recorded against title to the property and would run with the land. CPRA would attempt to negotiate with the affected landowner to acquire the Project servitude. If CPRA and the landowner were unable to reach a negotiated agreement, CPRA would exercise its eminent domain authority to purchase the Project servitude. Property owners would be able to use the funds from the Project servitude to implement additional flood mitigation and stewardship measures. These mitigation and stewardship measures are described in the Final Mitigation and Stewardship Plan, Appendix R1 to the Final EIS.

Structural measures in the Mitigation and Stewardship Plan are not included in CPRA's MBSD DA permit application and if this permit is approved, would not be authorized under the DA permit. Many of these structural measures would require additional DA and other permits prior to installation; such permits are not guaranteed and would take time for USACE and other agencies to process.

A DA permit does not convey any property rights and does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations. The applicant's signature on an application is an affirmation that the applicant possesses or will possess the requisite property interest to undertake the activity proposed in the application.

The Final EIS concludes that the proposed Project would not have impact on the availability of flood insurance, but may cause an increase in flood insurance premium for some properties. See Section 4.13.5.3.2.1 in Socioeconomics and Section 4.15.4.2.3 and 4.15.5.1.2 in Environmental Justice of the Final EIS for further discussion of the potential effect of the Project on the cost of flood insurance. Due to the evolving implementation of FEMA's Risk Rating 2.0, it is difficult to predict whether or by how much premiums may change.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA and the LA TIG intend to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40694**

Phong Nguyen

Comments: [English: My name is Phong Nguyen. I'm fisherman over 15 year.] I don't know what else to say. If the government builds the Sediment Diversion, freshwater will pour into the sea and flood it. This will greatly affect residents, especially the fishing and seafood industries. Each year I make enough income to raise my family, but if the government builds the Diversion, my income will slowly become worse and worse, and my sea occupation will no longer exist. If there is a better solution than releasing freshwater, or another way, etc. But if there is no alternative to the Sediment Diversion, then I ask that the government assists and helps us, because we have only this sea occupation, or give fair compensation

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income,**



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**offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in

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those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40696**

Duc Van Do

Comments: I make my living from shrimping. If the government has a Sediment Diversion project or releases freshwater, it will affect our shrimping business. I ask that the government considers giving compensation or assistance for our shrimping business. Thank you very much.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A

summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40697**

Tri Ngoc Le

Comments: I make my living from shrimping. If the government builds the Diversion or releases freshwater, it will affect the shrimping profession - there will be no more shrimp. I ask for the government to give assistance or compensation for damages to the shrimping profession, because the number of shrimp caught each year will drop. I ask for the government to assist the shrimping profession. Thank you.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessy, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40698**

Anh Tran

Comments: My name is Anh Tran. I have made my living from the sea since 1997 until now. My family only does this one occupation. If the government releases freshwater, we will be greatly affected. A low income will affect my children's studies, and my family's lives will have many hardships. I ask that the government re-considers allowing us to continue our sea occupation, because our family has no other occupation besides this one. We are also old. If the government releases freshwater, our sea occupation will suffer greatly, and we will need assistance and compensation from the government.

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)

- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income,**



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**offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in

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those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Concern ID: 64171**

**Comments were received suggesting that the MBSD would have negative impacts on the fishing industry due to further accelerations in exits from the industry especially for older members of the workforce for whom job retraining may not be as easily undertaken and the fact that there are less young fisherman coming into the fishing industry to replace the aging fisherman. The invaluable traditional ecological knowledge that has been passed down from generations could be lost.**

**Response ID: 16267**

Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential behavioral responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, increasing the length of fishing trips, as well as exiting the industry.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)

- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

**Correspondence ID:40699**

Bup Do

Comments: My name is Bup Do. I have made my living from the sea since 2001 until now. My family only does this one occupation. If the government releases freshwater, we will be greatly affected. A low income will affect my children's studies, and my family's lives will have many hardships. I ask that the government re-considers allowing us to continue our sea occupation, because our family has no other occupation besides this one. We are also old. If the government releases freshwater, our sea occupation will suffer greatly, and we will need assistance and compensation from the government.

Thank you

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**Concern ID: 62077**

**The proposed MBSD Project would put an economic burden on local commercial fisherman and related businesses including those who fish for oysters, shrimp, crawfish, crabs, and alligators. Altogether, Louisiana's commercial fisheries provide approximately 35,000 jobs for Louisiana residents and produce and sell \$2.4 billion of seafood annually. Fisherman would lose their source of income and livelihood. The diversion would displace so many Louisiana workers, and would further dampen a weak south Louisiana economy.**

**Response ID: 16242**

The issues raised by the commenters were considered in the Draft EIS. Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discussed impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, as compared to the No Action Alternative, moderate to major adverse impacts on shrimp and oyster fisheries in the Project area are anticipated with the proposed Project. Negligible to minor beneficial impacts are anticipated on blue crab and white shrimp, and moderate beneficial impacts are anticipated on Gulf menhaden, under the Applicant's Preferred Alternative. As discussed in Chapter 4, Section 4.9.4.2.2.3 in Terrestrial Wildlife and Habitat, minor beneficial impacts are anticipated on alligator populations under the Applicant's Preferred Alternative. The EIS acknowledges that communities reliant on employment and expenditures associated with the shrimp and oyster fisheries would be adversely impacted by the proposed MBSD Project.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
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CPRA engaged the fishing community potentially impacted by the proposed Project through public meetings and community-based organizations to solicit input on mitigation and stewardship strategies. A summary of these public engagement meetings and outreach efforts can be found in Chapter 7 Public Involvement of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation and stewardship measures that CPRA would offer if the proposed Project is approved and funded.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for**

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such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix

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R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Concern ID: 64171**

**Comments were received suggesting that the MBSD would have negative impacts on the fishing industry due to further accelerations in exits from the industry especially for older members of the workforce for whom job retraining may not be as easily undertaken and the fact that there are less young fisherman coming into the fishing industry to replace the aging fisherman. The invaluable traditional ecological knowledge that has been passed down from generations could be lost.**

**Response ID: 16267**

Chapter 4, Section 4.14.4.2 in Commercial Fisheries of the Draft EIS discusses impacts of the proposed MBSD Project on commercial fisheries. As summarized in Section 4.14.5, moderate to major adverse impacts to shrimp and oyster fisheries in the Project area are anticipated. Section 4.14.4.2 Applicant's Preferred Alternative discusses the potential behavioral responses of fishermen to changes in species abundance, including the potential for substitution of species and need for gear upgrades, increasing the length of fishing trips, as well as exiting the industry.

CPRA has developed a plan to mitigate some potential adverse Project impacts. The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
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The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in the Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring, or adaptive management measures are required by USACE as part of its approval of the proposed Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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**Correspondence ID:40700**

Que Le

Comments: I am old. I cannot work. I want to quit my fishing job and retire. If too much freshwater is released, my small ship cannot catch shrimp. I cannot change to a bigger ship, because I am alone. I want the government to provide compensation. For example, if in one month I earn \$5,000 then I would need a bit more compensation.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

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- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A

summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40701**

Nancy Nung

Comments: I request weekly assistance until my retirement.

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**Concern ID: 63944**

**Some commenters were concerned about potential hardships that would be caused by the diversion and made personal requests for direct financial assistance, job training, boat repairs, or boat upgrades to allow them to fish in more distant fishing grounds.**

**Response ID: 16584**

The Draft EIS evaluates how the Project would impact commercial, recreational, and subsistence fishers and how it would affect disadvantaged, minority and low-income communities as compared to No Action conditions in Chapter 4, Sections 4.10.4.5 Aquatic Resources, Key Species, 4.14.4 Commercial Fisheries, Operational Impacts, 4.15.4 Environmental Justice, Operational Impacts, Commercial Fishing and Subsistence Fishing and Hunting, and Recreational Fishing and Hunting and 4.16.5 Recreation and Tourism, Operational Impacts, Recreational Fishing. Without the Project, adverse impacts to fisheries would be expected during the 50-year period evaluated in the EIS. Prior to 2050, those changes would be minor and gradual. After 2050, more drastic changes are anticipated, leading to a steep decline in suitability for some fisheries in a large portion of the currently suitable habitat. By contrast, with implementation of the diversion, the Project would cause significant adverse impacts to some commercial fisheries in the early years of the Project's operational life.

To address some of the adverse impacts to fishers and fisheries projected to be caused by the proposed diversion, CPRA has prepared a Mitigation and Stewardship Plan (see CPRA's Mitigation and Stewardship Plan in Appendix R1 to the Final EIS). CPRA's mitigation and stewardship strategies and expenditures focus on establishing sustainable fisheries rather than on compensating individual fishers for their particularized economic losses. In response to public comments and agency input about proposed mitigation and stewardship efforts, CPRA has expanded and refined its mitigation and stewardship measures.

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. CPRA's Mitigation and Stewardship Plan includes many of the programs suggested by the commenters, including:

- \$15 million for vessel and facility improvements
- \$2 million in workforce and business training

See Appendix R1 to the Final EIS for more details.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to

implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

The LA TIG explains in Section 1.5 of the Final Restoration Plan that it anticipates requiring implementation of the Mitigation and Stewardship Plan, MAM Plan, and Marine Mammal Intervention Plan as components of the proposed Project, if the Project is approved by the LA TIG for funding. Decisions regarding which measures would be required as part of the LA TIG's funding decision would be set forth in the LA TIG Record of Decision related to the proposed Project.

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**Correspondence ID:40702**

Thu Thi Le

Comments: The Barataria Sediment Diversion will affect yearly income. I request that the government buy my ship and license because my ship is small and cannot go out to sea to catch shrimp, or contribute capital so I can buy a large ship to go out to sea.

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**Concern ID: 63131**

**Mitigation must be adequate, clearly explained and developed through collaboration with impacted communities. Commenters suggested multiple examples of mitigation measures, including: developing a formula to calculate lost income, providing financial and technical assistance for alternative business ventures, providing job training for alternate jobs, tuition assistance for fishers and their children, providing funding for larger boats and/or boat improvements like refrigeration (including maintenance for such improvements), improving facilities like docks, providing money for lost income, offering boat, license and job buyout programs, loan programs, providing subsidies for things like fuel, R&D for collaborating with fishers to innovate and change the way their operations work, creating a MBSD Fisheries Mitigation Fund, offering targeted mitigation for inshore fishers who rely on brown shrimp and could not easily transition to catching white shrimp (LDWF, 2016), and providing low cost internet.**

**Bourgeois, M., K. Chapiesky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016.**

**Response ID: 16515**

The Draft Mitigation and Stewardship Plan (Appendix R1 to the Draft EIS) included measures focused on establishing a sustainable fishing industry in the long term, rather than measures for compensating the short-term economic losses of individual fishers. In response to comments, CPRA has expanded and refined this Mitigation and Stewardship Plan in the Final EIS (Appendix R1). The Final Mitigation and Stewardship Plan includes the following measures aimed at supporting and sustaining the fishing industry:

- Providing financial and technical assistance for alternate business ventures and job training for alternate jobs (Workforce/Business training -- \$2 million allocation)
- Funding for shrimp vessel improvements, including, potentially, larger boats, and improving docks (shrimp Vessel/Facility improvements -- \$15 million allocation)
- Establishing new oyster seed grounds (\$4 million allocation)
- Enhancing public and private oyster grounds (\$15 million allocation)
- Enhancing oyster broodstock reefs (\$4 million allocation)
- R&D for collaboration with fishers to innovate and change the way their operations work (Alternative Oyster Culture techniques -- \$8 million allocation)
- Marketing and outreach support (\$5 million allocation including oysters, brown shrimp, finfish, and crab).

CPRA engaged the fishing community potentially impacted by the Project through public meetings and community-based organizations to solicit input on mitigation strategies. A summary of these public engagement meetings and outreach efforts is in Chapter 7 (Public

Involvement) of the Final EIS. CPRA plans to continue utilizing community-based organizations to help ensure that diverse populations become aware of and take advantage of the mitigation measures that CPRA would offer if the Project is approved and funded.

The literature cited by a commenter, (Bourgeois, M., K. Chapiessky, L. Landry, J. Lightener, and J. Marx. 2016. Louisiana Shrimp: Fishery Management Plan. Louisiana: Louisiana Department of Wildlife and Fisheries, Office of Fisheries. Updated April 11, 2016) or (LDWF 2016), was considered as part of the analysis set forth in the Draft EIS and as part of developing the Mitigation and Stewardship Plan.

The Mitigation and Stewardship Plan and the Monitoring and Adaptive Management (MAM) Plan provided in Draft EIS Appendix R were submitted by CPRA and represent a range of potential mitigation, stewardship, monitoring and adaptive management measures (collectively, measures). At the time of publication of the Draft EIS for public review, Appendix R contained draft Plans and CPRA had not identified which of the measures contained in those Plans it intended to implement. CPRA expanded and refined the Final Mitigation and Stewardship Plan in response to community and resource agency input. The Final EIS Appendix R contains the final Plans and specifies which measures CPRA intends to implement. Generally, impact determinations discussed in the EIS represent anticipated Project effects without implementation of these measures except in instances where such measures are identified in the discussion. If any mitigation, monitoring or adaptive management measures are required by USACE as part of its approval of the Project, such measures would be required as special conditions of the Department of the Army (DA) Section 10/404 permit and would be listed in the permit, if one is issued. Implementation of specific measures contained in either Plan, but not included in the Section 10/404 permit as special conditions, would not be required by USACE. USACE does not know whether any particular measure that is not a DA permit condition would be implemented. Measures that USACE currently contemplates as conditions of a DA Section 10/404 permit, if one is issued, are provided in Chapter 4, Section 4.27 Mitigation Summary of the EIS.

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## **B3: Additional Public Involvement**

# **Draft EIS Federal Register Notice**



comments should be submitted using the methods in **ADDRESSES**, and must be received by EPA on or before the closing date. These comments will become part of the docket for the pesticides included in the Tables in Unit IV. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and may provide a "Response to Comments Memorandum" in the docket. The interim registration review decision will explain the effect that any comments had on the interim decision and provide the Agency's response to significant comments.

Background on the registration review program is provided at: <http://www.epa.gov/pesticide-reevaluation>.

**Authority:** 7 U.S.C. 136 *et seq.*

Dated: January 6, 2021.

**Anita Pease,**

*Director, Antimicrobials Division, Office of Pesticide Programs.*

[FR Doc. 2021-04563 Filed 3-4-21; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-10021-24-OA]

### Local Government Advisory Committee and Small Communities Advisory Subcommittee: Request for Nominations

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of request for nominations.

**SUMMARY:** The U.S. Environmental Protection Agency's (EPA) Office of Intergovernmental Relations invites nominations from a diverse range of qualified candidates to be considered for appointment to its Local Government Advisory Committee (LGAC) and Small Communities Advisory Subcommittee (SCAS). LGAC and SCAS members and qualified nominees hold elected or appointed positions with local, tribal, state, and territorial governments. This notice solicits nominations to fill up to 30 memberships on EPA's LGAC and 10-15 on the SCAS throughout 2021.

**DATES:** To be considered for 2021 appointments, nominations should be submitted by April 16, 2021. Nominations are reviewed on an ongoing basis.

**ADDRESSES:** Submit nominations electronically to [LGAC@epa.gov](mailto:LGAC@epa.gov) with a

subject heading of 'LGAC 2021 NOMINATION.'

#### FOR FURTHER INFORMATION CONTACT:

Paige Lieberman, the LGAC Designated Federal Officer at (202) 564-9957/[LGAC@epa.gov](mailto:LGAC@epa.gov).

**SUPPLEMENTARY INFORMATION:** The LGAC is chartered under the Federal Advisory Committee Act (FACA), Public Law 92-463, to advise the EPA Administrator on environmental issues impacting local governments. The Small Communities Advisory Subcommittee is the LGAC's standing subcommittee to advise on issues of concern to smaller communities. Members of LGAC and SCAS will provide advice and recommendations on a broad range of issues related to our shared goals of promoting and protecting public health and the environment. These issues may include: Advancing environmental justice; ensuring access to clean air and water; reducing greenhouse gas emissions; bolstering resilience to the impacts of climate change; and limiting exposure to dangerous chemicals and pesticides.

Viable candidates must be current elected or appointed officials representing local, state, tribal or territorial governments. Additional criteria to be considered may include: Experience with multi-sector partnerships; coalition-building and grassroots involvement; involvement and leadership in national, state or regional intergovernmental associations; knowledge of and commitment to promoting environmental protection and public health issues, including those of communities of color and low-income communities; and leadership and implementation of federal, state, local, tribal, territorial and international environmental programs, including permitting programs, Brownfields, Superfund clean-up, air and water quality, solid waste management, emissions reduction, resiliency and adaptation, sustainability, and environmental justice programs. Diversity in vocational/career/volunteer background, professional and community affiliations, and demonstrated familiarity with local, regional, national, and international environmental issues, also may be considered.

LGAC members are appointed for 1-2-year terms and are eligible for reappointment. The Committee meets multiple times a year, typically with at least one in-person meeting. EPA is committed to prioritizing members' health and safety during the COVID-19 pandemic and will follow CDC guidelines when considering any in-

person meeting. The Administrator may ask members to serve on Subcommittees and Workgroups to develop reports and recommendations to address specific policy issues, reflecting the priorities of the Administration. The average workload for members is approximately 5 hours per month. While EPA is unable to provide compensation for services, official Committee travel and related expenses (lodging, etc.) will be fully reimbursed.

**Nominations:** Nominations must be submitted in electronic format. To be considered, all nominations should include:

- Current contact information for the applicant/nominee, including name, organization (and position within that organization), current work address, email address, and daytime telephone number;
- Brief statement describing the nominee's interest in serving on the LGAC;
- Resume and/or short biography (no more than 2 pages) describing professional, educational, and other pertinent qualifications of the nominee, including a list of relevant activities as well as any current or previous service on advisory committees; and,
- Any letter(s) of recommendation from a third party (or parties) supporting the nomination. Letter(s) should describe how the nominee's experience and knowledge will bring value to the work of the LGAC.

Other sources, in addition to this **Federal Register** notice, may be utilized in the solicitation of nominees. EPA expressly values diversity, equity, and inclusion, and encourages the nominations of elected and appointed officials from diverse backgrounds so that the LGAC and SCAS look like America and reflect the country's rich diversity. Individuals may self-nominate.

Dated: March 2, 2021.

**Julian (Jack) Bowles,**

*Director, State and Local Government Relations.*

[FR Doc. 2021-04624 Filed 3-4-21; 8:45 am]

**BILLING CODE P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9055-5]

### Environmental Impact Statements; Notice of Availability

**Responsible Agency:** Office of Federal Activities, General Information 202-564-5632 or <https://www.epa.gov/nepa>.

Weekly receipt of Environmental Impact Statements (EIS)  
Filed February 22, 2021 10 a.m. EST  
Through March 1, 2021 10 a.m. EST  
Pursuant to 40 CFR 1506.9.

*Notice:* Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search>.

EIS No. 20210023, Draft Supplement, USACE, SC, Haile Gold Mine, Comment Period Ends: 04/23/2021, Contact: Shawn Boone 843-329-8158.

EIS No. 20210024, Draft, FHWA, MD, Chesapeake Bay Crossing Study Tier 1 NEPA, Comment Period Ends: 05/10/2021, Contact: Jeanette Mar 410-779-7152.

EIS No. 20210025, Draft, USACE, LA, Proposed Mid-Barataria Sediment Diversion Project in Plaquemines Parish, Louisiana, Comment Period Ends: 05/04/2021, Contact: Brad Laborde 504-862-2225.

#### Amended Notice

EIS No. 20210002, Draft, BOEM, AK, WITHDRAWN—Cook Inlet Planning Area Oil and Gas Lease Sale 258, Contact: Ameer Howard 907-334-5200. Revision to FR Notice Published 01/15/2021; Officially Withdrawn per request of the submitting agency.

EIS No. 20210005, Final, USFS, AZ, WITHDRAWN—Resolution Copper Project and Land Exchange, Contact: Mary Rasmussen 602-225-5200. Revision to FR Notice Published 01/15/2021; Officially Withdrawn per request of the submitting agency.

Dated: March 1, 2021.

**Cindy S. Barger,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2021-04543 Filed 3-4-21; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-FRL-10020-83-OP]

### National Environmental Justice Advisory Council; Notification of Virtual Public Meetings

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notification for a series of public meetings.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (FACA), the U.S. Environmental Protection Agency (EPA) hereby provides notice that the

National Environmental Justice Advisory Council (NEJAC) will meet on the dates and times described below. All meetings are open to the public. Members of the public are encouraged to provide comments relevant to the specific issues being considered by the NEJAC. For additional information about registering to attend the meeting or to provide public comment, please see "REGISTRATION" under **SUPPLEMENTARY INFORMATION**. Due to the limit of 500 participants, attendance will be on a first-come, first served basis. Registration is required.

**DATES:** The NEJAC will hold a series of virtual public meetings on Wednesday, March 24, 2021, Thursday, May 6, 2021, and Thursday, June 17, 2021, from approximately 1:00 p.m. to 7:00 p.m., Eastern Daylight Time each day. The meeting discussions will focus on several topics including, but not limited to, EPA administration transitions priorities, and discussions and deliberations of a charge related to the reuse and revitalization of Superfund and other contaminated sites. A public comment period relevant to the specific issues will be considered by the NEJAC at each meeting (see **SUPPLEMENTARY INFORMATION**). Members of the public who wish to participate during the public comment period must register by 11:59 p.m., Eastern Daylight Time, one (1) week prior to each meeting date. **FOR FURTHER INFORMATION CONTACT:** Karen L. Martin, NEJAC Designated Federal Officer, U.S. EPA; email: [nejac@epa.gov](mailto:nejac@epa.gov); telephone: (202) 564-0203. Additional information about the NEJAC is available at <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council>.

**SUPPLEMENTARY INFORMATION:** The Charter of the NEJAC states that the advisory committee "will provide independent advice and recommendations to the Administrator about broad, crosscutting issues related to environmental justice. The NEJAC's efforts will include evaluation of a broad range of strategic, scientific, technological, regulatory, community engagement and economic issues related to environmental justice."

Registration: Individual registration is required for each virtual public meeting. Information on how to register is located at <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council-meetings>. Registration for the meetings and to speak for public comment will close at 11:59 p.m., Eastern Daylight Time, one (1) week prior to meeting date. When registering, please provide your name, organization,

city and state, and email address for follow up. Please also indicate whether you would like to provide public comment during the meeting, and whether you are submitting written comments at time of registration.

#### A. Public Comment

Individuals or groups making remarks during the public comment period will be limited to three (3) minutes. To accommodate the number of people who want to address the NEJAC, only one representative from each community, organization, or group will be allowed to speak. Written comments can also be submitted for the record. The suggested format for individuals providing public comments is as follows: name of speaker; name of organization/community; city and state; and email address; brief description of the concern, and what you want the NEJAC to advise EPA to do. Written comments received by the registration deadline, will be included in the materials distributed to the NEJAC prior to the meeting. Written comments received after that time will be provided to the NEJAC as time allows. All written comments should be sent to Karen L. Martin, EPA, via email at [nejac@epa.gov](mailto:nejac@epa.gov).

#### B. Information About Services for Individuals With Disabilities or Requiring English language Translation Assistance

For information about access or services for individuals requiring assistance, please contact Karen L. Martin, at (202) 564-0203 or via email at [nejac@epa.gov](mailto:nejac@epa.gov). To request special accommodations for a disability or other assistance, please submit your request at least fourteen (14) working days prior to the meeting, to give EPA sufficient time to process your request. All requests should be sent to the address, email, or phone number listed in the **FOR FURTHER INFORMATION CONTACT** section.

**Matthew Tejada,**

*Director for the Office of Environmental Justice.*

[FR Doc. 2021-04506 Filed 3-4-21; 8:45 am]

BILLING CODE 6560-50-P

governments; academia; public health organizations; and the public. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. How can I get copies of this document and other related information?*

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2021-0196, is available online at <http://www.regulations.gov>.

Due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

Once the EPA/DC is reopened to the public, the docket will also be available in-person at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the EPA/DC, West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805.

## II. Background

The PPDC is a federal advisory committee chartered under the Federal Advisory Committee Act (FACA), Public Law 92-463. EPA established the PPDC in September 1995 to provide advice and recommendations to the EPA Administrator on issues associated with pesticide regulatory development and reform initiatives, evolving public policy and program implementation issues, and policy issues associated with evaluating and reducing risks from use of pesticides. The following sectors are represented on the current PPDC: Environmental/public interest and animal rights groups; farm worker organizations; pesticide industry and trade associations; pesticide user, grower, and commodity groups; federal and state/local/tribal governments; the general public; academia; and public health organizations.

## III. How do I participate in the virtual public meeting?

*A. Virtual meeting.* The virtual meeting will be conducted via webcast. Please visit <https://www.epa.gov/>

*pesticide-advisory-committees-and-regulatory-partners/pesticide-program-dialogue-committee-ppdc* to find a link to register for the meeting.

*B. Oral comments.* Requests to make brief oral comments to the PPDC during the virtual meeting should be submitted to the DFO listed under **FOR FURTHER INFORMATION CONTACT** on or before noon on the date set in the **DATES** section.

**Authority:** 5 U.S.C. Appendix 2 *et seq.* and 7 U.S.C. 136 *et seq.*

Dated: April 8, 2021.

**Edward Messina,**

*Acting Director, Office of Pesticide Programs.*

[FR Doc. 2021-08461 Filed 4-22-21; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9056-2]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information 202-564-5632 or <https://www.epa.gov/epa>. Weekly receipt of Environmental Impact Statements (EIS) Filed April 12, 2021 10 a.m. EST Through April 19, 2021 10 a.m. EST Pursuant to 40 CFR 1506.9.

*Notice:* Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search>.

EIS No. 20210041, Draft Supplement, CHSRA, CA, California High-Speed Rail San Jose to Merced Project Section Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement, Comment Period Ends: 06/07/2021, Contact: Scott Rothenberg 916-403-6936.

EIS No. 20210042, Draft Supplement, FHWA, NH, Newington-Dover, General Sullivan Bridge Spaulding Turnpike Improvements Project, Comment Period Ends: 06/07/2021, Contact: Jamie Sikora 603-410-4870.

### Amended Notice

EIS No. 20210025, Draft, USACE, LA, Proposed Mid-Barataria Sediment Diversion Project in Plaquemines Parish, Louisiana, Comment Period Ends: 06/03/2021, Contact: Brad Laborde 504-862-2225. Revision to FR Notice Published 03/05/2021; Extending the Comment Period from 05/04/2021 to 06/03/2021.

Dated: April 19, 2021.

**Cindy S. Barger,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. 2021-08491 Filed 4-22-21; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA R9-2021-01; FRL-10022-29-Region 9]

### Notice of Proposed Administrative Settlement Agreement and Order on Consent for Cost Recovery of Past Response Costs at the Advanced Micro Devices, Inc. Building 915 Superfund Site, Sunnyvale, California

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed settlement; request for public comment.

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), notice is hereby given that the Environmental Protection Agency ("EPA"), has entered into a proposed settlement, embodied in an Administrative Settlement Agreement and Order on Consent for Cost Recovery ("Settlement Agreement"), with Advanced Micro Devices, Inc. ("AMD"). Under the Settlement Agreement, AMD agrees to pay some of EPA's past response costs at the AMD Building 915 Superfund Site ("AMD 915 Site") in Sunnyvale, California.

**DATES:** Comments must be received on or before May 24, 2021.

**ADDRESSES:** The proposed settlement agreement is available for public inspection at <https://semspub.epa.gov/work/09/100023247.pdf>. Comments on the Settlement Agreement should be submitted in writing to Rebekah Reynolds at [reynolds.rebekah@epa.gov](mailto:reynolds.rebekah@epa.gov). Comments should reference the AMD Building 915 Superfund Site and the EPA Docket Number for the Settlement Agreement, EPA R9-2021-01. If for any reason you are not able to submit a comment by email, please contact Ms. Reynolds at (415) 972-3916 to make alternative arrangements for submitting your comment. EPA will post its response to any comments at <https://cumulis.epa.gov/supercpad/cursites/csinfo.cfm?id=0902708>, EPA's website for the AMD 915 Site.

**FOR FURTHER INFORMATION CONTACT:** Rebekah Reynolds, Assistant Regional Counsel (ORC-3), Office of Regional Counsel, U.S. EPA Region IX, 75

# **Agency Letters**



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

May 18, 2021

9043.1  
ER 21/0089

Mr. Brad LaBorde  
U.S. Army Corps of Engineers  
New Orleans District  
7400 Leake Ave,  
New Orleans, LA 70118

**RE: Draft Environmental Impact Statement for the U.S. Army Corps of Engineers  
Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish,  
Louisiana.**

Dear Mr. LaBorde:

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (EIS) for the Coastal Protection and Restoration Authority of Louisiana's (CPRA) Proposed Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana.

## **Background Information**

CPRA submitted a Joint Permit Application on June 23, 2016, to the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) for a Department of the Army (DA) permit under Section 10 of the Rivers and Harbors Act of 1899 (33 United States Code [U.S.C.] 403 and Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) and submitted a Section 408 Permission Request Letter (33 U.S.C. 408) to CEMVN on January 13, 2017 for activities related to the construction, operation, and maintenance of the proposed Mid-Barataria Sediment Diversion Project (MBSD Project). The proposed project consists of a multi-component river diversion system intended to convey sediment, freshwater, and nutrients from the Mississippi River to the mid-Barataria Basin at River Mile (RM) 60.7 near the town of Ironton, Plaquemines Parish, Louisiana.

## **Fish and Wildlife Resources**

The following comments and recommendations are submitted pursuant to the authority of, and in accordance with, the provisions of the National Environmental Policy Act of 1969 (83 Stat. 852, as amended P.L. 91-190, 42 U.S.C. 4321 et seq.), and the Fish and Wildlife Coordination Act of 1956 (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Coastal marshes are considered by the U.S. Fish and Wildlife Service (Service) to be aquatic resources of national importance due to their increasing scarcity and high habitat value for fish and wildlife managed by the Service (i.e., migratory waterfowl, wading birds, other migratory birds, threatened and endangered species, and interjurisdictional fisheries). Upon review of the Draft EIS, the Service finds it addresses all impacts and benefits, including those related to fish and wildlife resources, coastal wetlands, and threatened and endangered species.

The Preferred Alternative would directly impact 182.9 acres of jurisdictional wetlands and 266.3 acres of vegetated shallows (submerged aquatic vegetation or SAV) and other waters of the U.S. Additionally, because Mississippi River sediments would be diverted up river of the Birdfoot Delta, the Delta would experience a projected indirect loss of 2,891 acres of wetlands by 2070 when compared with the No Action alternative, of which 926 acres would be indirectly lost on the Delta National Wildlife Refuge (Delta NWR) and 37 acres on Pass-A-Loutre Wildlife Management Area (Pass-A-Loutre WMA). The indirect wetland losses to Delta NWR and Pass-A-Loutre WMA would be offset by the construction of crevasse projects as described in Recommendation #1 of the Draft Fish and Wildlife Coordination Act Report for the MBSD Project. The MBSD project anticipates a net benefit of 13,151 acres of marsh (3,848 AAHUs) near the outfall over the 50-year period of analysis. Overall, there would be positive net benefits to wetland resources in the project area, with the creation and preservation of emergent wetland habitat of high value to fish and wildlife resources.

The Service has continually been involved throughout the planning and evaluation process for the MBSD Project. The CEMVN and CPRA have been responsive to all our data needs, questions, comments, and concerns. Because of our extensive coordination, and the positive net benefits to wetland resources, all of our comments and suggestions have been sufficiently addressed at this time and the Service has no further comment.

We appreciate the cooperation of your staff on this project and look forward to our continued coordination to further protect fish and wildlife resources. If you need additional assistance or have questions regarding this report, please contact Cathy Breaux (504/862-2689) of this office.

Sincerely,

John Nelson  
Regional Environmental Officer

Cc: Mr. Jeffrey Varisco at Jeffrey.J.Varisco@usace.army.mil  
NMFS, Baton Rouge, LA: Mr. Craig Gothreaux at craig.gothreaux@noaa.gov  
LDWF, Baton Rouge, LA: Mr. Kyle Balkum at kbalkum@wlf.la.gov  
CPRA, Baton Rouge, LA: Mr. Bren Haase at Bren.Haase@LA.GOV



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1201 ELM STREET, SUITE 500  
DALLAS, TEXAS 75270-2102

May 26, 2021

Brad LaBorde  
Regulatory Project Manager  
New Orleans District - CEMVN-ODR-E  
U.S. Army Corps of Engineers  
7400 Leake Ave  
New Orleans, Louisiana 70118

Dear Mr. LaBorde:

The U.S. Environmental Protection Agency (EPA) has reviewed the U.S. Army Corps of Engineers (USACE) Draft Environmental Impact Statement (EIS) for the Mid-Barataria Sediment Diversion Project, Plaquemines Parish, Louisiana (CEQ Number 20210025). The Draft EIS was reviewed pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500 - 1508), and EPA's NEPA review authority under Section 309 of the Clean Air Act.

The Coastal Protection and Restoration Authority Board of Louisiana, through the Coastal Protection and Restoration Authority (CPRA), submitted a Joint Permit Application to the Department of the Army under the provisions of Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Appropriation Act of 1899 and a permission request under Section 408 of the Rivers and Harbors Act of 1899 to the USACE, New Orleans District, for CPRA's proposed Mid-Barataria Sediment Diversion (MBSD). The Proposed Action consists of the placement of a sediment diversion through a portion of the federal Mississippi River and Tributaries Project mainline levee on the right descending bank of the Mississippi River at approximately River Mile 60.7 and through the future New Orleans to Venice (NOV) Hurricane Protection Levee, extending into the Mid-Barataria Basin in Plaquemines Parish, Louisiana.

EPA served as a Cooperating Agency and reviewed and provided technical comments on the Draft EIS during its development. We appreciate participating on issues of importance to the Agency including climate change considerations and evaluation of the climate resiliency and adaptation aspects of the proposed project. In addition, EPA acknowledges the proactive approach taken to incorporate technical suggestions and factoring a changing climate into the overall modeling for the project regarding greenhouse gas emissions and climate change. We also acknowledge that this approach was out of recognition that this effort is different from other infrastructure projects in that the proposed action itself is an adaptation/resiliency feature.

In addition, we appreciate working with USACE, CPRA, and the other agencies on the key issues of environmental justice and impact mitigation throughout development of the Draft EIS. The Draft EIS acknowledges in Chapter 4 that the proposed project may have disproportionately high and adverse impacts on the project affected area for minority and low-income residents and users of the resources in the area. According to the models, this may include periodic flooding of some residences and businesses during the operation of the MBSD. It may also include storm hazards and changes in the composition of fishery species. EPA encourages and supports the ongoing efforts to effectively address the identified

environmental justice impacts in the development of the Draft Mitigation Plan provided in Appendix R. EPA strongly recommends that the Final Mitigation Plan include measures to specifically address disproportionately high and adverse impacts related to commercial shrimp and oyster fishing, tidal flooding, and storm hazards identified in the proposed project area. The mitigation measures should include elements designed to consider any unique vulnerabilities and help ensure an equitable distribution of benefits to minority and low-income populations that would be impacted by the proposed project. EPA commends CPRA for holding outreach meetings with minority and low income people in the area to discuss impacts of the proposed project and related mitigation measures.

Thank you for the opportunity to review this Draft EIS. EPA looks forward to the receipt and review of the Final EIS. If you have any questions, please contact Michael Jansky, the project review lead, at 214-665-7451 or [jansky.michael@epa.gov](mailto:jansky.michael@epa.gov).

Sincerely,

Jonna Polk  
Director  
Office of Communities, Tribes, and  
Environmental Assessment

cc: Louisiana Trustee Implementation Group Representatives



The Department of Environmental Quality (LDEQ), Business and Community Outreach Division has received your request for comments on the above referenced project.

After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this project, you should immediately notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.

- Please take any necessary steps to obtain and/or update all necessary approvals and environmental permits regarding this proposed project.
- If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
- If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater.
- All precautions should be observed to control nonpoint source pollution from construction activities. LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact the LDEQ Water Permits Division at (225) 219-9371 to determine if your proposed project requires a permit.
- If your project will include a sanitary wastewater treatment facility, a Sewage Sludge and Biosolids Use or Disposal Permit is required. An application or Notice of Intent will be required if the sludge management practice includes preparing biosolids for land application or preparing sewage sludge to be hauled to a landfill. Additional information may be obtained on the LDEQ website at <http://www.deq.louisiana.gov/portal/tabid/2296/Default.aspx> or by contacting the LDEQ Water Permits Division at (225) 219- 9371.
- If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps directly regarding permitting issues. If a Corps permit is required, part of the application process may involve a water quality certification from LDEQ.
- All precautions should be observed to protect the groundwater of the region.
- Please be advised that water softeners generate wastewaters that may require special limitations depending on local water quality considerations. Therefore if your water system improvements include water softeners, you are advised to contact the LDEQ Water Permits to determine if special water quality-based limitations will be necessary.
- Any renovation or remodeling must comply with LAC 33:III.Chapter 28, Lead-Based Paint Activities; LAC 33:III.Chapter 27, Asbestos-Containing Materials in Schools and State Buildings (includes all training and accreditation); and LAC 33:III.5151, Emission Standard for Asbestos for any renovations or demolitions.

- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous constituents.
- The two unregistered free flowing water wells that were discovered in the pasture land during the site investigation and the corroded steel oil well pipe that was observed protruding from the water near the center of the West Access Canal need to be properly plugged and abandoned. The plugging and abandonment of these wells must be completed by a Louisiana Department of Natural Resources (LDNR) Licensed Water Well Driller, and be done in accordance with LAC Title 56 Regulatory Requirements.
- If any docks or pilings involve any treated wood elements, the treated timber must be reused, recycled, or properly disposed of at permitted facilities.
- If the project will involve the removal or disturbance of any soils which may have contaminant concentrations that exceed the Limiting Screening Option Standards established by the LDEQ Risk Evaluation/Corrective Action Program (RECAP) Regulation, these materials may be considered a waste and disposed of at a permitted facility, or might be managed as part of a Solid Waste Beneficial Use or Soil Reuse Plan in accordance with LAC 33:VII.Chapter 11. Alternately, a site-specific RECAP Evaluation might be conducted and submitted to the LDEQ.

Currently, Plaquemines Parish is classified as attainment with the National Ambient Air Quality Standards and has no general conformity determination obligations.

Please send all future requests to my attention. If you have any questions, please feel free to contact me at (225) 219-3954 or by email at [linda.piper@la.gov](mailto:linda.piper@la.gov).

Sincerely,

Linda (Brown) Piper

Environmental Scientist Manager

Louisiana Dept. of Environmental Quality

Office of the Secretary

Phone: (225) 219-3954

FAX: (225) 219-3971

Email: [linda.piper@la.gov](mailto:linda.piper@la.gov)

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commander  
United States Coast Guard  
Sector New Orleans

200 Hende Street  
New Orleans, LA 70114  
Phone: (504) 365-2215  
Email: Kelly.K.Denning@uscg.mil

16670  
July 22, 2022ee

U.S. Army Corps of Engineers  
Attn: Colonel Stephen Murphy  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267

Colonel Murphy,

I would like to take this opportunity to share concerns of the U.S. Coast Guard with regard to the Mid-Barataria Sediment Diversion project, permit number P20131098. My staff has reviewed the permit application and met with navigation stakeholders over the previous months to hear their input regarding this project. Based on this information, I have concerns that this project presents an increased risk to navigation safety both during the construction and operational phases of the project, as well as unknown sedimentation impacts to anchorages.

The proposed project will require extensive coordination during both the construction and operational phases. This project is not located in an area that is actively monitored by a Coast Guard Vessel Traffic Service, and therefore detailed planning and communication between waterway users and project workers will be necessary to facilitate construction while ensuring safe and free navigation. Additionally, there are concerns that other navigation safeguards will be necessary once the project is operational, such as picket boats, light & sound signals, and radio guards. Given the significant changes to the operating environment and associated navigation concerns this proposed structure represents, a decision to deny or grant the permit must be informed by a thorough risk analysis. To that end, and based on our initial determination of increased navigational risk resulting from the changes to operating conditions, it is my strongest recommendation that your office require the applicant to conduct a formal navigation safety risk assessment (NSRA).

Based on my office's preliminary review of the project and the comments I have received from stakeholders, I also have significant concerns regarding the impacts this project will have on sedimentation affecting the anchorages. Anchorages along the lower Mississippi River are crucial to facilitating deep draft vessel safety, movement, and commerce. Therefore, I strongly recommend conditions be included in any permit approval to mitigate and/or address sedimentation negatively impacting anchorages as a result of permitting this structure.

My staff and I are available to meet with you and the permit applicant to discuss these concerns and the scope and process of a formal NSRA. My primary point of contact for this matter is LCDR William Stewart. He may be reached at [William.A.Stewart@uscg.mil](mailto:William.A.Stewart@uscg.mil) or (504) 365-2246.

Sincerely,

A handwritten signature in blue ink that reads "K. K. Denning".

K. K. Denning, CAPT  
Captain of the Port  
Commander, Sector New Orleans  
U. S. Coast Guard



16670

AUG 16 2022

U.S. Army Corps of Engineers  
Attn: Colonel Stephen Murphy  
New Orleans District  
P.O. Box 60267  
New Orleans, LA 70160-0267

Colonel Murphy,

Following my previous letter of July 22<sup>nd</sup>, in which I expressed some concerns related to the Mid-Barataria Sediment Diversion project, permit number P20131098, I have since reviewed information provided and engaged in several discussions regarding the project. Based on information obtained from communications with the Coastal Restoration and Protection Authority (CPRA), Coast Guard Navigation Center, and the Environmental Impact Statement (EIS) Navigation and Dredging Analysis, the Coast Guard has no objection to this structures' permit.

Notwithstanding, further coordination between CPRA, Lower Mississippi River (LMR) navigation stakeholders, and the Coast Guard will be needed to identify navigational safety measures to be implemented during both the construction and operational phases of this project. The navigational safety measures that require further clarity include but are not limited to procedures related to communications, signs and signals, and operational status of the diversion structure. We recommend these discussions continue through the Greater New Orleans Port Safety Council, Harbor Safety Committee's Subcommittee for Navigation and Waterway Utilization. While finalizing these details is an important step to maintaining navigation safety, they can be coordinated concurrently during the remainder of the permitting and construction processes.

Lastly, based on the EIS Dredging Analysis provided, sedimentation impacts to Non-Federal Facilities (i.e. anchorages) "were not sufficiently resolved by the models to justify any conclusions." I want to express the importance anchorage grounds provide to facilitating safe navigation on the Mississippi River. If any future loss of, or impacts to anchorage grounds becomes apparent as a result of this structure, please notify and coordinate with the Coast Guard and applicable stakeholders to ensure safety of navigation.

My staff and I are available and look forward to working with you and the permit applicant to ensure safe navigation during all stages of this project. My primary point of contact for this matter is LCDR William Stewart. He may be reached at [William.A.Stewart@uscg.mil](mailto:William.A.Stewart@uscg.mil) or (504) 365-2246.

Sincerely,

A handwritten signature in blue ink that reads "Kelly K. Denning".

K. K. Denning, CAPT  
Captain of the Port  
Commander, Sector New Orleans  
U. S. Coast Guard

## **Navigation List**

| Date                                                                                                                        | Parties                          | Location           | Purpose                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Attendees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6/13/2013                                                                                                                   | Navigation Focus Group           | Baton Rouge CPRA   | Update Mid-Barataria and other projects.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Navigation Group Members: Spencer Murphy, Z. David DeLoach, Channing Hayden, Louis Colletta, Jim Stark, Sharon Balfour, Michael Rooney, Sean Duffy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 8/16/2013                                                                                                                   | Navigation Stakeholders          | New Orleans        | CPRA to get input from Nav Stakeholders to set up BA-0153 Deep Draft Ship Sims.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not available                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 7/25/2014                                                                                                                   | Big River Coalition              | N/A                | Sent copy of 2014 Deep Draft Navigation Study to Nav Industry                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 2/16/2018;<br>6/22/2018*                                                                                                    | USACE - ERDC                     | comments           | Reviewed WSTs Scope of Work for Nav Sims; CPRA comment / response to ERDCs questions on WST Scope and how comments are addressed. (unsure of exact date / product) (unsure of exact dates / product)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3/2/2018                                                                                                                    | Big River Coalition / Bar Pilots | Bar Pilots Office  | Provided navigation industry with a project update, permitting process, and stakeholder involvement timelines for Ship/Tow Simulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Attended by 10 task force members. Meeting hosted by the Big River Coalition/Louisiana Maritime Association                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 8/2/2018 (and preceding coordination from CPRA to stakeholders and USACE for invitation to meet and input on agenda topics) | Navigation Stakeholders          | USACE              | Get input on proposed Nav simulations from USACE, USCG, Deep Draft, Tows, Industries. Input directly incorporated from Nav Stakeholders to revise Simulations per Nav Stakeholders. Have notes upon request.<br><br>A preliminary agenda is as follows.<br>. Call to Order and Introductions<br>. Description of the project plan design and operation<br>. Presentation of the results of the previous deep-draft simulation study<br>. Discussion of tow traffic characteristics and operations in the project reach (line-haul and fleeting)<br>. Description of plans for simulating tow traffic with the project operating<br>. Planned Schedule for tow simulation tests<br>. Final discussion, questions and concerns.<br>. Dismissal | Matt Lagarde - Maritime Navigation Safety Association<br>Ron Branch - Maritime Navigation Safety Association<br>LCDR Benjamin Morgan - USCG Sector New Orleans WMB<br>Ramond Wagner - USCG Marine Safety Unit Baton Rouge<br>Michael Miller - Associated Branch (Bar) Pilots<br>Michael Bopp - Crescent River Port Pilots Association<br>Jimmy Cramond - Crescent River Port Pilots Association<br>Nathan Ankersen - Crescent River Port Pilots Association<br>Mark Nelson - Crescent River Port Pilots Association<br>Steve Hathorne - New Orleans Baton Rouge Steamship Pilot Association<br>Toby Wattigney - New Orleans Baton Rouge Steamship Pilot Association<br>Greg Bush - Associated Federal Pilots<br>Jaime Colón - Associated Federal Pilots<br>Sean Duffy - Big River Coalition<br>Jay McDaniel - LOMRC (Kirby Corp)<br>Frank Johnson - LOMRC (Ingram Barge)<br>David Goin - LOMRC (FMTDry)<br>Sarah Fakhari - CHS<br>Kerry Conrad - CHS<br>Michelle Kornick - USACE (Senior Tech. Rep. Mississippi River)<br>Jamie Gatz - VTC NOLA<br>Bob Mueller - Turn Services<br>Mike Marshall - Turn Services<br>Brad Chauvin - Turn Services<br>Jeff Varisco - USACE (Project Lead)<br>Brad Laborde USACE - (Project Manager)<br>Armond Johnson - USACE<br>Brad Barth - CPRA (Sediment Diversion Program Manager)<br>Megan Terrell - CPRA (Governor's Office EIS Lead)<br>Liz Davoli - CPRA (EIS Manager)<br>Kevin Horn - Gulf Engineers and Consultants (GEC)<br>Spencer Murphy - Canal Barge<br>Mark Wright - AWO<br>Guerry Holm - Jacobs<br>Mark Gonski - AECOM<br>Bruce Lelong - AECOM |
| 8/5/2018                                                                                                                    | Nav Stakeholders                 | Email              | Larry Daggett thanked everyone for participation on 8/2/2018, and openly invited Stakeholders to physically observe the simulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 8/22/2018                                                                                                                   | Nav Stakeholders                 | MFR                | Update on Tow Simulations and request for comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | CHS<br>Michelle Kornick<br>Mike Marshal (Turn Services)<br>David Goin (FMTDry)<br>Nathan Ankersen (Crescent Pilots)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 8/23/2018                                                                                                                   | Tow Pilots                       | Telephone Call     | Larry Dagget coordinating with Tow Pilots to ensure getting pilots to the simulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 8/30/2018                                                                                                                   | USACE to CPRA                    | MFC                | CPRA received an unsolicited letter from Jeff Eckstein commenting on the Ship/Tow Simulations, dated 8/23/2018.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 8/31/2018                                                                                                                   | USACE                            | Email              | Summary of MFR for simulation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Jeff Varisco<br>Brad Laborde<br>Michelle Kornick                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 8/31/2018                                                                                                                   | USACE                            | Email              | Final Nav Simulation Test Matrix (after input/comments from Nav Stakeholders to Jeff Varisco, Brad Laborde, and Michelle Koernick)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Jeff Varisco<br>Brad Laborde<br>Michelle Kornick                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 9/3/2018                                                                                                                    | CPRA                             | Internal MFR       | Response to ERDCs Aug 23, 2018 letter (Not sent to USACE)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 9/10-14/2018                                                                                                                | Nav Simulations                  | Baltimore Maryland | CPRA's contractor WST ran sims with 2 pilots from Turn Services (fleeting tow), 1 pilot inline tow (ACBL), and 1 Deep Draft federal pilot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | WST, pilots                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|           |                            |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                       |
|-----------|----------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9/5/2018  | Nav Simulations            | Phone Call                         | Status update on Nav Sims with USACE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Jeff Varisco<br>Brad Laborde<br>Mario Sanchez (ERDC)                                                                                                                                  |
| 3/4/2020  | Nav Stakeholders           | MNSA/Pilots Meeting                | CPRA provided Diversions updates; update on Barataria design (nav related), nav sim results, and nav/dredge appendix (CPRA's Opinion), as well as upcoming Breton Sims.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 20 attendees: representation from all 4 pilot groups, USCG Sector of New Orleans Waterways                                                                                            |
| 3/11/2020 | Nav Stakeholders           | Greater New Orleans Safety Council | CPRA provided Diversions updates; update on Barataria design (nav related), nav sim results, and nav/dredge appendix (CPRA's Opinion), as well as upcoming Breton Sims.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 50 attendees.                                                                                                                                                                         |
| 7/17/2020 | USACE River H&H / Dredging | Conference Call                    | CPRA's River SME Collin Thorne discussed overall potential dredging reduction with diversions, main issue RSLR, salt wedge, and ultimately diversions may benefit USACE's Dredging Program. USACE had Jeff Varisco, Brad Laborde, Steve Ayers, Will Veatch, Gary Brown, Nik Richard, and Landon Parr. Discussed salt wedge is always in SWP and since wash load is SWR=1, salt wedge is a local position issue related to flow. GB acknowledged lower spillage in Lower East (Ft. St. Philips), as well as USACE's dredging locus is / will move up stream regardless of diversions (RSLR). USACE has little to no data in regards to salt wedge/dredging conversation. USACE also noted that wind forcing is a key uncertainty in regards to which way flow exits the lower river. | Collin Thorne (CPRA)<br>Jeff Varisco (USACE)<br>Brad Laborde (USACE)<br>Steve Ayers (USACE)<br>Will Veatch (USACE)<br>Gary Brown (ERDC)<br>Nik Richard (USACE)<br>Landon Parr (USACE) |
| 10/1/2020 | USACE                      | Conference Call                    | Jeff Varisco confirmed USACE is finalizing the DEIS Navigation Appendix.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | CPRA, Jeff Varisco                                                                                                                                                                    |